City of Seattle
Gregory J. Nickels, Mayor

Department of Planning & Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3007035 & 3007129 (Originally 2408493 & 2505655)

Applicant Name: George Gibbs, of Hewitt Architects for Leon Capelouto

Address of Proposal: 4100 SW Alaska Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a seven-story, 157-unit mixed use building with 65,000 sq. ft. of retail at ground level. Parking for 360 vehicles to be provided above- and below-grade.

The following approvals are required:

SEPA Environmental Determination – Chapter 25.05 SMC.

Design Review – Chapter 23.41 Seattle Municipal Code (SMC)
[Departures from the Land Use Code are requested as follows:
1. SMC 23.49.008 (Maximum Rooftop Coverage)]

SEPA Determination: [ ] Exempt [ ] DNS [X] MDNS [ ] EIS

[ ] DNS with conditions

[ ] DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description

The development site is located at 4100 SW Alaska Street and occupies the entire southern portion of the block between 41st Avenue SW on the east and 42nd Avenue SW on the west. Until recently an alley right-of-way had bisected the site, but the applicant applied for a Council land use action to vacate the unopened alley between SW Alaska Street and the north property lines of the two parcels that had comprised the proposed development site. The petition for the partial alley vacation was given conceptual approval by the City Council on October 3, 2005, (CF#307032).

The earliest conceptual design was predicated upon the successful vacation of the alley and provision for a right-angle extension of the existing alley across a northwest portion of the site to connect to 42nd Avenue SW. Access to the Parking on site would be both from this proposed extension of the alley and from 41st Avenue SW.

The west half of the development site is zoned Neighborhood Commercial 3 with an 85- foot height limit (NC3-85'), while the east half of the site is zoned Neighborhood Commercial 3 with a 65-foot height limit (NC3-65'). The property is located within the West Seattle Junction Urban Village and is subject to both the citywide *Design Review: Guidelines for Multifamily & Commercial Buildings* and the *West Seattle Junction Urban Village Design Guidelines.*

Until recently the current physical development on the property consisted of a complex of one-story commercial buildings with surface parking. The Department of Planning and Development has issued permits for the demolition of the buildings on site and the buildings have been removed.

The project site is located at the center of a large area of commercially zoned and commercially developed properties lying between Fauntleroy Way SW to the east and California Avenue SW to the west, and between SW Oregon Street on the north and SW Edmunds Street on the south. There is an abundance of surface parking lots in the general area. Many of the commercial buildings in the area consist of one and two stories, although some within the vicinity extend up to several more stories in height. Many of the commercial buildings in the vicinity are of an older generation and exhibit a desirable architectural character, including human scale window proportions and bold cornices which, as suggested in the ***West Seattle Junction Urban Village Design Guidelines,*** provide examples for appropriate selective contextual design of new buildings.

A portion of the vacated alley right-of-way and areas on either side on the northern portion of the development site are mapped as a steep-slope environmentally critical area.

Proposal Description

The proposal is for a single large, mixed-use structure with two levels of underground parking and an entire floor of above grade parking located above two stories of commercial use. The commercial parking level would separate the commercial use from five stories of residential use above on the western half of the site and three stories above on the eastern half of the site. Due to a rise in elevation of approximately 12 feet between the corner of 41st Avenue SW/SW Alaska Street and the corner of 42nd Avenue SW/SW Alaska Street, two large over-lying retail spaces are proposed. One of these spaces, with an entry off the corner of 41st Avenue SW and SW Alaska Street, would underlie a grocery supermarket space that would be nearly co-extensive with the entire lot. The supermarket space would have its main entry at the corner of 42nd Avenue SW and SW Alaska Street. A third, smaller retail space would have a pedestrian entry further north off 41st Avenue SW.

Vehicular access to the proposed underground parking, as well as to the commercial loading dock, would be from 41st Avenue SW. Vehicular access to and from the above grade parking, which would be primarily for the supermarket use, would be via two openings along the north façade of the building, adjacent the proposed new alley extension connecting 42nd Avenue SW with the un-vacated portion of the alley which connects to SW Oregon Street, one block to the north.

The residential portion of the structure would be provided with an interior, open-space courtyard at the second residential level, lying above the roof of the upper-level parking deck. There would be an additional landscaped deck located above the roof of the top floor of the residential units on the eastern half block, accessed from the fourth level of residential units on the western half.

The commercial levels of the building would be set back five feet along the entire length of SW Alaska Street, providing for a wider separation of the structure from the curb and allowing for an expanded sidewalk adjacent that façade. Landscaping would be provided within the courtyard and on the roof deck. Street trees and additional plantings would be provided at grade along all three street-facing facades. Materials for the proposed structure would include a painted concrete base, buff-colored brick, painted Hardy-plank and a metal top.

A public open space, as required as a public amenity by the alley vacation process, will be provided just to the north of the retail entry along 42nd Avenue SW.

Public Comments

Public comment was invited at the initial Master Use Permit applications and at the three Design Review public meetings. One written comment received by DPD was focused on issues related to vehicular access to the site and the impacts of potential traffic on the remaining portion of the alley and on the adjacent north-south running streets. Comments from the Design Review meetings are noted within the Design Review process summaries which follow below.

Early Design Guidance

An Early Design Guidance meeting on the project was held before four members of the Design Review Board for Area 7 (West Seattle) on April 14, 2005.

