



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 & DEVELOPMENT**

Project Number: 3003601
Applicant: Craig Chaney, Project Manager,
Merrick Lentz Architect,
Union Gospel Mission, Property Owner
Address: 3800 South Othello Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a five-story mixed use building containing 98 room congregate residence with related services, 8,346 square feet of general sales and service, 2,236 square feet of office, and 3,246 square feet of childcare use. Accessory surface parking for 123 vehicles will be provided on site. An existing structure will remain on north half of lot (Union Gospel Mission Youth Center and Warehouse).

The following Master Use Permit components are required:

Design Review - Section 23.41, Seattle Municipal Code (SMC)

1. Green Area Factor Calculation 23.47A.016.A.3.c

SEPA-Threshold Determination (Chapter 25.05 SMC).

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

**Early Notice DNS published June 21, 2007.

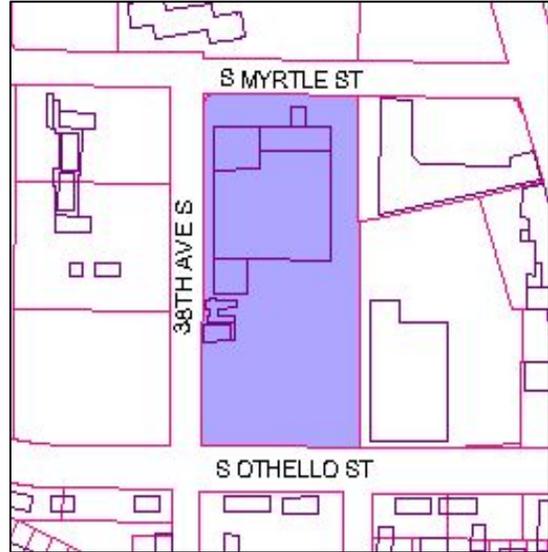
SITE BACKGROUND INFORMATION:

Site Description

The site, located on the east side of 38th Avenue South, between South Myrtle Street and South Othello Street, is zoned Neighborhood Commercial Three Pedestrian, with a 65-foot height limit (NC3P-65). Currently the 175,111 square foot development site is developed with a 57,192 sq. ft. building (consisting of a warehouse, offices, and a youth center), a surface parking lot and sport courts.

The subject lot is bound by three right-of-way, approximately 612-feet of street frontage along 38th Avenue South to the west, and 263-feet of street frontage on both South Myrtle Street to the north and South Othello Street to the south. Vehicular access to the property is currently taken from a driveway located over vacated (VO #87612) 39th Avenue South at the southeast corner of the site.

The site is not located in any identified or designated Environmentally Critical Area (ECA), but is located in the MLK at Holly Street Residential Urban Village, Othello Design Guideline District, Greater Duwamish Neighborhood District, Othello Station Area Overlay District, and the South Seattle Reinvestment Area.



AREA DEVELOPMENT

The sites immediately to the south across Othello are zoned Neighborhood Commercial Two Pedestrian with a forty foot height limit (NC2P-40). The sites to the east along Martin Luther King Jr. Way South are zoned Neighborhood Commercial Three Pedestrian with a height limit of sixty-five feet (NC3P-65). However, the area west and north of the subject site are residentially oriented and are zoned Multifamily Lowrise Three (L-3). In addition to the zoning designations, the subject site is also located within the Light Rail Station Area Overlay, just one block east of the subject site along ML King Jr. Way South.

The properties along 38th Avenue South are developed mainly with 3-story multifamily structures, most of which are located in the New Holly Neighborhood Campus just west of the subject site. Across South Othello Street to the south, there is a newly constructed 4-story mixed-use building. East of the site is a Safeway grocery store approximately 30-feet in height along with a strip mall and accessory surface parking.

Proposal Description

The applicant, Union Gospel Mission, proposes to construct a second building at the development site that currently houses warehouse, youth center, and office uses. The proposal requires reconfiguration of surface parking lot and removing play courts to make way for redevelopment on the subject lot's south half. The proposal will take advantage of the site's unique location and connection to transit centers. The building will extend five-stories above street grade to support a number of programs including; residential, retail, child care, and office uses. The building will be oriented north and south, opening up to and the activating abutting streets; South Othello Street and 38th Avenue South.

