



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D.M. Sugimura, Director

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

Application Number: 3002456

Applicant: Loren Brandford, Nicholson Kovalchick Architects for 4116 California Avenue LLC

Address: 4116 California Avenue SW

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a four story, 40 unit apartment building with approximately 3,340 square feet of retail space at ground level and 51 parking spaces located within the structure. Review includes 7,000 square feet of demolition of eight (8) ground related residential units. The following approvals are required:

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

Design Review - Chapter 23.41, (SMC)

SEPA DETERMINATION: [] Exempt [X] DNS [] MDNS [] EIS
[] DNS with conditions
[] DNS involving non-exempt grading or demolition, or
involving another agency with jurisdiction.

BACKGROUND INFORMATION:

The site is located at 4116 California Avenue SW. It is mid-block on the east side of the street between SW Genesee Street to the south and SW Dakota Street to the north, just north of the West Seattle Junction. The site is two platted lots with total dimensions of 150 feet wide by 115 feet deep. The site is zoned Neighborhood Commercial 1 with a 40 foot height limit (NC1-40). The property is located in the West Seattle Junction Urban Village. There is an alley in this block. The site drops about 6 feet, east to west.

AREA DEVELOPMENT

Zoning across the alley is Lowrise 1 (L1) zoning. Zoning to the north and south, along California Way is neighborhood commercial 1 (NC1-40). Along California Avenue SW there is a mix of one to three story commercial, residential apartment, and mixed-use buildings. The neighboring buildings are a mix of ages from the 1920's to the present. The L1 zone has a mix of single family residences and duplexes. The Holy Rosary Church is nearby.

ANALYSIS – DESIGN REVIEW

This project was subject to the City of Seattle design review program. The designers received early design guidance at a design review meeting January 26, 2006.

EARLY DESIGN GUIDANCE

Architect's presentation

Brandon Nicholson of Nicholson Kovalchick Architects made the presentation. He explained general zoning and area uses. He pointed out the site opportunities and constraints. Three massing studies showed the mixed use proposal and their possible massing on the site. The building would fall under height restrictions of the zone and controlling land use code. The proposal is for a mixed use building with approximately 42 residential units above commercial space. Access to the site would be via the alley. Parking will be covered parking with commercial uses on California and residential uses above. Some units may have a view to the east and southeast. The residential entry may be at the center of the site or toward the south of the site. Bay windows may be used to create an airy loft-like style. Proposed building materials would be high quality materials that require little maintenance.

Board Clarifying Questions and Comments

The Board clarified the alley setback above 13 feet, and open space locations. The board acknowledged an interest in the worker cottages that currently occupy the site and in the new urban community that is zoned to take shape. They asked if there was a way to recreate a scale of the worker cottage in this new development. The board asked about the quality of the commercial presence on California Avenue SW and efforts to create commercial and residential entries that are non-competing, attractive and which support the commercial community at the street level.

Public Comments

There were 4 members of the public present. Comments included the following:

- Modulation on the front façade would help this new streetscape and create an interesting and quality building.
- The nice southern exposure available to the site now and units could enjoy the exposure and views.
- A series of bays and high ceiling living space could create a good design.

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 Commercial and Mixed Use Buildings*" of highest priority to this project.

DESIGN GUIDELINES PRIORITIES

A Site Planning

A-2 Streetscape Compatibility

The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

The living spaces should have a positive and recognizable “relationship” to the street. Bays that emphasize the uses within and interesting commercial spaces at the street should be presented at the next meeting.

A-4 Human Activity

New development should be sited and designed to encourage human activity on the street.

Residential entry on the street and lively commercial should be well-designed with details to encourage residents to meet and greet, stop and shop.

A-5 Respect for Adjacent Sites

Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

The architect’s preferred massing is a good solution and should be developed further. The south wall should have a mix of treatments to relieve the solid wall. Massing should be away from the alley and toward California Avenue SW.

B Height, Bulk and Scale

B-1 Height, Bulk and Scale

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 near-by, less-intensive zones.