Architect's Presentation

David Hewitt of Hewitt Architects made the presentation at this meeting. The proposal was described as a single large, mixed-use structure with 241,000 square feet above grade, with 2+ levels of underground parking and an entire floor of above grade parking located above two stories of commercial use. The parking level would separate the commercial use from four stories of residential use above. (At the time of the presentation, an elevated monorail was proposed to run along SW Alaska Street, the horizontal structural track and support portions of which would have been parallel to the parking level. City of Seattle citizens subsequently voted down the monorail project, but the above-grade parking level remains a part of the proposal for this structure).

Access to the above grade parking, which would be dedicated exclusively to the second level of commercial use for the grocery store, would be from a proposed alley extension connecting 42nd Avenue SW with the un-vacated portion of the alley connecting to SW Oregon Street, one block to the north. Access to the underground parking would be from 41st Avenue SW.

PUBLIC COMMENTS

After the Board had asked some clarifying questions of the architect regarding the project, public comment was solicited from those attending the meeting. There were six individuals who had entered their names on the sign-in sheet. Comments sought clarification regarding the proposed commercial uses, intended materials for construction, street and sidewalk improvements and alley access. One member of the public requested that adequate provision be made for bike parking relating to the development.

BOARD DELIBERATIONS

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

DESIGN GUIDELINES

A Site Planning

A-1 Responding to Site Characteristics
The siting of buildings should respond to specific site conditions and opportunities.
A-2 Streetscape Compatibility
The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.
A-3 Entrances Visible from the Street
Entries should be clearly identifiable and visible from the street.
A-4 Human Activity
New development should be sited and deigned to encourage human activity on the street
A-5 Respect for Adjacent sites
Buildings should respect adjacent properties by being located on their site to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings
A-8 Parking and Vehicle Access
Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.
A-10 Corner Lots
Buildings on corner lots should be oriented to the corner and public street fronts.

The Board acknowledged the West Seattle Junction specific guidelines and identified the following as being of the highest priority for the project:

A-2 Streetscape Compatibility

Reduce the scale of the street wall with well organized commercial and residential bays and entries. Reinforce this articulation with the placement of street trees, drop lighting on buildings, benches and planters.

Provide recessed entries and ground-related, small open spaces as appropriate breaks in the street wall.

A-4 Human Activity

Proposed development is encouraged to set back from the front property line to allow for more public space that enhances the pedestrian environment, particularly along California Ave SW. When such a setback is not appropriate or feasible, consider maximizing street level open space with recessed entries and commercial display windows that are open and inviting.

The guidelines above were all chosen by the board to be of high priority. The Board indicated they would like to see the design take full advantage of the two opportunities to provide attractive and creative corner entries to the two retail spaces, at both 42nd Avenue SW and 41st Avenue SW. Each location should include features that grab one's interest and announce "entry."

Of perhaps the highest importance for a successful design, the Board identified the need for the SW Alaska Street façade to interact with the street and the pedestrian experience along its entire expanse. To this end they agreed that the applicant should explore ways in which modulation, recessed entries or other niches and small open spaces might break up the otherwise unfriendly façade and provide for appropriate breaks in the street wall. The applicant should explore and present at the next meeting of the Board a façade along SW Alaska Street which at street level would exhibit discrete segments and intervals which would be consistent with and in scale with older commercial buildings in the neighborhood. In addition, the façade should literally open to the street at areas other than the corners. The applicant should explore and present studies which provide for an "open," "recessed," "porous," and "punched in" façade along SW Alaska Street. The applicant should be ready to demonstrate how the design would enliven each of the streets, as called for under A-4, and in particular SW Alaska Street along its entire frontage and not just at the corners. The plans proposed at the next Design Review Board meeting should convey a convincing and detailed sense of how the proposed SW Alaska Street façade at ground level will work to promote human activity and engage with the neighborhood.

B Height, Bulk and Scale

B-1 Height, Bulk and Scale Compatibility

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

And from the West Seattle Junction Design Guidelines:

The zoning in the Junction's business district calls for mixed-use development with maximum height limits ranging from 40 to 85 feet. To create scale compatibility with surrounding smaller buildings, new developments should consider the following massing methods and architectural treatments:

- *Orient the first 2-3 stories out to the sidewalk and set back remaining floor levels;*
- *Modulation, multiple entries and variation in materials arranged to break up the façade – particularly important for large sites – into intervals consistent with existing commercial buildings in the neighborhood's business district;*
- *Architectural styles and details (e.g., cornices, roof lines, window patterns) found in surrounding buildings can be repeated to provide visual continuity.*

Citing the West Seattle Junction Design Guidelines, the Board agreed that the applicant should present a design which demonstrated how the proposed structure stepped back from the residentially zoned lot adjacent to the north of the site and demonstrate how the overall design of the combined commercial and residential vehicular entry at this point embodied a sensitivity to the residential uses adjacent and across the street.

C Architectural Elements and Materials

C-1 Architectural Context
New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complements the architectural character and siting pattern of neighboring buildings.
C-2 Architectural Concept and Consistency
Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.
Buildings should exhibit form and features identifying the functions within the building.
In general, the roofline or top of the structure should be clearly distinguished from its façade walls.
C- Human Scale
The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.
C-5 Structured Parking Entrances
The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of the building.

And from the West Seattle Junction Guidelines:

C-2 Architectural Concept and Consistency
Multi-story developments should employ methods that integrate the building's upper and lower levels.
The levels of the building should function as a composition – not necessarily requiring the top and bottom to be identical, but rather extending or repeating elements throughout the façade

C-3 Human Scale
Façades should contain elements that enhance pedestrian comfort and orientation while presenting features with visual interest that invite activity. Overhead weather protection should be functional and appropriately scaled, as defined by its height and depth. It should also be viewed as an architectural amenity, and therefore make a positive contribution to the design of the building.