The building layout would occupy the south half of the site with the building mass scaled into components along both street frontages. The design intent to establish a strong street presence scaled to neighboring properties, using modulation and spatial separation to visually enliven the area. The Othello façade will be modulated both vertically and horizontally to help break down the building's 255 foot length. At street-level a child care center will anchor the 38th Avenue and Othello Street corner. Union Gospel Mission will have customer service offices mid-block, with retail occupying the east third of the Othello Street frontage. Primary access to all street-level uses will be taken off Othello, with the main pedestrian entry to the upper levels residential uses is set approximately at mid-block. All upper level residential units will provide transitional housing for up to two years for tenants.

Set between the existing building and the proposal site the applicant proposes a landscaped surface parking lot and recreation area protected by green screen walls. Parking access is proposed from the vacated street (39th Avenue South) along the east property line accessed off Othello. Robust landscaping is proposed in and around the recreation area to create a park-like feeling within the development site and externally from the right-of-way in the area between the two buildings. The area around the 38th Avenue frontage will feature perimeter landscaping to enhance the development site, and reduce adverse visual impacts upon adjacent properties. Special emphases will be directed towards providing an attractive and inviting pedestrian oriented experience within all rights-of-way.

Public Comment:

Date of Notice of Application:	June 21, 2007
Date End of Comment Period:	July 18, 2007
# Letters	0

The SEPA comment period for this proposal originally ended on July 4, 2007, but was extended at public request an additional two weeks. The Department received no comment letters during the extended public comment period.

No letters were received during the early design guidance phase.

ANALYSIS - DESIGN REVIEW

Early Design Guidance

On November 22, 2005, the Design Review Board of Area 4 met in an Early Design Guidance (EDG) meeting to consider the site and design objectives of the applicant. After visiting the site, considering the analysis of the site, design context provided by the proponents, and hearing public comment the Design Review Board members provided the following siting and design guidance, and identified by letter (A, B, and C, etc.) and number (1, 2, & 3) those siting and design guidelines found in the City of Seattle's "*Design Review: Guidelines for Multifamily & Commercial Buildings*" and "*Othello Neighborhood Design Guidelines*" of highest priority to this project.

A Site Planning

A-1 Responding to Site Characteristics

The siting of buildings should respond to specific site conditions and opportunities.

A-3 Entrances Visible from the Street

Entries should be clearly identifiable and visible from 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-7 Residential Open Space

Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

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.

B Height, Bulk and Scale

B-1 *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.*

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 sitting 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 distinguishable from its façade walls.

C-3 Human Scale

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

C-4 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.

D Pedestrian Environment

D-1 Pedestrian Open Space and Entrances

Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

D-6 Screening of Dumpsters, Utilities and Services Areas

Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

D-7 Personal Safety and Security

Project design should consider opportunities for enhancing personal safety and security in the environment under review.

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.

Ensuring a well proportioned scale at the development site is a critical factor in successfully integrating the project into the existing neighborhood fabric. The design team should incorporate as many design elements as necessary to scale the building down along Othello utilizing modulation measures for the unified building mass. In addition, creating quality open space into the proposal including, by providing adequate screening measures around the proposed interior courtyard to create a buffer from adjacent use areas is important. The Board feels that the corner lot location coupled with notable street frontage along Othello will have a significant street presence that must be designed with care and thought. The design team should incorporate design elements as necessary to create quality infill development; utilizing building materials and massing sensitive to adjacent zones. The Board wants the developer to bring the building up to the Othello street front to anchor the block while activating the streetscape wherever possible, create readable entries, and scale the design to the neighborhood. Vehicle activity should be minimized to the greatest extent possible through screening and layout.

Summary: These design guidelines were all chosen by the Board to be of high priority. The Board wants the developer to engage the streetscape wherever possible and scale the design to integrate itself into area at a site with a 255 foot street frontage along South Othello and a 260 foot (new construction site length) frontage along 38th Avenue.

(Refer to the MUP file for complete copy of the EDG document.)

Design Review Board Recommendations

On May 11, 2007, the applicant submitted the full Master Use Permit application, and on February 12, 2008, the Southeast Design Review Board (Area 4) convened for the Recommendation meeting. The applicant team presented elevation renderings, site plans that responded to design guidelines set forth by the Board during the previous meeting. The applicant requested one development standard departure from the City's Land Use Code: Four of the five Board Members were present during this meeting.

- Green Area Factor Calculation; reduction in the amount of the land area to calculate green area factor ratio.

