



# City of Seattle

Department of Construction and Inspections

Nathan Torgelson, Director

DESIGN  
REVIEW

## RECOMMENDATION OF THE EAST DESIGN REVIEW BOARD

Project Number: 3020338

Address: 2925 E Madison St

Applicant: Charles Strazzara of Studio Meng Strazzara

Date of Meeting: Wednesday, September 13, 2017

Board Members Present: Curtis Bigelow, Chair  
Barbara Busetti  
Kenny Pleasant  
Andrew Haas

Board Members Absent: Melissa Alexander

SDCI Staff Present: Magda Hogness, Lisa Rutzick

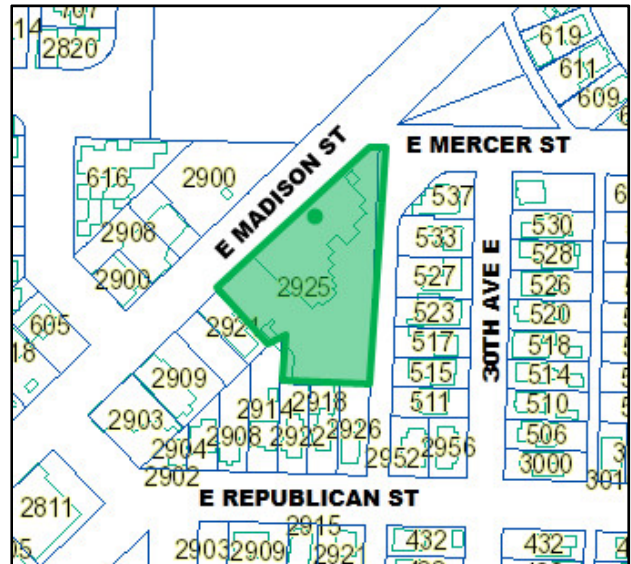
### SITE & VICINITY

Site Zone: Neighborhood Commercial (NC2P-40 and NC2P-30)

Nearby Zones North: Single Family (SF 7200)  
South: SF 5000  
East: SF 5000  
West: NC2P-40

Lot Area: 40,422 SF

Access: The subject property currently has vehicular access off E Madison S.



Environmentally Critical Areas: The site is a mapped Environmentally Critical Areas (ECA), due to steep slope and liquefaction prone soils.

**Current Development:**

The site is occupied by one story retail structure, known as the City People's Garden Store.

**Surrounding Development and Neighborhood Character:**

The project site is located in the Madison Valley neighborhood, characterized by its close proximity to Madison Park to the east and the Arboretum to the north. This neighborhood is predominately comprised of single family and multifamily residential housing types and commercial and retail uses along E Madison St, which the City has designated as an arterial.

The site has street frontage on E Madison St, Dewey Pl E and an unimproved portion of E Mercer St. Access for E Mercer St dead-ends Dewey Ave due to steep topography. A pedestrian hill climb is proposed at this location as part of this proposal.

Recent development includes sizeable residential and mixed-use buildings. To the northwest, across E Madison Ave, is a 3-story masonry building, the Madison Loft Condominium. Adjacent to the southwest is a 2-story wood frame structure, the Washington Park Art Studios. To the south and east of the site are single family structures as the zoning transitions to single family. This site has the potential to serve as a transition area from the multifamily and commercial uses along E Madison St to the single family zone south and east of the site.

**PROJECT DESCRIPTION**

The applicant is proposing a 6-story building consisting of 82 residential units above 26,100 sf of retail space and includes parking for 140 vehicles. The existing structures are proposed to be demolished.

**FIRST EARLY DESIGN GUIDANCE July 13, 2016****PUBLIC COMMENT**

The following comments were offered at the meeting:

- Concerned with the height, bulk and scale of the proposal; the proposed development completely overwhelms the site and displays a lack of sensitivity to its potential neighborhood, and is inconsistent with Design Guidelines CS2.B1 and CS2.C2
- Noted that the site has two or more individual Exceptional Trees and an Exceptional Grove and that the proposed removal of these trees is inconsistent with Design Guideline CS1.D1. The proposal disregards direction to provide a fully code compliant option with respect to the steep slope, ECA and buffer, access and street improvement exception.
- The proposal utterly fails to respond appropriately to the context and site per Design Guidelines, CS1-C Appropriate Use of Natural Topography, CS1-D Incorporate onsite landscaping, and CS2-B Open Space to inform site design.
- Concerned with how height is being measured; approximately one third of the site is a 40 percent steep slope, with more than 30 feet elevation change from toe to top, yet the height diagram shows only a 2.5 ft differential step down between the flat area and the 30 ft drop in elevation.

- Noted that the graphic of the section cut is not representative of the true massing proposed; at the north end of the site, the building mass looms over the Dewey residences. A more than 60 ft vertical façade rises above Dewey. This is a 40' commercial zone, neighboring a single family zone and is inconsistent with Design Guidelines CS2.D11 and CS2.D4.
- Rather than respecting the topography, or using the site features to inform the design, this project eradicates the site topography, inconsistent with Design Guideline CS1.C2.
- Currently a natural buffer with a mature urban tree canopy sits between the NC2P-40 commercial zone and single-family homes. This project would remove that buffer, rather than providing a transition between more and less intense zones, as Design Guidelines CS2.D3 and CS2.D4 recommend.
- Lack of support for the 156 car, two story, 320 foot long parking garage exposed on Dewey. It will release fumes, noise, and light into neighboring homes. The proposed façade changes the character of Dewey and creates an unfriendly and unsafe- feeling pedestrian environment, inconsistent with guidelines Dc1.C1, DC1.C2, andDC4.C2.
- Lack of support for the garage entrance of Dewey Place, a non-conforming street because of its narrow width, which will draw a large influx of traffic and impact safety. The proposal includes 30 additional parking spaces above requirements and is inconsistent with design guidelines CS2.D5 and CS2.B2.
- Concerned with the removal of existing vegetation, which includes 39 mature trees, over 20 native plant species and over 14,600 sf of tree canopy. The urban tree canopy and green space on Dewey is contiguous with the Mercer Madison Wood, the Arboretum, and is part of a larger urban forest corridor. The Design Guidelines CS1.D2 encourage preserving or extending urban forest corridors.
- Lack of support for the south façade blank wall. The east side along Dewey continues the visual effect of a blank wall. All these walls are at street level, creating an unfriendly pedestrian environment, inconsistent with guideline DC2.B2.
- Concerned that the proposed retail floor is below street level, causing people to have to walk down ramps or steps. The grade separation is unnecessary and is poor design, inconsistent with guideline CS2.B2.
- Concerned that the proposal severely curtails privacy and outdoor activities on its south and east side, inconsistent with guideline CS2.D5.
- Supportive of the development; this project will bring a socially responsible grocery co-op and add many needed residential units to this fast growing city that is experiencing a housing supply crisis.
- Noted that the neighborhood doesn't currently have a central community space and views this project as a rare opportunity. Supported the courtyard space shown in Option 2.
- Impressed by the proposed street frontage along Madison.
- Supported the proposed materials.
- Would like to see more setback and terracing along the Dewey façade.
- Concerned with tree removal. The project will eliminate a mature and grove of urban trees that shelters, shades, and beautifies the adjoining neighborhood.

- Lack of support for back-lit signage or obtrusive lighting; prefer to see unlit stencils and awning signage.
- Concerned with the location of loading off Madison St; it is not in keeping with a pedestrian friendly environment. Would like to see more consideration given to the placement and design of the garage and loading area.
- Concerned with noise impacts, in particular from the HVAC units.
- Strongly supported a combined option of with the community space as shown in Option 2 and Option 3.
- Lack of support for the proposed hillclimb.
- Supported proposal Option 3, as it provides a good balance of attractive commercial property with minimal disruption to the neighborhood.
- Supported the scale of proposal; it is in scale with other development on Madison
- The Madison Greenways group has been in discussions with the City and SDOT to implement a greenway through the neighborhood, with the greenway crossing Madison St. at 29th Ave E. As a part of that effort, Madison Greenways, SDOT and Metro are in talks to move the existing eastbound bus stop along Madison east one block to the front of this building site. The design should plan for the repositioning of this bus stop.
- Would like to see significant sized trees on Dewey and on Madison and a variety of planting proposed.
- Concerned with traffic and parking entry impacts for pedestrians and bicyclists.
- Would like to see a smaller grocery, the green space and tree canopy preserved and the natural topography respected.
- Concerned with drainage impacts.
- Supported the project, but would like to see the south frontage refined.
- Supported a pedestrian connection from Madison to Dewey.

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

- Lack of support for strong accent colors.
- Supported the proposed vehicular entrances; splitting the entries is seems to be a reasonable way to reduce congestion.
- Supported the proposed materials brick and natural wood to blend into the streetscape.
- Supported the Dewey frontage; the architect has done a good job of reducing the visual impact of the building as well as its effect on shading.
- Would like to see the building be more adventurous in terms of saving energy, by committing to meeting one of the green standards currently offered by the City of Seattle.
- Concerned with the shading of the p-patch garden; would like to see the developer and architect respond to the presence of and potential impacts on the Mad P-Patch.
- Lack of support for a commercial loading on a residential street. Would like to see most traffic and commerce on the main thoroughfare, Madison St.
- Would like to see increased setbacks along the parking structure and a substantial screen of tall trees to soften that view.

- The garage entrance on Dewey would be hazardous to pedestrians, as Dewey is a very narrow street with no planting strips, narrow sidewalks, and a single lane that hosts two-way traffic.
- Supported the preferred design Option 3; it is successful at minimizing shading to adjacent structures and using the natural topography to inform the design.
- Noted that building will serve as the east anchor of the Madison Valley commercial district and that many of the buildings in the area feature square-paned/divided windows. Would like to see that feature repeated here, particularly in the transoms above the large retail windows. The transom windows shown in the EDG renderings come close, but would like to see a more modern, rectangular panel.
- Would like to see more balance between this building's NE corner and the Madison Lofts building.
- Supported the retail space on the NE corner; as the first retail space, most westward-bound travelers will encounter in the retail core, and should be distinctive per Design Guideline CS2-C.
- Supported Option 2 as it is suited for greater community involvement and is better for more users of the site. The preferred design (Option 3) does include a generous setback for the retail entry (10'), but its width along the street front is limited compared to Option 2.
- Noted that Option 2 does have a greater impact on the residents in the valley below, and that must be addressed.
- Supported Option 3 as it transitions to the single family zones to the east and south.