The Board agreed that due to the L1 zone across the alley the building bulk should be pushed to California. The architect should carve away the building near the alley and even below 13 feet at the alley in order to situate this building on the site

C Architectural Elements and Materials

C-1 Architectural Concept

New buildings proposed for existing neighborhood with a well-defined and desirable character should be compatible with or complement the character and siting pattern of neighboring buildings.

There are nearby architectural forms and materials that should be examined and used to subtly recall the nearby uses. The architect should present material boards that reflect the study, and architectural forms and details that will be used in this new building. For instance, the nearby church has interesting masonry, scale, color and texture as well as roof forms, and masses that should influence this design. Similarly the workers cottages that are being replace have forms, materials, massing, open space, a sense of community, that should be reflected in the new design. Community around open space should be referenced in this project.

C-3 Human Scale

The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

The base of this building must create human scale by a variety of means; modulation, entries with important details, landscaping, operable windows, fenestration, seating and uses.

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 a building.

The garage must respect the L1 zone across the alley. For instance there should be landscaping that buffers the garage at grade level. The garage lighting must not spill out into the backyards of the L1 zone. The wall treatment must minimize the structure. Landscaping can spill over from the top. The structure should be eroded away as much as possible at the back; that is begin setting back before the 13 foot level.

D Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances

Convenient and attractive access to the building's entry should be provided.

A Convenient and well-detailed residential lobby should be fully presented at the next meeting. The lobby options of being located at the center of the block face or at the south end of the site should be presented as well. Open spaces should be presented as well. Open spaces should be spaces that are attractive and able to be well-maintained.

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 south, north and alley parking structure walls should be designed to avoid blank walls. Details of the proposals for these walls should be presented next meeting.

D-6 Visual Impacts of Parking Structures

The visibility of all at-grade parking structures or accessory parking garages should be minimized.

E Landscaping

E-2 Landscaping to Enhance the Building and/or site

Landscaping, including living plants, special pavement, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

Terrace open space should be well-designed and sensitive to the L1 zone to the east. This could include screening to provide a sense of privacy for both sides of the alley and measures to minimize the bulk of the new building. Landscaping should be explored in its broadest definition as described above.

RECOMMENDATION MEETING - NOVEMBER 16, 2006

Architect's presentation

Brandon Nicholson of Nicholson Kovalchick Architects made the presentation. He reviewed the site opportunities and constraints, zoning, neighboring projects and urban form. The project features include an entry courtyard, two building "chunks" of residential above commercial, a common open space at the rear and rooftop and covered parking. Access to the site is proposed to be from one entry on the alley. The parking level is lowered as much as possible to accommodate the accessible van space, but kept low to keep the alley wall as minimal as possible. The landscape plan is striving and full and would be richly planted on the California entryway, the open space area, and additional planting on the plinth at the north and south property lines. The goal is to create green space and quality landscape hard surface areas as much as possible. The street trees are proposed to remain. The architect addressed the priority guidelines chosen at the early design guidance and the project design response.

Board clarifying questions

The Board asked for specifics on the street trees, the design nature of the open space on the plinth and any attempts to have graffiti unfriendly treatments. The Board asked for more detailed explanation of the parking configuration. There were a few questions on the nature of the stair towers and the window treatments.

Public comments

There were seven (3) members of the public in attendance. Comments included affirmation that this would be a good project in the area. One commenter suggested that the front façade receive a soft wash of up light for interest.

Board deliberations

The Board discussed prominent issues from the presentation and public comments. Points of discussion included the following:

- The proposal response to Board early design guidance is good.
- The design appears massive yet it recalls a style and is cohesive in its execution.
- The project has a sophisticated / downtown look to it that works well at this location.
- The change of windows is not ideal, but understood from budgeting standpoint.
- The concrete base should be colored to reduce the sense of bulk and glare.
- The materials proposed are good quality and relate to the nature of the area. These materials should be retained as the project moves forward.
- The departures are supported

DESIGN DEPARTURE MATRIX:

Development Standard	Requirement	Proposed	Departure amount	Related Guideline	Recommendation
SMC 23.47.008.B commercial depth	30' depth	30'-0" <i>typical depth</i> 28'-5" <i>average depth</i>	1'-7" on average depth	A2, A4 good public open space is provided at ground level at the entry court and to pull the building away from the northwest and southwest corners.	Approval
SMC 23.47.008.B commercial frontage length	119'-9" (149'-8" x 80%)	115'-6"	4'-4" departure	A2, A4 departures are required because of the public open space provided at ground level at the entry court and because we have pulled the building away from the property lines at the northwest and southwest corners.	Approval
SMC 23.47.008.D Lot Coverage (above 13')	64%	68.0%	4.0 %	A2 Streetscape compatibility. creating interesting spaces and useable interior spaces help meet this priority.	Approval
SMC 23.54.030.E.2 Parking Aisle Width	24' parking aisle for large vehicle	22'	2' for 20 linear feet	C1 a single non-residential large parking stall is located on a 24' parking aisle, but is connected to the garage door by one segment of 22' parking aisle	Approval

Board recommendation

After considering the proposed design and the project context, hearing public comment, and reconsidering the previously stated design priorities, the Design Review Board members felt that all of the guidance they had given in their previous meetings had been addressed by the applicant. In addition, the 4 Board members present supported the Departure requests and **recommended approval with conditions** to the design to the Director.

Recommended conditions are the following:

1. Retain the building colors and materials presented at the meeting

ANALYSIS & DESIGN- DESIGN REVIEW

The Director of DPD has reviewed the recommendations of the Design Review Board and finds that they are consistent with the City of Seattle Design Review *Guidelines for Multifamily & Commercial Buildings* and the West Seattle Alaska Junction neighborhood guidelines and that the development standard departures present and improved design solution, better meeting the intent of the Design Guidelines, than would be obtained through strict application of the Seattle Land Use Code. Commercial depth and frontage of commercial use departures allow the commercial to function while allowing some sculpting of the front façade at the ground level.

The lot coverage will allow for creating interesting spaces and useable interior spaces. The parking aisle width departure is for a small portion of the garage and will allow for the large parking stall to be located in the best garage fit. Therefore, the Director approves the proposed design as presented in the official plan sets on file with DPD as of the **January 5, 2007**. The Design Review Board meeting and the recommended development standard departures described above are approved.

ANALYSIS - SEPA

The applicant has filed a SEPA Checklist dated April 20, 2006.

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 such limitations or circumstances (SMC 25.05.665D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

Short-term Impacts

The following temporary or construction-related impacts are expected: 1) temporary soil erosion; 2) decreased air quality due to increased dust and other suspended air particulates during excavation and construction; 3) increased noise and vibration from construction operations and equipment; 4) increased traffic and parking demand from construction personnel; 5) blockage of streets by construction vehicles/activities; 6) conflict with normal pedestrian movement adjacent to the site; and 7) consumption of renewable and non-renewable resources. These impacts are not considered significant because they are temporary and/or minor in scope (Section 25.05.794, SMC). Although not significant, the impacts are adverse and certain mitigation measures are appropriate as specified below.

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically, these are: 1) Street Use Ordinance (watering streets to suppress dust, obstruction of the pedestrian right-of-way during construction, construction along the street right-of-way); 2) Building Code (construction measures in general); and 3) Stormwater, Drainage and Grading Code (temporary soil erosion). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts.

Construction Noise

Noise associated with construction could adversely effect the surrounding uses, thus the limitations of the Noise Ordinance are found to be inadequate. Pursuant to the SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B), additional mitigation is warranted. Thus, limit the hours of any construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 and 6:00 p.m. Limited work on Saturdays between 9:00 and 6:00 p.m. may be allowed if prior approval is

secured from the undersigned Land Use Planner at DPD. Such after-hours work would include emergency construction necessitated by safety of street use (traffic) concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g. planting) or work which would substantially shorten the overall construction timeframe. Limited work at other times or on Sundays may also be allowed if necessary to align with SDOT or utility requirements. Such limited after-hours work may be authorized only if the owner (s) and or responsible party(s) provide 3-days prior notice to allow DPD to adequately evaluate the request pursuant to SEPA authority to mitigate construction impacts (SMC 25.05.675B).