Updated Design:

Since the Early Design Guidance Meeting held on November 22, 2005, there have been a number of refinements that have affected the size and configuration of the proposed development. These include:

Building Mass: The preferred scheme introduced during the EDG meeting depicted a building's mass separated into in two sections, with an open plaza set between the two masses along Othello. The revised plan depicts a continuous five-story building mass along Othello. The building steps down to one-story approximately 69 feet after turning the corner of 38th Avenue. Upper level modulation and fenestration patterns break down the building's scale upon both street frontages. At street-level the façade steps up boldly to the property line with store front windows to visually engage the pedestrian environment. Overhead weather protection occurs above all entry points. This design decreases the building's mass as viewed from the west, where it's most critical, being across from a lower density residential zone, while strengthening it's presence along the Othello Avenue streetscape, without dominating the corner.

Parking: In response to Board guidelines, access and layout of the surface parking lot has been located in a fashion to minimize visual intrusion upon adjacent residential uses and the street systems. The entry establishes an understated presence along Othello with landscaping farming its perimeter. Landscaping has been added to make the surface parking lot area more visually appealing. The amount of trees and shrubbery has been increased to provide adequate framing in and around the parking area.

One *departure* from standards of the Land Use Code was requested by the applicant at the time of the meeting and summarized below:

<i>Development Standard</i>	<i>Requirement</i>	<i>Proposed</i>	<i>Comment/Ratio nal by Architect</i>	<i>Board Recommendation</i>
<i>1. Green Area Factor Calculation. SMC 23.47A.016.A.3c</i>	<i>Divide the total green area factor by the lot area to determine the green area factor score. Lot area equals 176,587 sq. ft.</i>	<i>55,730 sq. ft. of lot area to determine green area factor score.</i>	<i>Due in part to an existing building occupying more than 53,000 sq. ft. and surface parking lot location constrains meeting green area factor requirements.</i>	<i>The board will consider the departure on seeing how the project better meets the design guidelines.</i>

Public Comments

A member from the neighborhood thanked the applicants for a design that would be a positive addition to the neighborhood, signaling out the 38th Avenue frontage as being an appropriate fit for the adjacent residential zone. Another member from the public inquired about the widths of the sidewalks in the rights-of-way, including the pathway within vacated 39th Avenue. The walking experience around the site’s perimeter should remain a high value element as the project moves forward. Solar impacts should be included in the analysis of activating the street experience.

Board Discussion

After considering design plan, project context, hearing public comments, and reconsidering the previously stated priorities, the Board began their deliberations by providing a general assessment of the project proposal and its impact on the neighborhood. Ensuring an elegantly detailed building at the development site is a critical factor to successfully integrate the project into the existing neighborhood fabric. Board members acknowledged their appreciation of Union Gospel Mission’s attempt to strengthen the neighborhood mosaic by taking steps to build a sense of community through design, both internally and externally.

Generally speaking, with few lapses, the four Board members present liked the design team’s response to the guideline priorities set on November 22, 2005. Discussion ensued among the Board, including support of requested departures, exterior cladding, landscaping, and resolution of the 38th Avenue frontage. The building mass along Othello unsuccessfully attempts to break down the scale through the selection of colors on the upper level. The façade needs to be more playful, more visually engaging. The development proposal is called Hope Place that supports a childcare center; it should visually capture a vigorousness to excite its tenants and neighborhood. Some upper level materials should be carried down to street-level.

The rear door entry is unimpressive; it is visually lost on the north facade across from the surface parking lot. The Board felt that additional work is needed, whether through an overhead weather protection canopy or some other design feature to punctuate the entry to call attention to the entry door is warranted. In any case, more refinement is needed. Readable entries are a key element to help ensure a sense of security and define use areas within the structure. The Board next turned their attention to the entries along Othello. On first appearance, with the design of

the continuous overhead weather protection did not allow the entries to stand out along Othello. The lack of readable entries creates confusion which diminishes the ability of the building to establish a strong presence in the neighborhood. One option the Board explored as a design solution is the reduction in the amount of overhead weather protection. Additionally, The Board felt that the corner of Othello and 38th Avenue lacks a gateway feature which should be featured at this location. More glazing, removal of canopy, or the installation of art is needed. Based on the design packet presented thus far, the Board was confident that the design team would find the appropriate design solution. **Therefore, the Board recommended the applicant work with DPD to find an appropriate design solution for the placement or design of the entries including canopies or overhead weather protection to make entries readable and protected from inclement weather.** (*Guidelines A-1, A-3, C-2, C-3, D-1, & D-7*)