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. Height, Bulk, Scale and Massing Options:** The Board acknowledged the public's concern with the height, bulk and scale of the proposal and agreed that the massing needed to further transition along Dewey and the single family zone. The Board commended the applicant's effort to date and unanimously agreed the general massing and frontage along Madison is an appropriate scale. The Board discussed the strengths of the massing options and supported the courtyard community space shown in Option 2 and terraced massing shown in Option 3, but also agreed more effort is needed to respond to the site topography and context. The Board directed the applicant to return with a modified, hybrid massing option based on the guidance provided.
  - a. The Board unanimously agreed with public comment that additional setbacks should be provided to respond to the site topography and transition to the single family zoning. While refining the massing at this location the Board also recommended

studying if there is potential to save some of the existing trees. (CS1-C, CS1-D, CS2-A, CS2-B, CS2-D, DC2-A, DC3-C-3)

- b. In order to address concerns about how the building height is calculated, the Board requested more information and if possible, verification that the calculation is code compliant for the next meeting. (CS1-C-2, CS2-D, DC2-A-1)
- c. The Board supported the inclusion of a community space along the street as shown in Option 2. The Board also discussed if a courtyard should be provided and ultimately agreed that a courtyard could be developed, but providing adequate community space for gathering is a higher priority and noted this activity could potentially occur as part of the interior program. The Board recommended developing the grocery retail frontage with adequate space for outdoor/indoor dining opportunities and pedestrian amenities to engage and interact with the streetscape. (CS3-A, CS2-B-2, PL1, PL3-C, DC3)

**2. Response to Context and Topography:** Echoing the public comment regarding the frontage along Dewey, the Board was concerned with the extent of blank wall shown.

- a. The Board questioned if two stories of elevated parking provides the best frontage along Dewey and the adjacent single family zone. The Board recommended studying different alternates address the residential context and respond to existing topography. (CS1-C, CS2-A, CS2-D-2, CS3-A-1, CS2-B-3, DC1, DC3-C-3)
- b. The Board was also concerned with the visibility of concrete and gabion baskets and recommended developing a sensitive solution using high quality materials which better relate to the surrounding residential context. (CS2-A, CS2-B, CS3-A-1, CS2-B-3, DC2-B, DC3-C-3)
- c. The Board noted that the tallest massing volume appears to be at the northeast corner and agreed this area will be highly visible and the scale relationship is critical. (CS2-A, CS2-B, CS2-C1, CS2-D, DC2-A-2, DC2-B, DC2-D-1)

**3. Site Features and Existing Tree Canopy:** Affirming the public comment, the Board requested more information about the status of the trees, including snags, and the urban forest corridor. The Board stated that although replacement trees will never be the same, generous planting could still be provided. Reviewing the proposed planting, the Board was concerned with the equally spaced columnar row of trees and recommended differing scales of trees. For the next meeting, the Board requested more details about the landscape plan, including information on efforts to incorporate the existing tree canopy. (CS1-B-3, CS1-D, CS2-B, CS2-D-2, DC3-C, DC4-D)

**4. Trash, Vehicular Access and Loading Location:** The Board recognized the diverse public opinions regarding the parking, garage and loading access locations. The Board agreed that splitting up the loading and parking access appears logical but requested more information before indicating their preference. For the proposed trash and loading area along Madison, the Board implied that the designing pedestrian character of the street is critical to address the priority of the pedestrian realm. (CS2-B-2, PL1, DC1-B-1, DC1-C, DC4)

5. **Materials:** The Board strongly supported the quality of materials presented at this early phase. (CS3-A-1, DC2, DC4-A-1.)

## SECOND EARLY DESIGN GUIDANCE October 26, 2016

### PUBLIC COMMENT

The following comments were offered at the meeting:

- Concerned with the height calculation methodology.
- Lack of support for the project; at the first EDG, the Board made a number of recommendations regarding the proposed building, none of which are adequately addressed.
- The proposal is inconsistent with guideline CS2.D1. A mature, urban canopy, continuous with the Arboretum, would be removed and replaced with small, dwarf ornamental trees which at maturity will not equal the present canopy.
- Medium and large trees and a diverse understory are not viable with 5', 10', or 15' setbacks. A green wall on the garage is a decoration distracting from the significant loss of urban ecological services.
- Preference for a 30' setback to accommodate large, native trees and plantings, a rich understory and diverse ecological habitat that would screen the neighborhood from the structure throughout the year.
- Lack of support for the 320' long eastern façade; it is a 74' wall, situated in a 40' zone, and abutting 25' homes. The Board expressed concerns about the northeast corner of the building at the first EDG, and it remains grossly out of scale with the context and insensitive to the topography; inconsistent with Guideline CS2.D3.
- The applicant's renderings are drawn with a profusion of trees which could never in reality grow as proposed.
- The retaining wall height is not clearly stated, but is evidently over 10' in places. The sidewalk has no planting strip and the design will create an unfriendly pedestrian experience, inconsistent with Guidelines PL2 and PL3.
- The eastern and southern facades, rather than being a "lush layered landscaping greenbelt," instead are blank walls and are inconsistent with guideline DC2.B2
- The two story above grade garage is inconsistent with guidelines DC1.C1, DC1.C2, and DC4.C2. Would like to see a significantly smaller garage, entirely below ground.
- There is no community space offered on Madison as was requested by the Board; inconsistent with guideline PL1.C2.
- Concerned with the errors and omissions in the applicant's traffic report.
- Would like to see a design option that reduces the size of the garage and lessens the traffic impact for the entire area.
- Concerned with signage and lighting impacts and potential noise from rooftop ac units.
- Would like to see low income housing proposed.
- Would like to see sustainable systems incorporated such as rain water collection, PV panels, insulated to "passive house" standards, street level covered bicycle parking, and no off-gassing materials.

- Would like to see a reduced building footprint.
- Support for the project, noted that additional height is being contemplated for the area related to HALA. Project will be a legacy to Madison park community.
- Would like to see onsite plants and habit incorporated.
- Concerned that the drawing provided by the developer is inaccurate in that it includes trees that do not exist in the neighboring yards and landscape at what appears to be full maturity.
- Concerned with the height bulk and scale of the massing facing the residential context. Would like to see the Board accept a better design, as opposed to the code compliant version which is inconsistent with CS2-A1, CS2, CS2.
- Support for project; the architect has worked very hard to listen to what the community wants and put forth a lot of effort. The proposal could become an asset.
- Lighting, night glare and light pollution will be a significant problem with the building perched atop the slope above single-family residences, and remains unaddressed in this design, DC4.C2.
- Concerned that the proposed development does not fit with the nature of the neighborhood. The context of the neighborhood is gardens and the proposed scale is incompatible.
- Concerned with the height, bulk and scale of the frontage along Dewey.
- Appreciated the added buffer and the pedestrian experience and attention that is being paid on Madison.
- Concerned with traffic and parking entry impacts.
- Support for the split parking garage entrance

SDCI staff summarized design related comments received prior to the EDG meeting:

- Concerned with storm water flooding impacts.
- Supported the northeast corner of the proposed building. The choice of natural materials for this portion of the façade integrates the building with the landscape plantings and urban forest to the east.
- Supported tree removal; any departures granted to preserve the trees and maintain the allowed FAR would significantly increase the building's scale, bulk and mass.
- Supported the greater variety of larger trees and overall lush landscaping which has improved the design.
- Supported the improvements the development will make to both the front and back of the building; the project will widen sidewalks and improve pedestrian safety by creating quality places for people to walk.
- Supported the outdoor seating at street level and the recessed alcove for market entry.
- Not convinced there is a need of a 50' curb cut on Madison, and would like to see a scaled drawing included as 50' seems excessive.
- Concerned with the Dewey side retaining wall as it will be taller than pedestrians, the green wall (if it is successful) may take a decade to fill in, and the setbacks are



inadequate to grow trees to their full size. The result is that the eastern façade, and the southern façade will remain blank walls DC2.B2.

- Increasing part of the setback on Dewey Place by 5 feet is not a suitable response to previous Board direction.
- The northeast corner of the building will tower over the context and create an oppressive and overwhelming pedestrian experience.
- The combination of the height, bulk and scale of this building with apartments staring down into the back yards of the neighboring single-family residences does not respect the privacy and outdoor activities of the neighbors; CS2.D5.
- The code-compliant option retaining some trees is presented with many negative attributes and without adequate justification for them.
- The proposed 4-6 ft max height stepped wall along Dewey will not make for a pleasant pedestrian experience, as the green space will be too separated from the sidewalk.
- Would like to see the Board insist that the building be reduced in size and height along Dewey.
- Concerned with accommodating bike passing along Madison Street.
- Would like to see public space incorporated outside, on top of the new building, potentially as part of PCC's eating area.
- Would like to see one of the future tenants be a nursery.
- Supported the much improved pedestrian experience along Madison. It will be great to have wider sidewalks and new landscaping.
- Concerned with the plan's ivy covered wall, as it is still a monotonous wall and requires high maintenance, DC2-B.
- Would like to see more space or setback at the ground level along Madison as it is a very narrow arterial street.
- Would like to see a little park or trail along Dewey that could lead up to the building, which may make for a better transition and also offer pedestrian access.
- Concerned with solar access. The design does not respect adjacent sites in that it towers over them, completely blocking all afternoon light from the entire neighborhood to the east. It will block the sun from much of the street for most of the year. CS1B, CS2-D.
- No alternative to an above ground parking garage on Dewey has been offered. Rather than moving the garage underground, it remains exposed to the public on the eastern side of the site.
- Would like to see a structure that had apartments facing south starting at the level of Dewey with parking underneath and behind these residences. And only two stories of residences above the PCC.
- Would like to see parking eliminated in excess of required capacity, and reduced parking requirements to half in recognition of emerging patterns of urban mobility.
- Lack of support for the departure; the PCC retail garage entrance on Madison, it is not consistent with "pedestrian friendly" zoning of the lot.

SDCI staff also summarized the following design related comments received prior to the Second EDG meeting in the memo to the Board:

- Would like to see nice-sized balconies; that would probably help the appearance.
- Supported the scale of proposal; it is in scale with other development on Madison, would like to see higher density of housing along arterials.
- Supported a version of the plan that allows for a larger open area facing Madison so that it is more street friendly and less of a canyon.
- Supported many street trees on all sides, as well as landscaping on the roof. Keeping streets green is very important in maintaining the character of the neighborhood, and this design achieves that goal.