Signage
Signs should add interest to the public realm. Signs should be designed and located in a manner that is appropriate for the scale, character and use of the building and surrounding area.

The Board agreed that alignment of the upper-level parking floor with the proposed monorail guideway and raising the residential units above it was a deft move, but the Board requested that a more detailed presentation of details at this level—openings, screening, materials—be presented at the next Board meeting. The Board pointed out that the corner entrances along SW Alaska Street were equally important and in need of detailed development. The applicant should be prepared at the next meeting of the Board to demonstrate how overhead weather protection would be integrated between the corner entrances and the SW Alaska Street façade and further integrated with signage appropriate for the scale, character and use of the building and in keeping with desirable vicinity examples. The Board pointed out that Guideline C-5 was cited to indicate the Boards concern and a desire to see how the treatment of the vehicle parking entrance on 41st Avenue SW would respect the sidewalk and the pedestrian pathway, as well as show respect for residential neighbors to the north and across the street.

D Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances
Provide convenient, attractive and protected pedestrian entries.
D-2 Blank Walls
Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

The Board members were generally pleased with the amount of pedestrian comfort and interest conveyed in the conceptual treatments of 41st and 42nd Avenues SW. They were concerned about the seeming lack of comfort and interest for pedestrians conveyed in plans shown regarding the SW Alaska Street street-level façade, where the potential alley vacation would allow for a long, uninterrupted un-engaging façade, along a relatively narrow sidewalk and offering little suggested pedestrian comfort and interest as presented. They referred to their earlier comments regarding the façade-pedestrian interface above, especially under A-2, A-4 and C-3.

E Landscaping

E-2 Landscaping to enhance the building and/or site
Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

Landscaping should be designed with the goal of realizing the prioritized guidelines, should soften the edge conditions where appropriate, and should contribute to an attractive, inviting, and usable inner courtyard. The applicant should show in more detail how the landscaped "medallion" would be an amenity for the project and function as usable open space for the inhabitants.

Departures from Development Standards:

Certain departures from Land Use Code requirements may be permitted as part of the design review process. Departures may be allowed if an applicant demonstrates that a requested departure would result in a development which better meets the intent of the adopted design guidelines (see SMC 23.41.012).

The applicant indicated that further design development would specify and quantify the extent of proposed departures, but the following departures most likely would be required the from Land Use Code development standards and would be requested:

- SMC 23.47.008D-the residential portion of a structure above 13 feet in height shall be limited to 64% lot coverage; the applicant contemplated an increase to 71 percent.
- SMC 23.47.008B-a minimum of 80% of a structure's street front façade at street level must be in non-residential use; the applicant may request less than 80% along the 42nd Avenue SW street level façade.
- SMC 23.47.024- area equal to20% of the gross floor area in residential use shall be usable open space for the residents; applicant would request a reduction in required usable open space to 10 percent.

The Board indicated it would entertain the granting of development standard departures provided the final design successfully incorporates the design guidelines enumerated above.

The Board further requested that the proponent provide at the next meeting of the Board the summary departure matrix for the project which would include site-specific quantities required by Code and that which is being proposed.

Following the Early Design Guidance meeting, the expectation was that the applicant would continue on with further design development in accord with the Guidelines and guidance of the Board stated above and would then proceed to a Master Use Permit application. After such application, a Recommendation Meeting was scheduled before the Board, at which time the applicant demonstrated a more fully developed design essentially in accord with the Design Guideline priorities identified at the Early Design Guidance meeting.

Recommendation Meeting-October 13, 2005

A Recommendation Meeting was held before all five members of the Design Review Board for Area 5 held on October 13, 2005.

ARCHITECT'S PRESENTATION

David Hewitt of Hewitt Architects made the presentation at this meeting, held at the Southwest Precinct Station. He briefly reviewed the intended program and the major features of the proposed design, paying particular attention to elements of the design that responded to the

Design Guidelines and the Board's earlier guidance for the project. The architect made reference to the alley vacation, its review by the Design Commission and implications of conditions of the vacation approval for proposed development.

In continuity with the preferred option presented at the Early Design Guidance meeting, the proposal was described as a single large, mixed-use structure with 2-plus levels of underground parking and an entire floor of above grade parking located above two stories of commercial use. The commercial parking level would separate the commercial use from up to five stories of residential use above. Two major retail spaces were still proposed with entries off the corner of 41st Avenue SW and SW Alaska Street for one and from the corner of 42nd Avenue SW and SW Alaska Street for the other.

Access to the proposed underground parking, as well as to the commercial loading dock, was proposed from 41st Avenue SW. Access to and from the above grade parking, which would be primarily for the supermarket use, would be via two openings along the north façade of the building, adjacent the proposed alley extension connecting to 42nd Avenue SW.

The residential portion of the structure would be provided with an interior, open-space courtyard lying above the roof of the upper-level parking deck. An additional deck was proposed at the uppermost roof of the structure, an open space that would partially embrace both sides of the interior courtyard. The building would be set back five feet along the entire length of SW Alaska Street, providing for a wider separation of the structure from the curb and allowing for an expanded sidewalk adjacent that façade. Landscaping would be provided within the courtyard and on the roof deck. Street trees and additional plantings would be provided at grade along all three street-facing facades. Materials for the proposed structure would include a painted concrete base, buff-colored brick, painted Hardy-plank and a metal top.