The Board supported the proposed material palette which includes brick masonry at the base, three types of Hardie Plank siding on the upper level, two types of metal, and aluminum framed windows. The subtle interplay of light and dark colors and juxtaposition of solid and transparent surfaces on exterior walls are gracious but not invigorated. The Board recommends a more rigorous design solution to the treatment of the facade to create stronger design continuity. The upper level along Othello and 38th Avenue street frontage lacks a sense of vitality and expressiveness to excite visitors to the site. The arrangement of solid materials and distribution of colors has not contributed to achieving a design that is visually stimulating. The Board supports greater continuity of vertical colors and materials that begin at the upper level and continue down to the base. In particular, locations where the blond brick has been introduced on the upper level; the blond brick should be carried down to grade. Thoughtful distribution of vibrant colors is needed on the upper level, to animate the building with splashes of colors to create a stronger sense of place in the neighborhood. In addition, the Board recommends sunscreen or operable windows on the upper level to help animate the façade. **The Board was very supportive of the overall proposed design, with noted exceptions that include; carrying the blond brick down to the base, animated west and south façade with splashes of color and art to visually enhance the building facade. In addition, the Board recommends sunscreen or operable windows on the upper level to help animate the façade, and transom windows would be a better complement to provide a finer nuanced look at street-level.** (*Guidelines A-1, A-5, B-1, C-1, C-3, C-4, & D-1*)

In acknowledgement of a the site's prominent location in relationship the transit lines, the installation of bike racks are anticipated to add value within Othello and will encourage alternative modes of travel to the site. If designed correctly, landscaping and street furniture (benches, etc.) may add additional value and benefit within Othello. The Board wants this area to be functional for commuters and pedestrians set within robust landscaping. Therefore, **the Board recommended a more rigorous design solution to the placement or design of street furniture including bicycle racks and landscaping within the Othello right-of-way. The applicant will explore alternatives to enhance this area with implementing stronger pedestrian oriented and landscaping elements.** (*Guidelines A-1, A-5, C-3, D-1, D-7, & E-2*)

The applicant has created dynamic street-level facade on Othello that should be carried through onto 38th Avenue. The concern is the one-story portion along 38th Avenue does not seem to work; at the least, windows should be centered in keeping with the existing pattern on the rest of the building's street level façade. Exterior lighting whether street lamps or wall sconces within

38th Avenue needs to provide adequate illumination to safeguard pedestrian safety in the evening. The Board is sensitive to the potential adverse impacts associated architectural continuity. In addition, the green screen wall adjacent to 38th should be designed to allow robust plant growth to minimize the potential for vandalism. The planting strip along 38th should feature pedestrian access ways from the sidewalk to the street to protect plants that might otherwise get trampled upon. The architect should work with DPD on the details for improvements to the proposal as identified above. **The Board recommended that the applicant explore options to establish a better fit with the rest of the building. Whether through realignment of windows, expanding the 38th Avenue green wall to integrate into the west façade, or art work introduced, some design solution needs to take place. The planting strip along 38th should feature pedestrian access ways from the sidewalk to the street to protect groundcover.** (*Guidelines C-2, C-4, D-7, & E-2*)

Departure Analysis

1. To allow alternatives to Green Area Factor Calculation (SMC 23.47A.016.A.3.c)

The Green factor score for a lot is determined by adding together all the products computed under a tabulation formula to determine the green area factor. Once this number has been determined, one divides the total green area factor by the lot area to determine the green area factor score. The lot area equals 176,587 square feet. The applicant proposes to reduce the lot area by approximately 68.4% or to 55,730 square feet to determine the green area factor score. The excluded lot area represents the area bounded by an existing building, loading dock, surface parking strip to the north of the proposed development area. The area included in the revised calculation includes a 20 foot strip of land set between the existing building and 38th Avenue street frontage. The resurfaced parking lot will include trees and shrubbery to provide better screening to minimize visual impacts of the surface parking lot upon adjacent properties and streets. A twenty foot strip of land between the existing building and the 38th Avenue right-of-way will be landscape to soften the solid wall surface of the existing building's west facade. In addition, the applicant proposes to provide residential amenity area modeled after a "garden park" concept set between the new and existing building, and between the surface parking lot and 38th Avenue. The garden park will feature a green screening wall to further buffer internal users from the surroundings. The planting beds will be robustly landscaped with varies species of flowers, shrubbery, and trees. The Board supported a design that deftly deployed landscaping within a context that includes a surface parking lot, two buildings, and a right-of-way to maximized emphasis of the pedestrian experience. **Owing in part to the graphics presented at the recommendation meeting, the Board recommended approval of the alternative to calculate the lot area using 55,730 square feet with the understanding that the screening wall was a crucial design element to establishing design continuity, and provide for a safe and secure outdoor recreation area.** (*Design Guidelines: A-5, A-7, A-8, C-2, D-1, D-6, D-7, & E-2*).