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**

- 1. Response to EDG:** The Board recognized the applicant's effort to date and supported the changes including the additional setbacks provided. However, the Board agreed with the public's concern that the height, bulk and scale of the Dewey frontage was not yet resolved and that the massing needed to transition further to respond to the single family zone. The Board heard public comment regarding the Madison frontage and continued to support the frontage along Madison and noted that it appears to be an appropriate scale. The Board directed the applicant to return with a modified massing option based on the guidance provided for the Dewey frontage. (CS1-C, CS1-D, CS2-A, CS2-B, CS2-D, DC2-A, DC3-C-3)
- 2. Dewey Frontage: Height, Bulk, Scale and Response to Context:** Echoing public comment, the Board was concerned with the extent of blank wall shown and the potential for light and glare impacts to surrounding residential properties. The Board agreed that the frontage and scale relationship at this location is critical to address before moving forward.
  - a. The Board discussed if the elevated parking provides the best frontage condition on Dewey and recommended studying the arrangement of uses and the location of parking to provide a residential transition to the single family zoning and better respond to the existing topography. (CS1-C, CS2-A, CS2-D, CS3-A-1, DC1, DC2-A-2)
  - b. Concerned with the visibility of the exposed wall and frontage, the Board agreed with public comment that additional massing transition, setback and landscape should be incorporated to develop a sensitive solution, which better relates to the surrounding residential context. (CS1-C, CS2-A, CS2-B, CS3-A-1, DC2-B, DC3-C-3)
  - c. Affirming the public comment regarding the pedestrian experience along Dewey, the Board was also concerned with the height of the retaining wall proposed adjacent to the sidewalk and recommended additional setbacks and planted landscape to improve the public realm. (CS2-A, CS2-B, CS3-A-1, PL1-B-3, DC4-D-4)
- 3. Setbacks, Site Features and Existing Tree Canopy:** While reviewing the existing vegetation and proposed replacement planting, the Board acknowledged the public's concern with tree canopy loss, green wall maintenance, and that fact that the proposed planting will take years to mature. The Board agreed that the setback depth, amount of landscape buffer, and green wall maintenance is important to address. For the next meeting, the Board recommended

studying the depth of the setback and seriously examining the potential to save some of the existing trees. (CS1-D-1, CS2-B, CS2-D-2, DC3-C, DC4-D)

- 4. Trash, Vehicular Access and Loading Location:** The Board acknowledged splitting the loading and parking access point into two locations appears logical, but agreed more information was needed before indicating their preference on the related departures. Related to developing a sensitive solution to the Dewey frontage, the Board requested studying alternates, such as one vehicular access point. (CS2-B-2, PL1, DC1, DC4)
- 5. Madison Streetscape and Gathering Space:** The Board agreed with public sentiment and continued to support the addition of a community space along the street, beyond an enlarged entry sequence, and also encouraged studying the widening of the sidewalk along Madison to provide adequate space for pedestrian to engage and interact with the streetscape. (CS2-B-2, PL1, PL3-C, DC3)
- 6. Materials:** The Board continued to strongly support the quality of materials presented. (CS3-A-1, DC2, DC4-A-1.)

### THIRD EARLY DESIGN GUIDANCE January 25, 2017

#### PUBLIC COMMENT

The following public comments were offered at this meeting:

- Noted that progress has been made on the design of this project since the last design review meeting; the biggest improvement is residential screening of the above grade parking along Dewey.
- Concerned that the proposed height, bulk, and scale are not sufficiently mitigated to provide a reasonable transition to the residential block. The proposal does not respond to design guidelines addressing Context and Site, specifically CS1 Topography, CS2 Urban Pattern and Form, and CS3 Architectural Context and Character.
- The limited setback at the lowest level, is now less than shown in EDG2 and does not appear adequate to accommodate the growth and layering of mature trees and diverse plantings.
- Would like to see more housing, denser landscaping, less cars and a smaller garage. The lack of depth of the townhouse facades combined with the imposing upper level retail read as flat vertical plane towering more than 75 feet above the Dewey Place.
- Concerned that the proposed development does not fit in and alters key characteristics of the neighborhood – green space and trees creating a buffer and ecological connection to the Arboretum, walkable streets, open light and space, modest scaled buildings with similar height and bulk.
- Supported the addition of housing on the Dewey frontage. The addition fully conceals the garage and eliminates the possibility of car noise and fumes and parking garage light.
- The guidelines support the replacement of ecological services. Would like to see a more appropriate transition between the zones such as a 20-30 ft setback.

- The share of traffic exclusive residential access is minimal. The logic supporting split access implies that it would reduce congestion by spreading traffic over two driveways, but the reality is that only residential traffic, a modest amount, would be diverted from a Madison driveway.
- Preference for a single vehicular entrance on Madison. The garage entrance on Dewey will do little to help mitigate the traffic issues on Madison, but will dramatically alter the nature of Dewey and the surrounding streets.
- Noted that Dewey remains a narrow (18 feet wide), sub-standard two-way street.
- Would like to see the vehicular access departure approval conditioned to include an onsite turnaround to avoid truck backups on Madison.
- Noted that a nearby comparable size grocery store is not moving forward in the design review process as it is too large, would like to see the program of this project reduced before it is moved forward.
- Would like to see greater setbacks on the east facade of the building to mirror the steep slope that exists on the site today.
- The upper level setbacks are inadequate so that the net result is a large, looming building that towers over the narrow, largely pedestrian street of Dewey.
- Supported separating the commercial parking access from the residential parking access.
- Would like to see the building footprint reduced, which can be achieved by reconfiguring the parking and retail space.
- Support for design changes along Dewey Pl E. The proposed townhouses are a much better transition to the surrounding neighborhood and are more attractive.
- The Board asked for more information related to trees and the information provided is not sufficient; would like to see the mature urban tree canopy corridor maintained.
- This proposal eliminates significant trees and green landscape, and does not provide adequate replacement to ecologically sustain the environment.
- The planting area in front of the townhomes is minimal, and the setbacks are too small to grow full-sized trees to maturity and won't be adequate to recreate the urban green space that has provided ecological services to the area and served as a buffer.
- Lack of support for the townhouses, the usefulness of this setback to ecological function is eliminated by the townhomes tacked onto the building's backside.
- Concerned with traffic and parking entry impacts.
- At minimum, the developer should be required to contribute toward road and sidewalk improvements, as well as traffic calming measures, along the site's adjacent residential streets.
- Lack of support for the parking entrance on Dewey as it exposes 2 stories of parking garage to the residential zone.
- Supported the proposed 11-foot setback to accommodate townhomes and the lowered retaining wall to create people-scale views back and forth between the homes and passers-by.
- Concerned that the proposal will reduce the amount of green space in the neighborhood.
- Lack of support for the vehicular garage entry on Dewey. It is a narrow alley widely used as a walkway; having a garage will be devastating.

- Concerned with the blank wall appearance of the south side of the building.

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

- Noted that some object to the removal of large trees on the existing property, but the hillside is in a liquefaction zone and has been poorly maintained.
- Preference for split vehicular access.
- Supported the garage access point on Madison which includes decorative screening, improving the appearance of the entryway.
- Would like to see a gathering space for the general community on Madison.
- Supported the enlarged the pedestrian and sidewalk spaces along Madison.
- Would like to see a diagram of the widened curb cut along Madison in full use. Concerned that two-way vehicle traffic combined with truck loading/unloading is going to create a dangerous pedestrian environment.
- Would like to see that vehicles will be able to enter and exit the commercial parking level concurrently to avoid a significant back up along Madison.
- Concerned with “screened retail access” indicated page 31. Renderings should be true to the predominant condition.
- Would like to see the façade above the townhomes at the PCC ground level be more uniform in color to contrast with the townhouses below.
- The color and material transitions should relate to massing changes; at the moment they don’t relate to form at all. It would be much nicer to carry the dark wood-like material shown on either end of the façade across the elevation to connect them, providing a uniform back drop to the townhouse façade.
- Supported how the wood terminates at the PCC window sills as indicated.
- Concerned with lighting glare impacts from the supermarket.

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**

- 1. Response to EDG:** The Board acknowledged the public comments concerned with the height bulk and scale of the proposal, however, they concluded that the massing development is responsive to previous guidance and that the design, overall, is on the right track. The Board strongly supported the rearrangement of uses, specifically the addition of townhouse units along the Dewey frontage as the use better reflects the residential character of the neighborhood, provides an intentional transition to the surrounding single family zoning and better responds to the existing topography. The Board directed the applicant to proceed with the developed Massing Option 3. (CS1-C, CS2-A, CS2-D, CS3-A-1, DC1, DC2-A-2)
- 2. Dewey Frontage: Height, Bulk, Scale and Response to Context:** Although the Board supported the addition of townhouses along the Dewey frontage, the Board agreed with public comment that the townhouses appeared shallow and that the north and south portions of the façade have yet to be resolved. The Board gave the following guidance on the proposal’s edges and transitions:

- a. For the townhouse frontage, the Board recommended exploring the height and depth of the modulation to read as a simplified and cohesive expression. In addition to refining the plane changes at the townhouses, the majority of the Board recommended further articulating the relationship between townhouse and retail above, potentially with additional upper level setbacks. (CS2-A, CS2-D, CS3-A-1, DC2-A-2)
  - b. The Board noted that the north and south ends of the frontage appeared very flat and requested continued massing development in order to develop a sensitive transition along the entire frontage. (CS2-A, CS2-D, CS3-A-1, DC2-A-2)
  - c. The Board was supportive of the thoughtful approach to the streetscape treatment and agreed the various elements, including terraced retaining walls, railing design and layered planting, reflect a residential character. (CS2-B-2, CS3-A-1, PL1)
3. **South Frontage:** Echoing public comment, the Board expressed concern about providing a sensitive transition to the adjacent residential properties to the south. The Board recommended further articulating the lower portion of the facade and adding clerestory windows to be cohesive with the rest of the architectural cladding concept. (CS1-C, CS2-D, CS3-A-1, DC2-A-2, DC2-B)
4. **Vehicular Access:** The Board agreed with public comment that the code compliant alternative showing vehicular access solely off Dewey was the least preferred of the alternatives shown as it creates visual impacts and pedestrian circulation conflicts. The Board discussed the two other options, split access and all access off Madison. Ultimately the Board agreed that they would like additional information, graphics, and input from the technical experts including the City, before indicating their preference on vehicular access location and the related departures. (PL1, DC1-B-1, DC1-C)
5. **Trees and Canopy:** The Board acknowledged the public's concern for the loss of the significant mature planting, however, the Board deferred to the arborist study as reviewed and approved by the City and supported the arborist's findings recommending the removal of the canopy. Related to the replacement canopy, the Board stated their preference for the addition of evergreens, to provide year-round landscape buffer. (CS1-D-1, CS2-B, DC3-C, DC4-D)
6. **Madison Streetscape and Gathering Space:** The Board discussed the character of the public community space along Madison. The Board approved of the widening of the sidewalk along the street as it creates more opportunity for interaction. For the additional outdoor space adjacent to the grocery entry, the Board recommended the development of a public space which is true to the nature of the space and agreed the space can either function as a gathering space or an active sidewalk. In either case, the Board encouraged incorporating additional seating, space for pause and sightlines for streetscape connection. (CS2-B-2, PL1, PL3-C, DC3)
7. **Materials:** The Board continued to approve of the quality of materials presented, in particular along Madison. For the Dewey façade, the Board agreed with public comment that that colors are playing a larger role than needed in differentiating portions of the facade

and recommended simplifying and resolving the material treatment into a cohesive language. The Board also encouraged the introduction of masonry along the Dewey façade to incorporate residential character and relate to the other main frontage. (CS3-A-1, DC2, DC4-A-1.)