Departures from Development Standards:

Certain departures from Land Use Code requirements may be permitted as part of the design review process. Departures may be allowed if an applicant demonstrates that a requested departure would result in a development which better meets the intent of the adopted design guidelines (see SMC 23.41.012).

The applicant indicated that the following departures would be required the from Land Use Code development standards:

- SMC 23.47.008D-the residential portion of a structure above 13 feet in height shall be limited to 64% lot coverage; the applicant requests a departure to allow 71% lot coverage.
- SMC 23.47.024- area equal to20% of the gross floor area in residential use shall be usable open space for the residents; applicant would request a reduction in required usable open space to 10% of the gross floor area in residential use.
- SMC 23.47.008B-a minimum of 80% of a structure's street front façade at street level must be in non-residential use; the applicant may request less than 80% along the 42nd Avenue SW street level façade.

PUBLIC COMMENTS

After the Board had asked some clarifying questions of the architect regarding the project, public comment was solicited from those attending the meeting. There were three individuals who had entered their names on the sign-in sheet. Comments from one member of the public focused on traffic impacts along the proposed easement/existing alley to 42nd Avenue SW and SW Oregon Street. He sought clarification whether traffic on the alley would remain two-way or be regulated to one direction. He noted that traffic movements need to be carefully signaled for users and suggested that the entry to the grocery parking needed further separation from 42nd Avenue SW to provide for the smooth handling of potential traffic. Other comments and questions sought clarification regarding the proposed commercial uses, parking and loading access, impacts to the alley, intended materials for construction, street and sidewalk improvements. One member of the public was concerned with the loss of sunlight for those lying shade-ward the project.

BOARD DELIBERATIONS

During their deliberations the Board expressed disappointment that the design did not provide some mid-block access via stair and landing into a specialized space within the supermarket space, an idea which had been discussed at the Early Design Guidance meeting. The Board strongly suggested that the design team not abandon this idea should it prove plausible since such a move would vastly enhance the possibility for including some pedestrian interaction along SW Alaska which was otherwise deadened by the proposed façade.

Absent some direct mid-block access and connection to the proposed supermarket space which extends the entire length of the building between 41st and 42nd Avenues SW, the Board urged that the interior spaces next to the windows facing onto SW Alaska Street, on both retail levels, although separated in grade from the sidewalk, be kept largely free of display shelves and cases and remain open for customer activities. Especially at the supermarket level the windows should allow sight lines from the sidewalk into customer activities such as coffee shop, snack bar, cooking classes, etc., in order to provide some minimal human-activity and a visual linkage between the sidewalk and the interior. The Board's approval will be conditioned to achieve this.

Having visited the site, and having earlier provided siting and design guidance by identifying by letter and number those siting and design guidelines found in the City of Seattle's ***Design Review: Guidelines for Multifamily & Commercial Buildings*** and ***West Seattle Junction Urban Village Design Guidelines*** to be of highest priority to this project, and after considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members recommended **approval** of the design as presented and **approval** of the design departures requested.

The Board's recommendation of approval was accompanied by the following **conditions** of approval.

1. The project shall be constructed (with the qualifications noted in Conditions 2, 3 and 4) as shown in the drawings presented to the Board at the October 13, 2005, Design Review meeting and shall utilize the quality of materials, colors, and architectural details and details of landscaping as presented to the Board and described to the Board at that meeting.

2. The interior spaces next to the windows facing onto SW Alaska Street, on both retail levels, although separated in grade from the sidewalk, shall be kept largely free of display shelves and cases and remain open for customer activities. Especially at the supermarket level the windows should allow sight lines from the sidewalk into customer activities such as coffee shop, snack bar, cooking classes, etc., in order to provide some minimal human-activity and a visual linkage between the sidewalk and the interior.

3. The columns shown on the south, east and west elevations, extending from the ground up to the base of the first residential level shall be designed to stand proud not only of the window frames but of other (horizontal) portions of their respective facades up to the residential level.

4. The project shall provide differential sidewalk paving at all entries, both on-site and in the right-of-way where approvable by DPD and SDOT, including differences in size, texture and color, in order to provide variation and to convey interest on all three street-facing facades of the proposed structure.

Added Recommendation Meeting—June 14, 2007

An additional Design Review Recommendation meeting was held on June 14, 2007, since, in the opinion of the Director, sufficient alterations had been made to the SW Alaska Street façade, an area of design particularly of concern to the Board at the earlier meetings, to warrant return to the Board for their approval and approval of any attendant departure requests.

Architect's Presentation

The architect's presentation focused upon changes in the street-level, street-facing facades on both SW Alaska Street and 41st Avenue SW where sections of the store-front window system had been replaced by solid external sheer walls. Having explained the structural requirements for these changes within the façade, the design team went on to highlight two other changes that had occurred in the design since the Board had last reviewed the project. The first of these changes was at the corner of 42nd Avenue SW and SW Alaska Street where there had been an expansion to the entry to the retail space and refinement of the public open space directly to the north of the entry which had been provided as the public amenity feature required by the alley vacation process. Another significant change was the relocation of the roof deck open space for residents from the roof of the uppermost units on the western side of the structure to the lower roof above the three stories of residential units on the eastern half of the site.