Summary of Departures

Development Standard	Requirement	Proposed	Comment/Ratio nal BY Architect	Board Recommendation
1. Green Area Factor Calculation. SMC 23.47A.016.A.3c	Divide the total green area factor by the lot area to determine the green area factor score. Lot area equals 176,587 sq. ft.	55,730 sq. ft. of lot area.	Due in part to an existing building occupying more than 53,000 sq. ft. and surface parking lot location constrains meeting green area factor requirements.	<ul style="list-style-type: none"> ▪ Approved (Design Guidelines: A-1, A-5, A-7, A-8, C-2, D-1, D-6, D-7 & E-2)

Summary of Boards' Recommendations:

The recommendations summarized below were based on the plans submitted at the February 12, 2008 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings submitted for review on October 25, 2007. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the four Design Review Board members present recommended that the design should be approved with the refinements noted to be worked out with DPD. In particular; the upper level façade treatment should be more vibrant to create greater visual interests along Othello, at street-level main entries should be punctuated utilizing the interplay of overhead weather protection, along the 38th Avenue street frontage the building should hold the two-story base established along Othello. The Board also recommends approval of the requested departure as stated in the departure matrix. Thus, the project should move forward as designed. The Board made the following recommendations. (Authority referred to in letter and numbers are in parenthesis):

1. Applicant shall work with DPD to find an appropriate design solution for the placement or design of the entries (front and rear) including canopies or overhead weather protection devices to make entries readable and protected from inclement weather. (Guidelines A-1, A-3, C-2, C-3, D-1, & D-7)
2. Explore a more rigorous design solution to the façade detailing. The applicant will explore design alternatives that include; carrying the blond brick down to the base, animating west and south façade with splashes of color, and installing art to visually enhance the building facade. In addition, the Board recommends sunscreen or operable windows on the upper level to help animate the façade, and transom windows would be a better complement to provide a finer nuanced look at street-level. (Guidelines A-1, A-5, B-1, C-1, C-3, C-4, & D-1)
3. Applicant shall provide a more rigorous design solution to the placement or design of street furniture including bicycle racks and landscaping within the Othello right-of-way. The applicant will explore alternatives to enhance this area with implementing stronger pedestrian oriented and landscaping elements. (Guidelines A-1, A-5, C-3, D-1, D-7, & E-2)

4. Explore options to establish a better fit with the rest of the building. Whether through realignment of windows, expanding the 38th Avenue green wall to integrate into the west façade, or art work introduced, some design solution needs to take place. The planting strip along 38th should feature pedestrian access ways from the sidewalk to the street to protect groundcover. (*Guidelines C-2, C-4, D-7, & E-2*)

Director's Analysis and Decision: Design Review

The Design Review Board recommended that the assigned planner should work with the applicant to resolve several Board recommendations prior to final DPD approval. The Director is equally pleased with the overall building design but as was noted in the recommendation meeting by the Board, the street level pedestrian experience needs additional design development as well as the upper level façade color choice. Further, the Director is authorized to provide additional analysis and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F) to advance the proposal forward. The Design Review Board identified elements of the Design Guidelines (above) which are critical to the project's overall success with concurrence of the Director.

The location of the development site presents a unique design opportunity given its close proximity to Othello Sound Transit Station and New Holly Neighborhood Campus. Heavy pedestrian activity is anticipated along Othello that requires individual attention to design detailing and amenity areas. The architect has responded to the comments and concerns of both the public and the Design Review Board and has strived to establish a distinctively designed building from the vantage points from all street frontages. With minor lapses, the siting of the proposed structure set within a landscaped frame, is well thought out and executed. In particular, readability of pedestrian entries did not quite hit the mark. The Board's suggested solutions including reduction in the amount of the overhead weather protection within Othello and at the corners to call attention to the entry doors. Subsequent conversations with the applicant after the recommendation meeting to resolve other design details, The Director suggested another alternative to make the entries more readable. By vertically off-setting the canopies above the entries would achieve the desired goal of increasing readability while ensuring pedestrian safety from inclement weather conditions.