## **RECOMMENDATION September 13, 2017**

### **PUBLIC COMMENT**

The following public comments were offered at this meeting:

- Lack of support for the project, the proposal fails to respond appropriately to the context and site. (CS1-C CS2-B)
- Concerned that the project's height bulk and scale has not been reduced since EDG2. (CS2-B.1, CS2-C.2, CS2-D.1 and CS2-D.4)
- Concerned that the project would be devastating environmentally because it would be not keep environmental impacts to a minimum, keep the removal of trees and vegetation to a minimum, or keep grading activities and impervious surfaces to a minimum. (CS1-D1 and D2)
- Concerned that the project eradicates the site topography, rather than respecting the topography or using site features to inform the design. (CS1-C.2)
- Lack of support for the proposed landscaping; an entire greenbelt, that includes an Exceptional tree and Exceptional grove will be removed. Would like to see an adequate replacement including evergreen trees along with layering and an understory. (CS1.D1)
- Concerned with the Dewey vehicular entrance. Dewey is a narrow street that many people walk down the center of on their way to the p-patch or to Madison and the stairs up to the Arboretum.
- Felt that the proposal overpowers the site. Concerned that the project's height, bulk and scale are far too massive for this site and are larger than at EDG 1. (CS2-B.1, CS2-C.2, CS2-D.1 and CS2-D.4)
- Concerned with the NE corner as it is still flat, tall, and set back minimally. Would like to see additional setbacks incorporated to respond to site topography and transition to the single family zone.
- Concerned with the proposed tree removal within the greenbelt, which supports rare wildlife.
- Concerned that the proposal does not fit in with the scale of the neighborhood or provide an adequate response to the Seattle Design Guidelines.
- Concerned with the effect the newly constructed project will have on the community.
- Would like to see a transition from the old to the new incorporated.
- Concerned that the proposal has become a larger building with reduced setbacks.
- Concerned with the lack of transition where the site abuts single family homes. Noted that the project site is adjacent to less intensive zones on three sides, and it is inconsistent with all five of the design guidelines that address the height, bulk, and scale of zone transitions. (CS2.D.1-5)

- Concerned that the design of the building does not take in account the existing slope and would significantly decrease the daylight for the surrounding neighborhood.
- Stressed that the upper level setbacks are inadequate so the result is a large, looming building that towers over the narrow, largely pedestrian street of Dewey.
- Would like to see current building reduced, especially along the east facade.
- Concerned with the large windows of the retail space, which has privacy impacts for the surrounding single family houses.
- Lack of support for access off Dewey; would like to see the sidewalks remain safe.
- Lack of support for the project; it will completely enclose the surrounding single family area.
- Concerned with the removal of trees.
- The building height and the removal of the tree buffer zone are inconsistent with the requirement for a transition between more and less intense zones in Design Guidelines CS2-D.3 and CS2-D.4.
- Would like to see the existing trees incorporated into the design.
- Concerned with stormwater and that the proposal will significantly impact site drainage.
- Appreciated the work that the architect has done; this project should go forward.
- Would like to see the project incorporate more biking parking/facilities and the vehicular parking reduced.
- Support for the project; noted that the project site is on a major transportation route.
- Lack of support for the removal of the existing significant trees, as it is inconsistent with the Design Guidelines.
- Concerned that the site topography, building height and the removal of the tree buffer zone provides no transition to single-family homes. (CS2-D)
- Concerned with the traffic that will come with this project, adding to an already congested Madison St.

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

- Concerned that the proposed building will shade the Mad-P community garden.
- Lack of support for the townhouse units and entrances on Dewey.
- Preference for a 25'-30' setback along Dewey.
- Concerned with the removal of trees and healthy urban forest habitat;
- Concerned that the proposal will significantly decrease the amount of permeable surface on the site and will maximize the hardscape surfaces.
- Would like to see the buffer between the proposed development and the single family homes increased to afford and increased area for trees.
- Concerned that the planting area in front of the townhomes is minimal and won't be adequate to recreate the urban green space that has provided ecological services to the area and served as a buffer. Exceptional trees are being removed, and the replacement plantings are not comparable.
- Would like to see the existing tree canopy retained or replaced 1 for 1 to provide adequate buffers.



- Supported the proposed landscape; the architect's landscape plan is generous, in contrast to other new developments of similar size.
- Noted that the builder should take serious precautions to prevent migratory birds from colliding with this building. Would like to see bird-friendly lighting and glass.
- Lack of support for vehicular access on Dewey; dual access solves the applicant's internal problem of how to have an oversized supermarket and 82 residences on the same site but does nothing to alleviate the problem on Madison and the surrounding streets.
- Concerned with a vehicular entrance on Dewey as it threatens pedestrians' safety and is inconsistent with guidelines CS2D5 and CS2B2.
- Supported the split vehicular entries, having residents enter and exit on Dewey this will ease congestion on Madison St during rush hour, which is a concern for those who use the Madison street arterial. Would like to see dumpsters located on the Dewey side of the parking garage.
- Would like to see the project consider widening Dewey.
- Supported vehicular access exclusively from Madison.
- Concerned with pedestrian safety and the garage entrance on Madison.
- Supported the pedestrian stair. Lighting on such a stair is important, and will be difficult to get right. Public safety must be balanced against the additional light shining into the neighborhood nearby.
- Lack of support for the staircase to Madison as it would disrupt the quiet, residential community.
- Lack of support for back-lit signage or obtrusive lighting; would like to see signage and lighting that is tasteful.
- Concerned with the potential for light pollution from ambient and security flood lights around the building and on the terraces, as well as the headlights from traffic entering and exiting the garage.
- Lack of support for bold accent colors on the exterior of the building.
- Support for the project and the changes that have been made.
- Concerned with the removal of tree and vegetation and the effect that has on site drainage and safety and quality of life of people who live and work in this neighborhood.
- Lack of support for the massing, lack of open space and lack of consideration of light and shadow effects.
- Would like to see the building shortened by one story to bring it more in line with every other building on Madison and dramatically reduce the visual and visceral impact on its southern neighbors.
- Preference for increasing the setback on Madison Street to promote a walking friendly atmosphere.
- Encouraged multiple business spaces.
- Preference for a proposal that incorporates City People's into its design.
- Supportive of the size of the project, which will house many people and improve walkability and livability of the region but would like to see vehicle parking reduced and bicycle parking increased.

- Reduction of parking can contribute to a reduction in the bulk and scale of the building as well as reduce the development's effect on mobility and safe pedestrian passage on East Madison Street and in the adjacent neighborhood.
- Concerned that where the site abuts single family homes, the setback has gone from 15 feet in EDG -2 to 10 feet in the current proposal. The row of trees and what appears to be a very tall fence it is not a very sensitive transition. (CS2-D3, CS2-D4, CS2-D5, PL3-B1)
- Concerned that the net gain in setbacks on Dewey are misleading. It is mentioned that they have increased the setback from 6,200 sf to 6,800 sf. That increased amount includes the townhouses which are part of the building. (CS2-D3, CS2-D4, CS2-D5, PL3-B1)
- Concerned that the proposed landscaping is lacking. The choice of trees on Dewey are slow growing and unless they are well maintained and pruned regularly, they are more bush-like and will only grow to about 15 feet. (CS1-D1, CS1-D2, CS2-B3, DC2-C3B, DC3-C3)
- Would like to see the neighborhood amenities of high value recognized and supported. These include the Dewey Basin walking route and the Mad P p-patch community garden.
- Concerned with pedestrian safety; It is potentially hazardous to have delivery trucks backing out onto a busy major traffic corridor.
- Concerned with the additional setbacks provided; at the last EDG meeting the Board asked for additional setbacks on Dewey. Eighteen inches was added above the commercial level, which is at approximately 30 feet high will be visually lost to anyone standing on Dewey.
- Concerned with the development of public space on Madison, which appears to be an extension of the supermarket. (CS2.B2)
- Concerned with who will be responsible for ensuring that the staircase/hill-climb assist remains properly lit and maintained.

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 citywide and neighborhood design guidelines of highest priority to the site and explore conceptual design, siting alternatives and eventual architectural design. 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 recommendations.

- 1. Response to EDG, Dewey Frontage:** The Board acknowledged the public's concern with the height bulk and scale of the proposal and recognized the site and change of topography as

challenging. However, the Board concluded the applicant has done a thoughtful job of modifying the proposal to respond to the context and previous guidance. The Board supported the overall design advancement and recommended changes to the upper setbacks along the Dewey frontage to better differentiate the lower and upper massing.