Long-term Impacts

Potential long-term impacts that may occur as a result of this project include: 1) increased surface water runoff from greater site coverage by impervious surfaces; 2) increased bulk and scale on the site; 3) increased traffic and parking demand due to additional employees and visitors with the proposed uses; 4) minor increase in airborne emissions resulting from additional traffic; 5) minor increase in ambient noise due to increased human activity; 6) increased demand on public services and utilities; 7) increased light and glare; and 8) increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope. However more information regarding the expected traffic volumes warrants more analysis.

The long-term impacts are typical of this type of development and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (storm water runoff from additional site coverage by impervious surface); Land Use Code (aesthetic impacts, height, setbacks, parking); and the Seattle Energy Code (long-term energy consumption).

The other impacts not noted here as mitigated by codes or conditions (increased ambient noise; increased demand on public services and utilities; increased airborne emissions; increased light and glare) are not sufficiently adverse to warrant further mitigation by condition.

Drainage and Water Quality

Rain water on roofs and roof decks are the major sources of water runoff on this site. The rainwater will be collected in gutters and connected to the storm drainage system. Therefore, drainage will be directed away from adjoining residential properties. No additional mitigation measures will be required pursuant to SEPA.

Height, Bulk and Scale

Section 25.05.675G2c of the Seattle SEPA Ordinance provides the following: "The Citywide Design Guidelines (and any council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project."

There are no sensitive height, bulk or scale impact issues which have not been addressed during the Design Review process in the design of this project in a Commercial Zone 1 with a 40 foot height limit (C1 40'). Therefore, no additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

Historic Preservation

Historic Buildings

As required under SMC 25.05.675, and the DPD-DON Interdepartmental agreement on review of historic buildings during SEPA review, a project that proposes the demolition of a structure or structures over 50 years old must be referred to the City of Seattle Department of Historic Preservation. After review the Department of Neighborhoods staff found that the buildings on this site did not meet the criteria for landmark status, as detailed in SMC 25.12. Accordingly, no further review is required.

Traffic and Transportation

The site is accessible through the alley for vehicles and via California Avenue for pedestrians. There are several bus routes that serve the site. There are approximately 4 bus stops within a half mile of the site. Buses 55, 85 and 128 have stops on the block in front of the site, while buses 22, 54, and 55 stop about 3 blocks away at the California Avenue and Alaska Street transit hub. The project meets the City's transportation concurrency Level of Service (LOS) Standards and indicated adequate capacity exists to serve the increase in project related vehicle trips.

Parking

Per the City's parking code, the site would be required to provide approximately 51 parking stalls.

The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

DECISION SEPA

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

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

CONDITIONS – DESIGN REVIEW

For the life of the project

1. Retain the building colors and materials presented at the meeting

Non-Appealable Conditions

2. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Holly Godard 206-615-1254). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
3. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Holly Godard 206-615-1254), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least three working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
4. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings and embed the colored MUP recommendation drawings in the building permit plan sets.

CONDITIONS – SEPA

Prior to Issuance of Demolition Permits

5. The applicant shall submit to DPD a copy of the PSCAA Notice of Intent to Demolish prior to issuance of the DPD demolition permit.

During Building Demolition, Site Work and Building Construction

6. The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

Prior to Issuance of the Building Permit

7. Limit the hours of any construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 and 6:00 p.m. Limited work on Saturdays between 9:00 and 6:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner at DPD. Such after-hours work would include emergency construction necessitated by safety of street use (traffic) concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g. planting) or work which would substantially shorten the overall construction timeframe. Limited work at other times or on Sundays may also be allowed if necessary to align with SDOT or utility requirements. Such limited after-hours work may be authorized only if the owner (s) and or responsible party(s) provide 3-days prior notice to allow DPD to adequately evaluate the request pursuant to SEPA authority to mitigate construction impacts (SMC 25.05.675B).

Signature: _____ (signature on file) Date: October 25, 2007
Holly J. Godard, Land Use Planner
Department of Planning and Development

HJG:lc

I:\GodardH\projects..godardh\SEPA\3000 files\3002456 CA decision_1.doc