The design of the new building (containing three residential floors above a two-story brick commercial base) is proportionally similar in scale, proportion and materials that reduce the appearance of bulk through use of modulation, color and fenestration schemes. The design of the proposed structure picks up on architectural elements found in the area with subtle touches to provide visual interest that seeks a sense of individuality. The Director agrees that the color palette on the upper level needs to establish a greater sense of vibrancy. The proposed building establishes a strong street presence by stepping up to the property line with brick masonry and large storefront windows. Continuous overhead canopies should be provided and will need additional refinement; including animating the structural frame with a vibrant color and thickening vertical band depth at the main entry to allow large building name signage. The structure's bulk and scale will have a good relationship with surrounding properties that contain structures of various heights (one to four-stories). With exception of colors, facade materials and rhythm of modulations on the upper level are well suited for its location. The Director will work with the applicant to resolve the final color selection.

The Director shared similar concerns with the Board, with the 38th Avenue street frontage with façade and landscaping elements needing additional refinement. Since the conclusion of the recommendation meeting the applicant has had several conversations with DPD to resolve the one-story portion of the building and screening elements. The west façade has been redesigned to establish more design integration with the rest of the building. Landscaping elements along 38th Avenue has been adequately addressed to the satisfaction of the Director. An agreement in principal has been reached between the applicant and DPD with regard to facade detail. Final design detail will be secured prior to MUP issuance and final approval of associated building permit. In all cases the Director of DPD affirms the Board conclusions and will support the proposal with recommendations.

The Director of DPD has reviewed the recommendations and conditions of the Design Review Board. The Director finds that the proposal is consistent with the *City of Seattle Design Review Guidelines for Multifamily & Commercial Buildings Design Guidelines and Othello Neighborhood Guidelines*. The Director **APPROVES** the subject design consistent with the Board's recommendations above and conditions at end. This decision is based on the Design Review Board's final recommendations and on the plans submitted at the public meeting on March 14, 2008 and the plans on file at DPD. Design, siting or architectural details not specifically identified or altered in this decision are expected to remain substantially as presented at the recommendation meeting held on February 12, 2008 and subsequent plans submitted to DPD on March 14, 2008.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated April 17, 2007) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) 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/circumstances (SMC 25.05.665) mitigation can be considered.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers' vehicles. Existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code, would mitigate several construction-related impacts. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

Traffic - Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during earth moving activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with transportation during construction. The excavation of the lower levels will require the removal of material from site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

It is expected that most of the material to be removed from the site will be due in part to excavation for the at-grade building will have nominal impact on surrounding properties. During excavation a single-loaded truck will be used which holds approximately 10 cubic yards of material. This will require approximately 100 truck loads to remove approximately 1,000 cubic yards of material and may require a nominal number of trucks loads of fill material for regarding purposes. The site has ready access to I-5, approximately 5 miles away to the furthest point, via primary arterials that are anticipated to have minor impacts on the neighboring thoroughfares. In order to limit this negative impact as much as possible, a Truck Trip Plan will be required and approved by SDOT prior to issuance of a building permit. The Truck Trip Plan shall delineate the routes of trucks carrying project-related materials.

Noise - Most of the initial construction activity including demolition, excavation, foundation work, and framing will require loud equipment and will have adverse impacts on nearby residences. The protection levels of the Noise Ordinance are considered inadequate for the potential noise impacts on the nearby residential uses. The impacts upon residential uses would be especially adverse in the early morning, in the evening and on weekends. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B) allow the reviewing agency to limit the hours of construction in order to mitigate adverse noise impacts. Pursuant to this policy, and because there are residences in the vicinity, the applicant will be required to limit construction hours. Demolition and construction activities taking place within an enclosed structure, which meet the standards of the Noise Ordinance, are allowed. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

Air and Environmental Health - Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). No unusual circumstances exist, which warrant additional mitigation, per the SEPA Overview Policy.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of multifamily structures and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); Land Use Code (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption). Additional land use impacts which may result in the long-term are discussed below.