- a. The Board noted that the setback had decreased with the addition of townhouse units along the Dewey frontage, as shown at the previous Early Design Guidance meeting. The Board continued to support the arrangement and massing of the townhouse units, as opposed to a visible parking garage and larger setback, since the design better reflects and responds the residential character of the neighborhood. (CS1-C, CS2-A, CS2-B, CS2-D, CS3-A-1, DC1, DC2-A-2)
- b. The Board strongly supported the development of the townhouse frontage, in particular the simplification of the townhouse massing and the use of masonry and quality materials. (DC2, DC4-A)
- c. Although the Board supported the refined townhouse frontage, the Board agreed that the upper level setback at the retail clearstory was not yet adequate and had too many surface treatments. In order to unify the two surface colors and setbacks into one, the Board recommended a condition to increase the setback at the retail clearstory and residential above by 2' to match the deepest retail clearstory setback and to limit the variation of color to massing shifts. (CS2-A, CS2-B, CS2-D, CS3-A-1, DC2-A-2)
- d. For the south frontage, the Board approved of the proposed design which included a landscape buffer and wooden fence. (CS2-B, DC2, DC4-A)
- e. Related to Madison, the Board agreed the proposal is appropriately scaled and supported the massing and use of quality materials. (CS2-B, CS2-D, DC2, DC4-A)

**2. Trees and Replacement Canopy:** The Board discussed the removal of trees and recognized the public's concern for the loss of the significant mature planting, however, the Board continued to support a replacement landscape buffer. For the buffer, the Board approved of the proposed design which showed evergreen trees and planting designed to provide year-round buffer. (CS1-D-1, CS2-B, DC3-C, DC4-D)

**3. Madison Streetscape:** The Board supported the developed streetscape design which included two retail spill-out spaces, additional seating and bike parking. In order to avoid conflicts with pedestrian circulation, the Board recommended a condition to relocate the bike parking between trees to another more suitable location along Madison that does not impede pedestrian circulation. The Board also encouraged additional bike parking be provided along Madison, but declined to recommend a condition for this item. (CS2-B-2, PL1, PL3-C, DC3).

**4. Hillclimb and Northeast Corner:** The Board supported the preliminary hill-climb design and the adjacent retail frontage including the retail storefront windows at the corner. Related to the storefront windows, the Board agreed the amount windows could be reduced facing Dewey but declined to recommend a condition for this item. The Board also noted the public comment related to privacy and upper windows. While the Board recognized impacts

such as reduced light, privacy and view are difficult, the Board agreed the design adequately responds to the context and declined to recommend a condition. (CS2-B, DC2, DC4-A, DC3).

- 5. Materials and Detailing:** The Board commended the proposed quality materials, in particular the masonry along the Madison and Dewey façades. The Board noted that the decision to use brick on the upper stories is not common in many current projects and agreed the proposed application, quality and detailing of materials strengthen the design. (DC2, DC4-A)
- 6. Vehicular Access and Related Departures:** The Board discussed the departure related to vehicular access and gave the following guidance:
  - a. The Board noted that SDOT and SDCI support the dual access proposal for both safety and traffic operation reasons and unanimously recommended approval of the departure for two points of access as it provides a better pedestrian experience and has the potential to reduce pedestrian circulation conflicts than the code compliant alternative with all vehicular access off Dewey or the other alternate showing all access from Madison St. (DC1-B-1, DC1-C).
  - b. The Board agreed with public comment that Dewey is a narrow street and would not have adequate room for trash staging. In order to develop a sensitive solution, the Board recommended a condition to ensure there is no trash pickup staging along Dewey. (DC1-B-1, DC1-C).
  - c. Related to the Madison curb cut departure, the Board discussed the two proposed doors and whether reducing the openings into one larger door would provide a better frontage. Ultimately, the Board agreed with the rationale that having two separate doors for loading and garage access allows the loading door to be closed when not in use. The Board unanimously recommended approval of the related departure, provided the width is decreased to the minimum necessary as the resulting design reduces the conflict with the curb and landscaping and the pedestrian safety is upheld with the tactile paving strips, mirror and sensory alert systems. (DC1-C)

#### **DEVELOPMENT STANDARD DEPARTURES**

The Board's recommendation on the requested departure(s) 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(s).

At the time of the Recommendation Meeting the following departures were requested.

- 1. Vehicular Access (SMC 23.47A.032.A.21):** The Code requires vehicular access from Dewey Pl E. The applicant prefers two points of access from both E Madison St, a pedestrian street, and Dewey Pl E, but has also shown an option showing all access from Madison St.

The Board unanimously recommended approval of the departure for two points of access as it provides a better pedestrian experience and has the potential to reduce pedestrian

circulation conflicts than the code compliant alternative with all vehicular access off Dewey or the other alternate showing all access from Madison St. The Board agreed the resulting design better meets Design Guidelines DC1-B-1 Access Location and Design and DC1-C Parking and Service Uses.

- 2. Curb Cut Width (SMC 23.54.030F.2.b.2):** The Code allows a maximum 30' curb cut. The applicant proposes a 40' curb cut width off of E Madison St.

The Board unanimously recommended approval of the departure, provided the width is decreased to the minimum necessary. The resulting design likely reduces the conflict with the curb and landscaping and pedestrian safety is upheld with tactile paving strips, mirror and sensory alert systems. The Board agreed the design better meets Design Guideline DC1-C Parking and Service Uses, subject to the condition listed at the end of this report.

### **DESIGN REVIEW GUIDELINES**

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

<b>CONTEXT &amp; SITE</b>
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**CS1 Natural Systems and Site Features: Use natural systems/features of the site and its surroundings as a starting point for project design.**

**CS1-B Sunlight and Natural Ventilation**

**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-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.

**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-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.

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

**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-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-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.

**DESIGN CONCEPT**

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

**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-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-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-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

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

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

**RECOMMENDATIONS & BOARD DIRECTION**

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

The recommendation summarized above was based on the design review packet dated Wednesday, September 13, 2017, and the materials shown and verbally described by the applicant at the Wednesday, September 13, 2017 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:

1. Along the Dewey frontage, increase the setback at the retail clearstory and residential above by 2' to match the deepest retail clearstory setback; limit the variation of color to massing shifts. (CS2-A, CS2-B, CS2-D, CS3-A-1, DC2-A-2)
2. Relocate the bike parking between trees to another more suitable location on Madison that does not impede pedestrian circulation. (CS2-B-2, PL1, PL3-C, DC3)
3. Ensure there is no trash pickup staging area located along Dewey. (DC1-C)
4. Decrease the 40' curb cut width off of Madison to the minimum necessary. (DC1-C)



BRICKLIN & NEWMAN LLP  
lawyers working for the environment

Reply to: Seattle Office

May 23, 2017

VIA E-MAIL TO [prc@seattle.gov](mailto:prc@seattle.gov)

Seattle Department of Construction and Inspections (SDCI)  
Attn: Public Resource Center  
700 Fifth Avenue, Suite 2000  
P.O. Box 34019  
Seattle, WA 98124-4019

Re: Request for Land Use Code Interpretation, Project No. 3020338 and 6541076 at  
2925 E. Madison Street

Dear DCI Public Resource Center:

On behalf of Save Madison Valley, I am writing to request a formal land use code interpretation relating to DCI Project No.'s 6541076 and 3020338 which involve a proposed mixed-use residential building at 2925 E. Madison Street. Please also find enclosed a check for \$3,150 for the land use code interpretation request fee, a Request for Miscellaneous Land Use Services, and a Statement of Financial Responsibility/Agent Authorization.

**A. Interpretation of SMC 25.09.060.A; 25.09.180.D; SMC 25.09.320.3.b and d.**

Save Madison Valley requests a formal interpretation of SMC 25.09.060.A; 25.09.180.D; and SMC 25.09.320.3.b and d with respect to the proposal at 2925 E. Madison Street. The questions presented are (1) whether these provisions allow the Madison Street Proposal developer to completely remove trees and vegetation from every square inch of its project site, including the steep slopes, and cover the entire site with buildings and impervious surfaces and (2) whether these provisions allow the developer to remove perfectly healthy trees based on the justification that they will no longer be healthy as a result of its development.

The general development standards in SMC 25.09.060, which apply to development in the steep slopes state:

The project shall avoid adverse impacts from development on environmentally critical areas and buffers, and the Director shall restrict developmental coverage and construction activity areas to the most environmentally suitable, natural stable, and least sensitive

portion of the site in order to protect the ecological functions and values of wetlands and fish and wildlife habitat areas, prevent erosion from development on steep slope areas, and protect the public health, safety, and welfare in landslide prone, liquefaction prone, and flood prone areas. Grading activities and impervious surfaces that may impact environmentally critical areas or buffers shall be kept to a minimum and limited to areas approved by the Director.

SMC 25.09.060.

Per SMC 25.09.320.3.b, a developer may remove trees or vegetation from a steep slope or buffer as part of an issued building or grading permit, but that plan must keep significant environmental impact to a minimum. In addition, SMC 25.09.180 states: "If removal of trees or vegetation in a steep slope area and its buffer is authorized as part of approved development, it shall be kept to a minimum, and shall be carried out pursuant to a tree and revegetation plan described in section 25.09.320." SMC 25.09.180.D. Per SMC 25.09.320.A.3.d, the Code allows trees to be removed only when the Director determines the tree or vegetation is a threat to health or safety based on a report prepared by a qualified professional and the removal is performed by or under the direction of a qualified professional.

With this proposal, the applicant is proposing to remove the existing trees and vegetation entirely from the project site. That includes 39 mature trees (including the exceptional poplar), over 20 native plant species, and about 14,500 square feet of tree canopy. These are trees that the applicant's own consultant said are "in overall good condition." They are currently mostly in fair to good health and structural condition. The developer will completely clear and remove the sloped, canopy rich portion of the site to make room for its building. This project is a quintessential example of indiscriminate removal and destruction of trees. The developer is not protecting exceptional or significant trees, but rather is removing them simply because they are in the way of its desired building area.

The code does not allow the indiscriminate removal and wholesale destruction of trees and vegetation in this manner. The code states that a developer must "keep significant environmental impact to a minimum" as is required by SMC 25.09.320. That means that a developer is not authorized to completely remove all of the trees and vegetation from the site. A requirement that a developer avoid adverse impacts and keep grading activities and impervious surfaces to a minimum as required by SMC 25.09.060, cannot be interpreted as allowing the developer to replace all of the trees and vegetation on site with impervious surfaces. When the code requires that the developer keep the removal of trees and vegetation in the steep slope area to a minimum as is required by SMC 25.09.180.D, the developer cannot completely remove all of the trees and vegetation from the site.

Per SMC 25.09.320.A.3.d, the Code allows trees to be removed only when the Director determines the tree or vegetation is a threat to health or safety based on a report prepared by a qualified professional and the removal is performed by or under the direction of a qualified professional.

This means that the tree or vegetation is a threat to health or safety *based on its current status*, not as a result of the damage that the developer will do to the tree as a result of developing the property. The applicant's justification for removing all of the well-established trees and vegetation on the slope is simply that the applicant desires to construct a building in that area. The applicant has argued: (1) We want to build our building in that area, (2) construction of our building will damage the trees, and therefore, (3) because the trees will be damaged by our construction, they must be removed. That circular logic renders the tree retention rules and policies meaningless. This reading of the code makes a mockery of the tree protection requirements. This code provision should not be interpreted as the applicant is suggesting.