Public Comment

While some members of the public spoke in favor of the overall project and voiced approval of the changes that had been presented, there were a few comments directed to continued concerns with traffic impacts and with the perceived loss of surface parking brought on by this and other proposed large-scale developments in the immediate area. One member of the public who had objected to elements of the design at the previous Board meetings spoke about how the scale of the proposed commercial uses combined with the alley vacation dictated a scale to the street-level façade that did not respond to creating a pedestrian-friendly environment at sidewalk level, which was a prevailing character in the Alaska Junction area and one intended by the neighborhood residents for new development.

Board Deliberations

The Board expressed sympathy with the structural requirements that were said to necessitate the need for the introduction of sheer walls at the periphery and eliminate portions of the façade's transparency. The Board was also agreeable to the changes that had been made at the corner entry at 42nd Avenue SW and SW Alaska Street and the shift in location of the roof deck open space.

The Board noted two other changes, however, that had been made in the upper-level facades that had not been highlighted in the applicant's presentation. First, the majority of the residential windows, which hitherto had been of greater height, thus creating an overall effect of vertical sweep, had been substantially reduced in height so as to now be proportionately wider that tall. , This change, the Board thought, created a distinctive shift to a perceived horizontal cast across the upper facades. Secondly, the infill, planer walls of the parking level had been increased in height proportionately to their width. The Board noted they would condition their approval of the changes along the lower facades necessitated by the introduction of the peripheral sheer walls. They would like to see the upper facades, namely the residential fenestration and parking screen between columns substantially returned to its previous look, the one they had previously approved. In the case of the look of the residential windows, the Board agreed that some variegation might be in order, as long as the overall vertical effect previously shown was attained.

The Board also reminded the applicant of their previous condition that the columnar element abutting the walls at the upper parking level should stand proud of the plane of the wall so as to create a shadow line at the edges of the plane of the wall. Referring to their previous guidance and citation of the A-2 (Streetscape Compatibility) Guideline of the ***West Seattle Junction Urban Village Design guidelines,*** the Board agreed that in approving the sheer walls and loss of transparency in the street-level facades they would require as a condition of that approval their earlier request that "the façade should literally open to the street at areas other than the corners." Specifically, an opening (entryway) should be provided in the bay west of the sheer wall on SW Alaska Street to the upper grocery store level, made accessible by a stair that is located parallel to the sheer wall. It was the Board's desire that the changes in the upper façade residential windows, changes in the parking-level walls, and the additional entry along SW Alaska Street should be reviewed and approved by the Land Use Planner and incorporated into the MUP plan sets prior to issuance of the MUP permit.

With these conditions, the four members of the Design Review Board present unanimously approved the proposed changes in design to the street-level façades. They also affirmed the approvals of design approved at the previous Recommendation Meeting

Design Departures

In the course of its deliberation, the Board asked the applicants about the quality and quantity of signage proposed for the structure. They were told that they were in the process of designing an entire sign package for the principal retail client. The Board noted that the plans were showing a variety of signs, the total number of which for any retail establishment might exceed the number of signs the Sign Code would allow. In addition, the Board felt that the complexity of parking entrances might require additional signage for clear and unambiguous wayfaring. They suggested a request for a departure from specific signage requirements might be beneficial to the

overall design of the project. The Board then approved the request for this departure with the proviso that the signage package be presented to the DPD Land Use Planner for review and approval. The departure would include number of signs, kinds of signs, location of signs and size of signs as deemed appropriate for the project during DPD Land Use review.

Departure granted, June 14, 2007:

- SMC 23.55.030 D 2-5—Number, type, area and height of signs for business establishments in commercial zones.

The Board also affirmed the approvals of departures given at the previous Recommendation Meeting on October 15, 2005, viz.:

- SMC 23.47.008D-the residential portion of a structure above 13 feet in height shall be limited to 64% lot coverage; the applicant contemplated an increase to 71 percent.
- SMC 23.47.008B-a minimum of 80% of a structure's street front façade at street level must be in non-residential use; the applicant may request less than 80% along the 42nd Avenue SW street level façade.
- SMC 23.47.024- area equal to20% of the gross floor area in residential use shall be usable open space for the residents; applicant would request a reduction in required usable open space to 10 percent.

DECISION – DESIGN REVIEW

After considering the proposed design and design solutions presented in relation to previously prioritized design guidelines and after having heard public comments on the project's design, the four Design Review Board members present unanimously **recommended approval** of the subject design **with conditions noted below.** They unanimously recommended approval of the requested departures for signage requirements as conditioned. They unanimously reaffirmed their **recommended approval** of the design departures requested at the Recommendation meeting of October 13, 2005.

The Land Use Code states (SMC 23.41.016 F3) that "if four (4) or more members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision that makes compliance with the recommendation of the Design Review Board a condition of permit approval," unless the Director concludes that the recommendation of the Design Review Board reflects inconsistent application of the design review guidelines, does not exceed their authority or conflict with SEPA conditions, nor conflict with other requirements of state or federal law.

The Director of DPD has reviewed the recommendations of the four Design Board members present at the two Design Review recommendation meeting and finds that the Board acted within its authority and the Board's recommendations are consistent with the ***City of Seattle Design Review: Guidelines for Downtown Development*** and do not conflict with regulatory requirements.

Therefore, the proposed design and departures from development standards are **APPROVED** as presented at the October 13, 2005 and June 14, 2007 Design Review Board meetings.

CONDITIONS

Design Review conditions are listed at the end of this report.