Height, Bulk, and Scale

The proposed five-story project will rise to approximately 63.5 feet to the top of the parapet from the lowest sidewalk elevation grade along South Othello Street. The development site and surrounding area is located within a Neighborhood Commercial Three Pedestrian zone with a height limit of 65 feet (NC3P-65). The proposed structure will be the tallest building within the immediate area, but under the allowable height limit by approximately 1.5 feet, as would otherwise be allowed by code. The adjacent lots contain structures extending no higher than four stories above grade, and are in-keeping or undersized for the zoned height. The proposed building's bulk is scaled within the development envelope to lessen its visual impact by creating large open space separation from the existing one-story building within the development site. The development site occupies an entire block prior to the street vacation of 39th Avenue South, which increased the site by half the width of the right-of-way. The adjacent building to the east steps down by four-stories. The proposed project is being developed under allowed NC3P-65 height standards, as allowed by the Land Use Code, and is thereby in keeping with the scale of the potential of the zone as well as being sensitive to existing structures in the vicinity.

The SEPA Height, Bulk and Scale Policy (Sec. 25.05.675.G, SMC) states that *“the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies set forth in Section B of the land use element of the Seattle Comprehensive Plan regarding Land Use Categories, the shoreline goals and policies set forth in Section D-4 of the land use element of the Seattle Comprehensive Plan, the procedures and locational criteria for shoreline environment redesignations set forth in SMC Sections 23.60.060, and 23.60.220, and the adopted land use regulations for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.”*

In addition, the SEPA Height, Bulk and Scale Policy states that *“(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.”* Since the discussion in the previous paragraph indicates that there are no significant height, bulk and scale impacts as contemplated within this SEPA policy, and since the Design Review Board approved this project with conditions, no mitigation of height, bulk and scale impacts is warranted pursuant to this SEPA policy.

Traffic and Transportation

The applicant submitted a Trip Generation Analysis, prepared by Transportation Solutions, Inc., that addressed on-site parking demand. The report includes existing and proposed uses at the development site with impacts associated with personal trip generation. Trip generation for the proposal was determined by employing figures derived from Trip Generation (*Institute of Transportation Engineers' [ITE], Trip Generation Manual, 7th Edition, 2003*). Quantitative values found within the reference document reflect nationwide studies in suburban communities that are not necessarily representative of urban trends. Adjustments were made to more accurately capture the nature of the social services support agency (Seattle Union Gospel Mission) that would operate Hope Place; a homeless women's shelter with support services, retail, and the existing building. The existing building contains several uses includes; a 10,729 square foot administrative office, 10,749 square foot warehouse, youth services, and a 245 seat theater. The new development includes (Hope Place) a 98-unit congregate residence, with accessory support facilities, that includes childcare center, offices, training rooms, and other support infrastructure. The report contained an analysis of volunteer trips which have a significant impact in supporting Union Gospel Mission's operations at the development site, and impacts associated with weeknight and weekend activities. Additionally, the trip generation analysis that did take into consideration split mode (personal vehicle, bus, light rail, and pedestrian foot traffic) travel analysis. The trip generation calculations below include total impacts associated with existing and proposed uses, including volunteer trips.

The proposed project is anticipated to generate 718 - 728 vehicle trips per day, 44 - 57 vehicle trips during the AM peak hour, and 59 vehicle trips during the PM peak hour. The net increase in total daily vehicle trips to the development site is approximately 487. With an increase of approximately 12 trips during the AM peak hour and 27 trips during the PM peak hours anticipated from the existing uses prior to redevelopment, this increase is not expected to have a substantial impact on the surrounding roadways.

Circulation within the area includes Othello Sound Transit light rail station, bus routes providing access to downtown and other employment destinations. There are also many dining, shopping, medical and entertainment opportunities within walking/bicycling distance and along the public transit routes. The proposed retail use at the development site is expected to draw customers from the immediate area, as well as clientele from the social service network. It is anticipated that South Othello Street, a primary arterial, will handle the increase demand falling within its capacity, so no SEPA mitigation of traffic impacts is warranted.