It is important to note that City policy informs legislative intent and the City's regulations and policies express a clear goal of fostering healthy trees, vegetation and soils to improve human health, provide wildlife habitats, improve drainage, give residents across the City access to nature, provide fresh food, and increase the quality of life for all Seattleites. The goals in the Comprehensive Plan that address trees and vegetation promote tree retention, thriving urban forests, increased City-wide tree canopy coverage, low impact development, and more. *Seattle 2035* at 128. The policies on trees were just as stringent in favor of protecting and preserving trees in Seattle's previous Comprehensive Plan. *See Seattle's Comprehensive Plan, Toward a Sustainable Seattle*, at 11.8 (E21-E24). Interpreting the code provisions to allow this proposal as is would fly in the face of that policy – it allows the complete removal of a healthy urban forest that contains a thriving and sustainable mix of tree species and ages, and that creates a contiguous and healthy ecosystem that is valued and cared for by the City and all Seattleites as an essential environmental, economic, and community asset. Interpreting the code as the developer suggests would practically eliminate the permeable surface on the site and will maximize the hardscape surfaces. It would significantly and adversely alter the current site's natural management of stormwater runoff. Interpretation of these provisions to allow this development would constitute an outright rejection of the idea that the City should care for and retain trees and groups of trees to enhance Seattle's recreational, environmental, and aesthetic character.

Save Madison Valley disagrees with the code interpretations and facts stated in the Tree Solutions memos that have been submitted to the DCI for this project and strongly disagrees with the staff's decisions to accept those interpretations and facts as it appears that the staff has done via the correction notices. We request that DCI issue a formal interpretation of SMC 25.09.060.A; 25.09.180.D; and SMC 25.09.320.3.b and d. that makes it clear that these provisions do not allow the Madison Street Proposal developer to completely remove trees and vegetation from every square inch of its project site, including the steep slopes, and cover the entire site with buildings and impervious surfaces and these provisions do not allow the developer to remove perfectly healthy trees based on the justification that they will no longer be healthy as a result of its development.

#### **B. Interpretation of SMC 25.09.180.b.2**

Save Madison Valley requests that you reverse the Department of Construction and Inspections (DCI) decision issued on July 5, 2016 (copy enclosed), which granted relief from the prohibition against development on steep slopes in SMC 25.09.180. The decision states:

Based on a review of the submitted information and the City GIS system, SDCI concludes that the project appears to quality [sic] for the criteria established in the Critical Areas Regulations, SMC 25.09.180.B2b. Specifically, the City GIS system and the submitted information for the steep slope developmental allowance application demonstrated that steep slopes at and adjacent to the site appeared to have been created by previous legal grading activities associated with street improvements and property development. Further, the geotechnical report by GeoEngineers, Inc., dated November 17, 2015, inferred that granting a steep slope exemption will not result in adverse impacts on this site and adjacent properties. For these reasons, SDCI will waive the required ECA Steep Slope Variance associated with SDCI Application No. 6541076. This approval is conditioned upon a subsequent building permit application for a design that demonstrates that the proposed development will be completely stabilized in accordance with the recommendations presented in the geotechnical report and provisions of the ECA Code and Grading Code. All other ECA Submittal, General, and Landslide-Hazard, and development standards still apply for this development.

Environmentally Critical Areas Consideration (July 5, 2016). Thus, the decision concluded that the project qualifies for a waiver of the prohibition based on the criteria established in SMC 25.09.180.B.2.b.

The relevant code provision upon which this decision was based is:

**25.09.180 - Development standards for steep slope areas**

A. This Section 25.09.180 and Section 25.09.080 apply to parcels containing a steep slope area or buffer.

B. Impacts on steep slope areas

1. Development is prohibited on steep slope areas, unless the applicant demonstrates that the provisions of subsections 25.09.180.B.2 or 25.09.180.E apply.

2. Provided that all the provisions of this Chapter 25.09 and all applicable provisions of Title 23 and Chapter 22.800 through 22.808 are met, subsection 25.09.180.B.1 does not apply when the applicant demonstrates the development meets one of the following criteria. In determining whether these criteria are met, the Director may require a geotechnical report to verify site conditions

and to evaluate the impacts of the development in the steep slope area and shall require such a report for criteria in subsections 25.09.180.B.2.c and 25.09.180.B.2.d. The geotechnical report is subject to the provisions for third party review in subsection 25.09.080.C.

...

b. Development is located on steep slope areas that have been created through previous legal grading activities, including rockeries or retaining walls resulting from rights of way improvements, if no adverse impact on the steep slope area will result; or ...

#### SMC 25.09.180.

Seattle DCI's decision to waive the prohibition on steep slope development for this applicant on this site based on the provisions above was made in error for the following reasons.

First, DCI made this decision in violation of the requirement in SMC 25.09.180.B.2 that all the provisions of Chapter 25.09 and all applicable provisions of Title 23 and Chapters 22.800 through 22.808 must be met *before* DCI can grant the exception. Because DCI issued this decision nine months before the Master Use Permit Application for the project was filed, it was impossible for DCI to know at that time whether these provisions in the Code are met by the proposal. The City did not even have a concrete proposal before them and had not conducted Code compliance review or any other comprehensive review of this project before granting the waiver. As the project moved through the EDG process, it became evident that the proposal may be inconsistent with certain provisions in Chapter 25.09, Title 23, and Chapters 22.800 through 22.808 and, therefore, the exceptions from the prohibition on development on steep slopes cannot be approved. At this stage, the MUP Application has only just recently been filed with the City. Save Madison Valley will highlight any specific violations of these provisions that may become evident as the MUP Application process moves forward.

Second, the geotechnical report by GeoEngineers, Inc. dated November 17, 2015, which was the basis for the DCI July 5, 2016 decision, did not receive third party review per subsection SMC 25.09.080.C as was required by the Code.

Third, the applicant has failed to meet its burden to prove that the criteria in SMC 25.09.180.B.2.b have been met. It was difficult for Save Madison Valley to figure out what evidence the City relied on for this approval. The ECA waiver documents are filed under Project No. 6541076, which is a different project number from the MUP Application. Under that Project Number, the only documents that the applicant submitted to the City to support its request for a waiver were site plans and a GeoEngineers, Inc. report dated November 17, 2015.

The GeoEngineers report did not include adequate evidence to demonstrate that the criteria in SMC 25.09.180.B.2.b had been met. GeoEngineers noted: “Based on the topography and fill thickness, we conclude that the steep slope present on the site was completed as part of fill placement/grading activities associated with construction of the East Madison Street embankment.” The report provided a narrative as follows:

Based on our review of the historical topography and our geotechnical investigation, it is our opinion that the existing slopes that meet the City of Seattle steep slope criteria would not meet the steep slope criteria without previous legal grading activities at the site.

*Geotechnical Master Use Permit Report at 4 (Nov. 17, 2015).*

The evidence provided and the conclusions made by GeoEngineers were inadequate to support the waiver decision. The report simply concluded that the existing slope on site “would not meet the steep slope criteria without previous legal grading activities at the site” and that “the proposed development will not negatively impact the stability of the slope.” There was no evidence to support these conclusions and the conclusions didn’t even echo the actual requirements for a waiver. The applicant must prove that the existing steep slope areas on site *were created through previous legal grading activities*. The applicant must show that there was no slope in existence before the grading activities took place. These standards require more proof and evidence than the Geotech report provided.

In a letter dated October 26, 2016, Ladd GeoServices LLC, a consultant for Save Madison Valley, pointed out that the little information that had been provided by the applicant was not even relevant to the majority of slopes on site because most of the slopes on site appeared to have been associated with private development, not the roadway embankment. *See Letter from Deborah Ladd to Save Madison Valley (October 26, 2016) (copy attached).*

After Save Madison Valley submitted Deborah Ladd’s letter, it appears that SDCI dug into this issue further and located a grading permit for site improvement at the site. Apparently, Permit No. 00329 was issued during 1955 for fill placement in the eastern portion of the site along Dewey right-of-way. But this grading permit alone doesn’t tell us whether any work was actually done on the site or whether there was steep slope present in that area before the fill was placed on site. It is just as likely that there was a steep slope in that area to begin with as not. Ultimately, the applicant did not provide any evidence to show that the work approved in this permit actually created the steep slope that is on the site now. If a steep slope exists today and the applicant cannot prove that there was no steep slope previously on the site, then the applicant has failed to meet the burden of meeting the criteria for relief from the prohibition on steep slope development.

In addition, SDCI Tip No. 327A states that this provision does not extend beyond the cut or fill created by a street, alley, sidewalk, or other right-of-way improvements. If the work under the permit was performed and if it created a new slope, then that steep slope was created from private grading in the mid to late 1950s, not on the right-of-way grading work. The right-of-way grading was done earlier in the last century (completed by 1923) and the steep slope along Dewey was not

created as a right-of-way improvement. The applicant will be removing the steep slope along Dewey, which was not created as a right-of-way improvement and is in conflict with this provision.

Finally, even if legal grading activities did create a new steep slope, the applicant must also prove that *no adverse impact on the steep slope area will result from the development*. The developer is removing an enormous portion of a steep slope that is adjacent to other steep slopes, all of which are designated as critical areas and liquefaction zones. The complete removal of a critical area and all of the trees and vegetation associated with that critical area is in and of itself an adverse impact to the critical area.

The fact that none of the other provisions in SMC 25.09.180.B.2 can be met by this proposal is evident not only from the plain facts and circumstances of the project and project site, but also from the fact that the applicant and SDCI did not purport to rely on those other criteria for the waiver. Because none of the criteria in that provision can be met, the waiver should not be granted.

Save Madison Valley requests that you reverse the Department of Construction and Inspections (DCI) decision issued on July 5, 2016 (copy enclosed), which granted relief from the prohibition against development on steep slopes in SMC 25.09.180 for the reasons stated above.

### **C. Interpretation of SMC 23.86.006.A.2**

The developer's proposal to build a six-story high building on the project site is based on a spurious measurement of the existing grade, is inconsistent with the intent of the zoning, and should be denied by DCI. The spirit of the code is to allow height to follow the topography of the site, not to allow a developer to build nearly twice as high as the height limit as if the slope didn't exist.