ANALYSIS – SEPA

This analysis relies on the ***Environmental (SEPA) Checklist*** submitted by the applicant on July 7, 2005, which discloses the potential impacts from this project. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Seattle SEPA ordinance provides substantive authority to require mitigation of adverse impacts resulting from a project (SMC 25.05.655 and 25.05.660). Mitigation, when required, must be related to specific adverse environmental impacts identified in an environmental document and may be imposed only to the extent that an impact is attributable to the proposal. Additionally, mitigation may be required only when based on policies, plans, and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675, inclusive, (SEPA Overview Policy, SEPA Cumulative Impacts Policy, and SEPA Specific Environmental Policies). In some instances, local, state, or federal requirements will provide sufficient mitigation of a significant impact and the decision maker is required to consider the applicable requirement(s) and their effect on the impacts of the proposal.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*," subject to some limitations. Under specific circumstances (SMC 25.05.665 D 1-7) mitigation can be required.

The policies for specific elements of the environment (SMC 25.05.675) describe the relationship with the Overview Policy and indicate when the Overview Policy is applicable. Not all elements of the environment are subject to the Overview Policy (e.g., Traffic and Transportation). A detailed discussion of some of the specific elements of the environment and potential impacts is appropriate.

Short-Term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality, noise, and construction traffic warrant further discussion.

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos or other hazardous substances during demolition. The applicant will take the following precautions to reduce or control emissions or other air impacts during construction:

- *During demolition, excavation and construction, debris and exposed areas will be sprinkled as necessary to control dust and truck loads and routes will be monitored to minimize dust-related impacts. Due to the small size of the site, an on-site truck wash and quarry spall may not be necessary or appropriate as the applicant may use "scoop and dump" excavation. This would entail using an excavator tractor to move excavated material to trucks queued along the street. If scoop and dump excavation is used, then a truck wash and quarry spall will not be required.*
- *Using well-maintained equipment and avoiding prolonged periods of vehicle idling will reduce emissions from construction equipment and construction-related trucks.*
- *Using electrically operated small tools in place of gas powered small tools wherever feasible.*
- *Trucking building materials to and from the project site will be scheduled and coordinated to minimize congestion during peak travel times associated with adjacent roadways.*

These and other construction and noise management techniques shall be included in the Construction Impact/Noise Impact Management Plan to be submitted for approval prior to issuance of construction permits.

Noise

The project is expected to generate loud noise during demolition, grading and construction. Compliance with the Noise Ordinance (SMC 25.08) is required and will limit the use of loud equipment registering 60 dBA (not including construction equipment exceptions in SMC 25.08.425) or more at the receiving property line or 50 feet to the hours between 7:00 a.m. and 10:00 p.m. on weekdays, and between 9:00 a.m. and 10:00 p.m. on weekends and holidays. This condition may be modified by DPD to allow work of an emergency nature or allow low noise

interior work after the exterior of the structure is enclosed. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD. Construction noise is within the parameters of SMC 25.05.675.L, which states that the Noise Ordinance provides sufficient mitigation for most noise impacts. Due to the proximity of residential units, further conditioning of allowed construction hours may be necessary. Any need to address specific additional noise restrictions because of particularly sensitive sites nearby will be addressed in the required Construction Impact/Noise Impact Management Plan to be approved by DPD prior to issuance of any construction permits.

Traffic and Circulation

Site preparation would involve the demolition of the buildings currently on site, the removal of existing asphalt pavement and excavation for the foundation of the proposed building and below grade parking garage. Demolition of the buildings has previously been authorized by DPD. Approximately 19,000 cubic yards of material will be excavated and removed from the site. Existing City code, Regulating the Kind and Classes of Traffic on Certain Streets (SMC 11.62) designates major truck streets which must be used for hauling and otherwise regulates truck traffic in the city. The proposal site has relatively direct access to both Highway 99 and Interstate 5 and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC 11.62.

Traffic control would be regulated through the City's street use permit system, and a requirement for the contractor to meet all City regulations pertaining to the same. Temporary sidewalk or lane closures may be required during construction. Any temporary closures of sidewalks would require the diversion of pedestrians to other sidewalks. The timing and duration of these closures would be coordinated with SDOT to ensure minimal disruptions.

Compliance with Seattle's Street Use Ordinance administered by Seattle Department of Transportation (SDOT) is expected to mitigate any adverse impacts to traffic which would be generated during construction. of this proposal and no further conditioning is necessary.

Long-Term Impacts – Use-Related Impacts

Land Use

The proposed project is consistent with the *City of Seattle Comprehensive Plan* and the Land Use Code.

Noise

Trash compacting, trash pick-up, off-loading and loading will take place within the structure and at interior loading berths accessed from 41st Avenue SW. The loading area will be designed with sound attenuating insulation and baffles to decrease the level of noises that will be discernible at 41st Avenue SW. No further conditioning for noise abatement is warranted.

Traffic and Transportation

A Traffic Impact Study for the proposed mixed-use project was prepared by Transportation Engineering NorthWest and dated June, 2005. Trip Generation Calculations, Peak Hour Project Trip Assignments and Intersection Level of Service (LOS) results were updated by Transportation Engineering NorthWest on May 19, 2006 and submitted to DPD on May 30, 2006. The Traffic Impact Study evaluates existing traffic conditions in the study area, estimates the total amount of new traffic to be generated by this project, and evaluates the impact of these new trips on the level-of-service of nine intersections in the study area.