Parking

The parking policy in Section 25.05.675M of the Seattle SEPA Ordinance states that parking impact mitigation may be required only where on-street parking is at capacity as defined by the Seattle Transportation Department or where the development itself would cause on-street parking to reach capacity. Parking utilization in the vicinity is limited and does not appear to be near capacity. Parking can be found during the daytime with limited availability during evening hours. One hundred and twenty-three (123) off-street parking spaces will be provided on-site for the new and existing uses. Required parking for the types of uses proposed is sixty-one (61) stalls. The applicant has chosen to provide more than double (62) additional stalls to accommodate spill-over demand, if any actually occurs. In the Othello Station Area Overlay

District, no SEPA authority is provided for the decision maker to require more parking than the minimum required by the Land Use Code which is equivalent 61 spaces for each propose or established use; per Section 25.05.675M(2bii).

On-street parking capacity in the surrounding area is sufficient to meet any additional spill-over parking that might be generated from the proposed commercial uses, if any actually occurs. Therefore, no mitigation of parking impacts is necessary pursuant to SEPA.

CONCLUSION - SEPA

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the 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 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment with respect to transportation, circulation, and parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030 (2) (C).

CONDITIONS – DESIGN REVIEW

Non-Appealable Conditions

The owner/applicant shall update plans to show:

1. Embed all conditions of approval into the cover sheet on the updated MUP plan set and all subsequent building permit drawings.
2. Embed colored elevation and landscape drawings into the MUP and building permit drawings.

3. Any proposed changes to the external design of the building, landscaping or improvements in the public right-of-way must first be reviewed and approved by the DPD planner prior to construction.

Prior to Issuance of MUP

4. Applicant shall work with DPD to find an appropriate design solution for the placement or design of the entries (front and rear) including provisions of a continuous canopies or overhead weather protection and to make entries readable and protected from inclement weather, subject to DPD approval.
5. Explore a more rigorous design solution to the façade detailing. The applicant will explore design alternatives that include; carrying the blond brick down to the base, animating west and south façade with splashes of color, and installing art to visually enhance the building facade. In addition, the Board recommends sunscreen or operable windows on the upper level to help animate the façade, and transom windows would be a better complement to provide a finer nuanced look at street-level., subject to DPD approval.
6. Applicant shall provide a more rigorous design solution to the placement or design of street furniture including bicycle racks and landscaping within the Othello right-of-way. The applicant will explore alternatives to enhance this area with implementing stronger pedestrian oriented and landscaping elements, subject to DPD approval.
7. Explore options to establish a better fit of the childcare façade with the rest of the building. Whether through realignment of windows, expanding the 38th Avenue green wall to integrate into the west façade, or art work introduced, some design solution needs to take place. The planting strip along 38th should feature pedestrian access ways from the sidewalk to the street to protect groundcover, subject to DPD approval.

After Issuance of Building permit and Prior to Groundbreaking

8. Arrange a pre-construction meeting with the building contractor, building inspector, and land use planner to discuss expectations and details of the Design Review component of the project.

During Construction

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.

9. All proposed changes to the exterior facades of the building and landscaping on site and in the ROW must be reviewed by a Land Use Planner prior to proceeding with any proposed changes.

Prior to Issuance of a Certificate of Occupancy

10. Compliance with the approved design features and elements, including exterior materials, parapets, facade colors, landscaping and ROW improvements, shall be verified by the DPD Planner assigned to this project or by the Manager of the Urban Design Program. Inspection appointments with the Planner must be made at least three (3) working days in advance of the inspection.

SEPA CONDITIONS

Prior to Issuance of Construction Permit

The owner(s) and/or responsible party(s) shall:

11. Submit a Truck Trip Plan to be approved by SDOT prior to issuance of a building permit. The Truck Trip Plan shall delineate the routes of trucks carrying project-related materials.

During Construction

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 weatherproofing material and shall remain in place for the duration of construction.

12. In order to further mitigate the noise impacts during construction, the owner(s) and/or responsible party(s) shall limit the hours of construction to non-holiday weekdays between 7:00 AM and 6:00 PM and Saturdays between 9:00 AM and 6:00 PM. This condition may be modified by the Department to permit work of an emergency nature to allow low noise exterior work (e.g., installation of landscaping) or to allow work which cannot otherwise be accomplished during the above hours upon submittal of a noise mitigation plan and after approval from the Land Use Planner. After the structures are enclosed, interior work may proceed at any time in compliance with the Noise Ordinance.

Signature: _____

Bradley Wilburn, Land Use Planner
Land Use Services
Department of Planning and Development

Date: March 20, 2008