As a general rule, the height of a structure is the difference between the elevation of the highest point of the structure not excepted from applicable height limits and the average grade level. SMC 23.86.006. "Average grade level" means the average of elevation of existing lot grades. For this project, the developer has chosen to calculate the average grade level of the site via the method provided in SMC 23.86.006.A.2. Using this method, after drawing rectangles to delineate different sections of the structure, the maximum height for each section of the structure must be measured from the average grade level for that section of the structure, which is calculated as the average elevation of "existing lot grades" at the midpoints of the two opposing exterior sides of the rectangle for each section of the structure.

The central idea behind and the justification for the method in SMC 23.86.006.A.2 is, as the code states, is "to permit the structure to respond to the topography of the lot." But, here, the applicant has done the opposite. Here, the developer has ignored the steep slope condition of the site by relying on the average grade taken from two dog ears on either side of the slope that, in reality, are not part of the slope. The locations from which the calculations were made are at practically the same elevation as the top flat western portion of the site. Thus, the "average grade" that the developer relies on for construction on the east side of the property is a fictitious grade – it is not a realistic depiction of the grade of the slope. This ruse essentially paved the way for a six-story building on a site zoned NC2P-30 and NC2P-40.



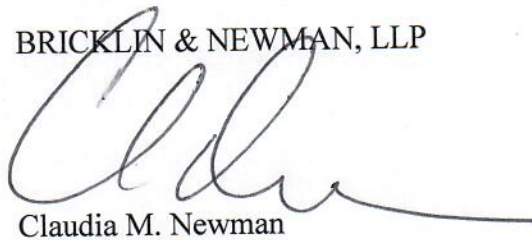
SMC 23.86.006.A.2 should be interpreted to allow this methodology *only when* it permits the structure to respond to the topography of the lot. Under this code provision, an applicant cannot use this method if the end result does not meet the intent and purpose of that provision. We request that DCI issue an interpretation of this provision consistent along those lines.

**D. Conclusion**

On behalf of Save Madison Valley, please issue a formal land use code interpretation relating to DCI Project No.'s 6541076 and 3020338 as described above.

Very truly yours,

BRICKLIN & NEWMAN, LLP

A handwritten signature in black ink, appearing to read 'Claudia M. Newman', is written over the typed name below.

Claudia M. Newman

CMN:psc

cc: Save Madison Valley



**City of Seattle**  
**Department of Construction and Inspections**  
**Engineering Services**

CHRIS DAVIDSON  
 2001 Western Avenue, Ste 200  
 Seattle, WA 98121

**Re: Project# 6541076**

**Environmentally Critical Areas Consideration**

<b>Review Type</b>	ECA EXMP	<b>Date</b>	July 05, 2016
<b>Project Address</b>	2925 E Madison St	<b>Contact Phone</b>	(206) 587-3797
<b>Contact Email</b>	cdavidson@studioms.com	<b>Contact Fax</b>	(206) 587-0588
<b>SDCI Reviewer</b>	Jim Mattoon	<b>Address</b>	Seattle Department of Construction and Inspections 700 5th Ave Suite 2000 PO Box 34019 Seattle, WA 98124-4019
<b>Reviewer Phone</b>	(206) 684-5979		
<b>Reviewer Fax</b>			
<b>Reviewer Email</b>	Jim.Mattoon@seattle.gov		
<b>Owner</b>	CHRIS DAVIDSON		

SMC 25.09. Environmentally Critical Areas (ECAs) review is required for building permit applications. Based on a review of the submitted information and the City GIS system, SDCI concludes that the project appears to quality for the criteria established in the Critical Areas Regulations, SMC 25.09.180.B2b. Specifically, the City GIS system and the submitted information for the steep slope developmental allowance application demonstrated that steep slopes at and adjacent to the site appeared to have been created by previous legal grading activities associated with street improvements and property development. Further, the geotechnical report by GeoEngineers, Inc., dated November 17, 2015, inferred that granting a steep slope exemption will not result in adverse impacts on this site and adjacent properties. For these reasons, SDCI will waive the required ECA Steep Slope Variance associated with SDCI Application No. 6541076. This approval is conditioned upon a subsequent building permit application for a design that demonstrates that the proposed development will be completely stabilized in accordance with the recommendations presented in the geotechnical report and provisions of the ECA Code and Grading Code. All other ECA Submittal, General, and Landslide-Hazard, and development standards still apply for this development.



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## Step 1: Wait for all reviews to be completed

- You may check the status of any review at the following link:  
<http://web6.seattle.gov/dpd/permitstatus>
- All reviews must be completed before the applicant can respond, upload, or submit any correction responses.
- **Electronic Plans:** We will send correction letters to the Seattle DCI Project Portal. We will notify the primary contact for the project when all reviews in the review cycle are complete.
- **Paper Plans:** We will notify the primary contact for the project by email or phone when all reviews in the review cycle are complete and plans are ready to be picked up. Once you have been notified, pick up the plans at Plans Routing in the Applicant Service Center.

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## Step 2: Make Corrections

**Provide a written response for each item on all correction notices. We will not accept corrected plans without written responses. Include the following information for each item:**

- Describe the change
- Say where the change can be found in the plan set
- If you have not made a requested change, give a code citation or provide calculations to explain why not
- Coordinate responses to correction items among all designers, architects, engineers, and owners
- If you make voluntary changes to your plans, describe the changes you have made in your response letter

### Correct your Plans:

- Cloud or circle all changes
- You may add new sheets to the plan set if you have new information to show

### For Electronic Plans:

- Always upload a complete plan set

### For Paper Plans:

#### If you replace sheets in the paper plan sets:

- Remove the old sheets, mark them as "VOID," and include them loose at the back of each plan set
- All original sheets and plan pages must be returned to Plans Routing in the Applicant Service Center
- Insert the new sheets and staple the plan sets

#### If you make changes to the original paper plan sheets:

- Make all changes with ink (preferably red, waterproof ink). Do not use pencil to make changes
- Do not tape or staple anything to the plan sets

**Platting Actions:** Provide new copies of the survey when responding to a correction notice for a shortplat, lot boundary adjustment, or other platting action. Provide the same number of copies that were required when you submitted the project.

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## Step 3: Submit Corrected Plans

### Electronic Plans:

Upload your corrected plan set and correction response letter through your Seattle DCI Project Portal.

### Paper Plans:

Return your corrected plans and your correction response letter to Plans Routing in the Applicant Services Center.

### If you don't follow these instructions:

- **Plans Routing may not accept your corrected plans**
- **We may be delayed in starting corrected plan review, which can delay permit issuance**
- **We may charge a penalty fee**



**LADD GEOSERVICES LLC**

October 26, 2016

Save Madison Valley  
2811 E. Madison St., Ste. 205D  
Seattle 98112

Sarah Trethaway, Treasurer  
Penelope Karovsky, Member  
c/o Tony Hacker, Member

Re: **Geotechnical Review and Comment**  
**Proposed 2925 East Madison Street Development**

Dear Ms. Trethaway, Ms. Karovsky, and Mr. Hacker:

This letter provides geotechnical comments and opinions related to the planned mixed-use development located at 2925 East Madison Street (Site), on a parcel currently occupied by City People's Garden Store (City People's), King County parcel number 5016000007. The potential developer, Velmeir Acquisition Services, LLC (Velmeir), has provided a geotechnical report by GeoEngineers, Inc. (GeoEngineers) (2015) to support the permit process.

Ladd GEOServices LLC (Ladd GEOServices) was contracted to the Save Madison Valley (SMV) organization [a Washington 501(c)(3) organization] to provide technical review services of the proposed redevelopment in a contract signed October 24, 2016.

It is Ladd GEOServices opinion that the proposed development should be required to meet the City of Seattle's (City) Environmental Critical Areas (ECA) ordinance regulating development on steep slopes and landslide prone areas. Specifically, the Site has slopes that meet or exceed the City's definition for steep slopes under SMC Chapter 25.09, and most of these slopes do not meet the definition for being legally graded. Accordingly, the Site should be subject to application of the ECA steep slope development standards.

### **Slopes and Landslide Conditions**

The Site contains ECA steep slopes (i.e., slopes greater than 40% with heights over 30 feet), and the City's GIS mapping has identified steep slopes on the east part of the Site. There have been slides in the Site vicinity, including a slide just north and east of the Site, on public property (City of Seattle 2016a, see Exhibit I). Figure 2 in GeoEngineers' report (2015) shows detailed site topography with slopes generally inclined at 40% and steeper over most of the east side of the parcel. Exhibit II to the letter shows the site layout and topography based on this figure with annotations to show the portion of the Site slope that appears to be related to the East Madison Street roadway embankment, and the portion of the Site slope that appears to be related to a fill pad for private development.

**Ladd GEOServices LLC**  
6041 53<sup>rd</sup> Avenue NE  
Seattle, Washington 98115  
Tel (206) 914-7825

## Subsurface Conditions

GeoEngineers advanced three boreholes at the site (GEI-1, GEI-2, and GEI-3). All boreholes were the building pad occupied by City People's. GEI-1 and GEI-2 are located on the edge of the site adjacent to the East Madison Street roadway; GEI-3 is located on the south part of the site, approximately 130 feet from the roadway. These boreholes showed fill of variable composition and density, generally loose to medium dense, extending to as much as approximately 30 feet deep (GEI-1). The boreholes closest to East Madison Street (GEI-1 and GEI-2) show an "asphalt treated sand" layer at the base of the fill that may be associated with a historic roadway; the borehole GEI-3 does not show this layer beneath the fill.

The quality of the soils in the boreholes, particularly the generally low soil density / consistency, is not consistent with what would be constructed in more recent times. It appears that the fill slope was not engineered and was constructed with relatively little compaction - a condition we would now call "uncontrolled and undocumented" fill. Because of this condition, it is likely that the steep slopes on the site would not have an acceptable factor of safety for development under current requirements.

## City of Seattle ECA Site Conditions and Development Standards

It is our understanding that Velmeir has applied for a Master Use Permit for a planned development the Site. The project geotechnical report (GeoEngineers 2015) includes an interpretation of the fill slopes on the site. Specifically, GeoEngineers notes:

- *"Based on the topography and fill thickness, we conclude that the steep slope present on the site was completed as part of fill placement/grading activities associated with construction of the East Madison Street embankment."*

GeoEngineers uses this information to justify an exemption to the ECA steep slope ordinance:

*"... it is our opinion that the existing slopes that meet the City of Seattle steep slope criteria would not meet the steep slope criteria without previous legal grading activities at the site."*

As indicated above, GeoEngineers presented information that suggests the roadway embankment fill slopes may have been legally graded. However, there is no documentation presented that shows other parts of the Site fill slopes were historically legally graded. As shown on Exhibit II, most of the Site slopes appear to have been constructed to support a fill pad for private development. Only the north portion of the Site steep slopes appear to be associated with the roadway embankment.