According to the revised traffic impact study, and as projected for the project year 2007, the project will generate approximately 3,984 new weekday daily vehicle trips to the surrounding street system, including 116 new net trips during the AM and 332 new net trips during the PM peak hours. For the AM Peak Hour, the signalized intersection at 42nd Av SW/ SW Alaska St would degrade from Level of Service (LOS) B to LOS D. For the PM peak hour this same intersection would remain at LOS C with an additional 5.7 second delay. For the PM peak hour the intersection at California/Edmunds/Erskine would continue to operate at LOS E, with an additional 4.9 second delay.

During the weekday PM peak hour, the project's impact on average control delay per vehicle at the most congested intersection of the nine studied would be at the California Ave/SW Alaska St intersection. There would be a change in the Level of Service (LOS) at this intersection based on the project's impacts from LOS D to LOS E. With the project, the average control delay per vehicle, as revised, following the addition of a westbound right-turn lane on SW Alaska Street, is projected to increase from 47.6 seconds to 56.2 seconds, for an overall peak hour delay of 8.6 seconds resulting from the project impacts.

In accord with SMC 25.05.350, after submission of an environmental checklist and supporting documentation and prior to DPD's threshold determination as the lead agency for the proposal, an applicant may clarify or change features of the proposal to mitigate the impacts which have persuaded DPD as lead agency to consider a Determination of Significance likely. The applicant may revise the environmental checklist as may be necessary to describe the clarifications or changes. DPD then may make its threshold determination based upon the changed or clarified proposal.

The traffic consultant for the applicant has proposed four potential measures to mitigate the impact on the California Ave/SW Alaska St intersection, two of which DPD has determined merit alternative consideration for conditioning to provide project mitigation. The first would involve obtaining SDOT concurrence and approval to re-stripe the north bound approach on California Avenue SW to add a right-turn lane onto SW Alaska Street. This would require the removal of approximately six existing on-street parking stalls. A second, proposed alternate mitigation measure would involve the contribution of $10,000 toward SDOT's overlay plan for the California corridor.

The first option, providing a northbound right-turn lane from California Avenue SW onto SW Alaska Street, must have SDOT concurrent approval and must be implemented prior to granting any Certificate of Occupancy for the non-residential portion of the completed structure. In lieu of providing the northbound right-turn lane, the applicant may, as an alternative, provide

evidence of having contributed $10,000 toward SDOT's overlay plan for the California corridor. This option must likewise be exercised prior to issuance of any Certificate of Occupancy for the non-residential portion of the project.

Alley Vacation and Traffic Implications

City Council has granted preliminary conceptual approval to the owner's petition for a vacation of the south 187 feet of the alley right-of-way that bisects the block between 41st Avenue SW and 42nd Avenue SW. Access to and from the portion of the alley that remains un-vacated will be provided by means of a dedication of a new alley extension over the northwest portion of the development site. The physical development of an "alley extension" over this portion of the site will be determined and controlled by conditions attached to the preliminary approval of the partial alley vacation and by engineered drawings that must be approved by SDOT. In addition, as noted in Numbered paragraph 5 of the Council's preliminary conditional approval of the partial alley vacation, final overall approval of the project, including the "alley extension" is subject to SEPA and conditioning and to various City codes and through regulatory review processes including SEPA.

The maneuvering of larger vehicles, including delivery and waste-management trucks, to make a right-angle turn within the confines of an 18-20 foot alley poses a particular challenge. The City Council granted conditional approval of the petition on October 3, 2005. (CF 307032). Among the conditions of approval was the provision for a new alley section, 20-feet in width, connecting perpendicularly with the non-vacated portion of the alley and running to 42nd Avenue SW. Additionally, the petitioner was to provide for "an adequate turning radius at the end of the existing alley for the connection with the new alley…."

The plans accompanying MUP 3007035 will be revised to show an area of the alley extending beyond the twenty-foot width of the alley on the applicant's property adjacent and immediately to the south of the new connecting alley. DPD and SDOT have given conceptual approval to the proposed pathway and expanded alley and have made a preliminary determination that the expanded width is adequate to provide for the increased turning radius required by SDOT standard plans and the Council's Vacation Ordinance. The applicant is also contemplating an alternative configuration of an expanded alley area not on the applicant's property in order to meet the turning-radius requirement. This alternative would entail obtaining rights on property just to the north of the new east-west alley connection. If agreed to by the property owner to the north of the east-west alley connection, such a reconfiguration of the alley width to provide for an adequate turning radius would require SDOT review and approval. The present Decision will be conditioned for the applicant to provide for the expanded alley turning radius area on the applicant's own property, as depicted on the MUP plans, or, alternatively, to provide evidence of rights secured on the neighbor's property across the new alley extension to provide for an adequate alley turning radius, which reconfiguration of the alley shall have obtained SDOT approval as required by the Condition of the Council Alley Vacation Ordinance.

Transportation Concurrency

The City of Seattle has implemented a Transportation Concurrency system to comply with one of the requirements of the Washington State Growth Management Act (GMA). The system, described in DPD's Director's Rule 4-99 and the City's Land Use Code is designed to provide a mechanism that determines whether adequate transportation facilities would be available

"concurrent" with proposed development projects. The four evaluated screen-lines included in the Transportation Engineering NorthWest analysis would all continue to operate below the concurrency threshold with construction of the project.

Parking

The proposed development will provide 371 parking spaces. According to the parking demand study and supplemental information provided by Transportation Engineering NorthWest, on a typical weekday, the peak parking demand is estimated to be around 316 parking stalls. The peak Saturday demand, an important calculation because of the proposed supermarket use on site, is estimated to be about 326 parking stalls. The proposed 371 parking stalls are expected to accommodate both the peak weekday and weekend demands.