It is Ladd GEOServices' opinion that most of the existing steep slopes on the Site do not meet the criteria to provide relief from the steep slope development requirement because most of the Site's slopes were not created through previous legal grading activities and were outside the fill that would have been historically associated with the roadway right-of-way.

It should be noted that the City specifically recognizes this condition, as noted in the City's development Tip 327A (2016b), page 2, Item b: *"This provision [for relief] does not extend beyond the cut or fill created by the street, alley, sidewalk or other right-of-way improvement."*

## Conclusions and Closure

Ladd GEOServices (on behalf of SMV) has reviewed City critical areas mapping, geotechnical information, site topography, and historical documents and it is our opinion that the slopes on the Site should not be provided relief from the City's steep slope development requirements for the following reasons:

- The site contains slopes that are ECA steep slopes because of their inclination and height.
- Most of the site slopes appear to be associated with building pad fill supporting private development, not public roadway embankment fill. Accordingly, most steep slopes on the Site should not be considered as legally graded.
- All of the steep slopes on the site (including the roadway embankment) appear to be constructed with uncompacted and poor quality soils that could lead to slope instability, particularly during heavy precipitation or a seismic event. The landslide shown in City GIS mapping adjacent to the Site appears to have occurred in part of the roadway embankment fill. The ECA steep slope ordinance is intended, in part, to protect the public from unsafe slopes. Thus application of the ECA steep slope requirements seems appropriate for the planned Site development.

In summary, the slopes on the Site should not be provided relief from the City's steep slope development requirements under SMC Chapter 25.09.

This letter has been prepared exclusively for the use of the Save Madison Valley organization. The technical opinions presented in this document are based on the review of documents provided by the Project team and other information available publicly. No explorations were completed for this Ladd GEOServices. The information presented in this letter is not intended, nor should it be construed to represent, a warranty regarding the findings in this letter.

Judgment has been applied in interpreting geological conditions as presented in boreholes by other firms. Variations in subsurface conditions are common, and actual conditions encountered may be different from those observed in the borings. The evaluations for this project were performed in general accordance with locally accepted geotechnical engineering practice, subject to the time limits and financial and physical constraints applicable to the services for this project.

We appreciate the opportunity to be of service on this project and look forward to continued involvement. If you have any questions regarding this letter, or any aspects of the project, please feel free to contact the undersigned below.

Sincerely,

**LADD GEOSERVICES LLC**



Deborah Ladd, PE LHg  
Owner – Principal Engineer



Exhibits:

Exhibit I - Screen Print, City of Seattle GIS Mapping

Exhibit II - Annotated Site Map Based on GeoEngineers' Figure 2

## References

City of Seattle 2016a. Department of Construction and Inspections, GIS mapping. <http://web6.seattle.gov/DPD/Maps/dpdgis.aspx>. Accessed October 24.

City of Seattle 2016b. Seattle Department of Construction and Inspections, Tip 327A, Environmentally Critical Areas Exemptions, Relief from Prohibition on Steep Slope Development, and Modifications to Submittal Requirements - Application Instructions and Submittal Requirements. July 6.

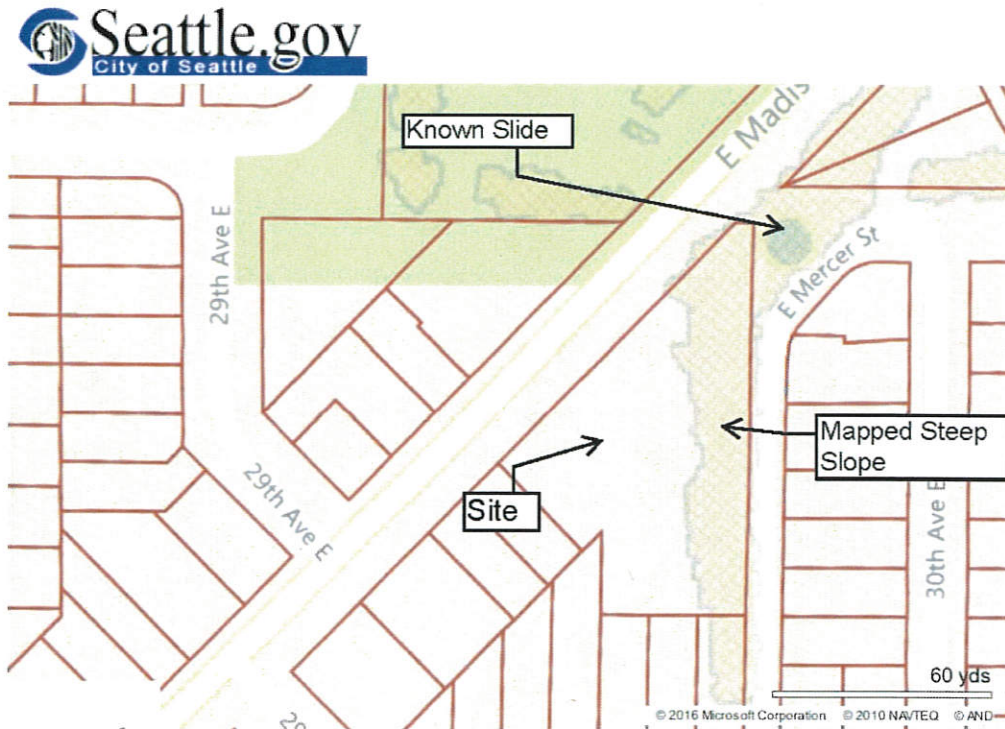
GeoEngineers 2015. Geotechnical Master Use Permit Report. 2925 East Madison Street Development, Seattle Washington. Prepared for Velmeir Acquisition Services, LLC. November 17.

**Exhibit I**

**Screen Print, City of Seattle GIS Mapping**

inspections: Printable GIS map

<http://web6.seattle.gov/DPD/Maps/DPDGISPrint.aspx?ctrLatLc>



**Displaying layers:**  
KnownSlideAreas  
SteepSlope  
PotentialSlide  
Parcels

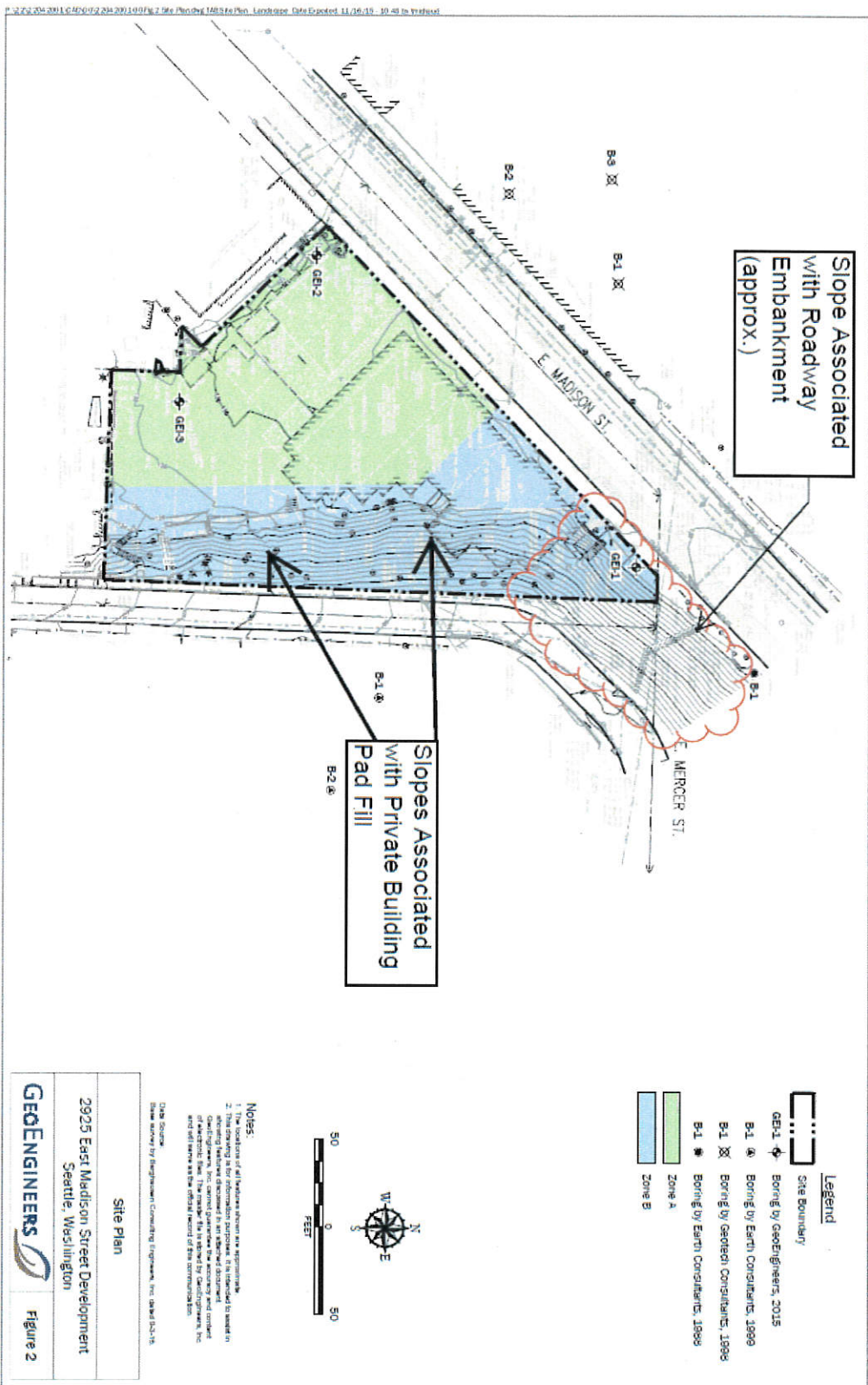
No warranties of any sort, including accuracy, fitness, or merchantability accompany this product.  
Copyright 2007, All Rights Reserved, City of Seattle

*Source: City of Seattle 2016a*



**Exhibit II**

**Annotated Site Map Based on GeoEngineers' Figure 2**



Source: GeoEngineers 2015