DECISION – STATE ENVIRONMENTAL POLICY ACT (SEPA)

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

[**X**] Mitigated Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

The proposed action is **APPROVED WITH PROPOSED MITIGATION AND CONDITIONS**.

MDNS Mitigation Conditions:

In the transportation review of this Project, potential impacts to various intersections were assessed, including potential impacts to the intersection of California Avenue SW and SW Alaska Street. This intersection is currently operating at level of service ("LOS") E during the PM peak hour and the Project is expected to result in an increased delay of approximately 8 seconds at that intersection.

Two potential options have been identified to mitigate Project impacts on this intersection: (1) re-stripe the existing pavement to include a right turn lane on the northbound approach of California Avenue SW; or (2) participate in the Seattle Department of Transportation ("SDOT") re-channelization plan for the California Avenue SW corridor. Either of these improvements will adequately mitigate Project impacts at the intersection of California Avenue SW and SW Alaska Street.

The Seattle Department of Transportation ("SDOT") is currently studying new channelization concepts in the California Avenue SW corridor, all of which result in a new north-south configuration of California Avenue SW at the SW Alaska Street intersection. Each of these improvements is expected to add sufficient capacity to the intersection to accommodate project-

generated traffic without increasing delay at the intersection. SDOT expects to implement one of these options, but it is possible that the re-channelization plan could be delayed and/or revised to reflect concerns raised by area businesses or residents. In light of this possibility, the Applicant has agreed to the following:

1. Prior to issuance of the certificate of occupancy for the Project, the Applicant will provide funding to SDOT in the amount of $10,000 toward SDOT's final channelization plan for the California Avenue SW corridor, provided that the plan will be implemented before the Project becomes operational; or

   If, prior to issuance of the certificate of occupancy for the Project, SDOT has not identified a final channelization plan for the California Avenue SW corridor that will be implemented before the Project becomes operational, Applicant will re-stripe the northbound approach on California Avenue SW at the SW Alaska Street intersection to add a right-turn lane. This approach would remove approximately six existing on-street stalls. Removal of parking will require SDOT approval.

Either of these options would provide adequate mitigation for Project impacts at the California Avenue SW and SW Alaska Street intersection. Applicant acknowledges that one of these conditions must be satisfied prior to the City's issuance of the certificate of occupancy.

ADDITIONAL CONDITIONS – SEPA

Prior to Master Use Permit Issuance

2. Applicant will revise MUP plans to show an area of the alley extending beyond the twenty-foot width of the alley on the applicant's property adjacent and immediately to the south of the new connecting alley which will meet DPD and SDOT requirements for an approval and determination that the proposed pathway and expanded alley width are adequate to provide for the increased turning radius required by SDOT standard plans and the Council's Vacation Ordinance.

Prior to Issuance of any Construction, Shoring or Grading Permits

3. The applicant shall submit for review and approval a Construction Impact/Noise Impact Management Plan to the Department of Planning and Development. The plan shall identify management of construction activities and noise, including construction hours, parking, traffic and issues concerning street and sidewalk closures.

Prior to Issuance of any Constructions Permit, other than Grading, Shoring or Foundation Permits

4. The applicant shall provide for an expanded width of alley for turning radius purposes on the applicant's own property, as depicted on the MUP plans and as approved by DPD and SDOT; or, alternatively, the applicant shall provide evidence of rights secured on the property of the neighbor directly to the north of the dedicated new alley extension in order to provide for a widened alley and an adequate alley turning radius;

plans for the reconfigured expanded alley shall provide for an adequate turning-radius and shall obtain SDOT approval as required by the Condition of the Council Alley Vacation Ordinance.

CONDITIONS-DESIGN REVIEW

Prior to Issuance of the Master Use Permit

5. Update the MUP plan sets to conform to the conditions required by the Design Review Board for approval of the design and requested departures on June 14, 2007. These conditions include a) changes to the fenestration of the residential units to reintroduce a prevailing vertical sweep to the upper facade, b) changes to the proportions of the exterior portions of walls enclosing the above-grade parking level to restore a greater width to height proportionality, and c) inclusion of a new retail entry along SW Alaska Street at a point on the façade approximately two fifths of the width of the façade east of the structure's corner at the corner of 42nd Avenue SW and 41st Avenue SW.

Prior to Issuance of any Certificate of Occupancy

6. Construct buildings with siting, materials, and architectural details substantially the same as those presented at the June 14, 2007 Design Review Board Recommendation meeting, with those modifications requested by the Board and reviewed and approved by the DPD Land Use Planner subsequent to the meeting.

Prior to Issuance of any Certificate of Occupancy for the Non-Residential Portion of the Structure

7. After consultation with SDOT and as recommended and conditioned by the Design Review Board, construct and install appropriate pedestrian sidewalk paving, with differential sizing, texture and color at the building's two corner entrances and as part of the public amenity space just north of the commercial entry at the corner of SW Alaska Street and 42nd Avenue SW.

8. Provide the City of Seattle Public Open Space logo on plaque(s) to be installed within or adjacent to the public space required as part of the alley vacation process. Design of the signage should conform to City of Seattle Public Space sign specifications and its placement must have DPD and SDOT concurrent approval. Plans for the plaque and placement should be submitted to the DPD planner in ample time for review prior to a request for structure occupancy.

Signature: (signature on file) Date: June 28, 2007
Michael Dorcy, Senior Land Use Planner
Department of Planning and Development

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