



City of Seattle

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: 3005392
Applicant Name: Rod Butler, Architect, for Catholic Community Services
Address: 140 23rd Avenue South

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 4-story building containing 2,300 square feet of retail at ground level and 51 residential units above. Parking for 69 vehicles to be provided*; 30 spaces for residents and the associated administrative office space and 39 replacement spaces for the existing building to the north, all within the structure. Project includes 7,000 cubic yards of grading. Existing structure (Catholic Community Services) to remain. (*Original project public notice cited 72 parking spaces.)

The following approvals are required:

Design Review - Chapter 23.41 Seattle Municipal Code (SMC). Design Departures are requested from the following Code sections:

- SMC 23.47A.032.B.1.b (Location of Parking),
- SMC 23.47A.008.B.2.a (Street Level Development Standards for Transparency).

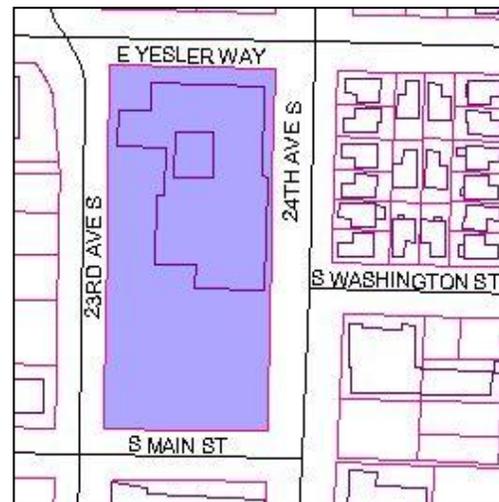
SEPA - Environmental Determination - Chapter 25.05 SMC.

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

PROJECT AND SITE DESCRIPTION

The project proposes a four story mixed-use structure with 51 affordable residential units, 2,300 square feet of retail space, 2,000 square feet of administrative office space, 30 parking spaces for the residents and administrative office use, and 39 replacement parking spaces for the existing Catholic Community Services of Western Washington (CCSWW) building.

The development will replace the existing parking lot on the south end of the CCSWW building, which is bordered by 23rd Avenue South to the west, South Main Street to the south, and 24th Avenue South to the east. The existing CCSWW building will remain. (Separate from this application, CCSWW intends to segregate the development site into two sites resulting in separate tax parcels for the existing and proposed buildings.)



The site is mostly level, but with a 2 foot to 3 foot grade change along the 23rd Avenue frontage. The project site and CCSWW northern portion are zoned Neighborhood Commercial 2 with a 40 foot height limit (NC2-40). The CCSWW building is a one to two story office building. To the south across South Main Street and extending to the east and west of 23rd Avenue and south beyond South Jackson Street the zoning is NC 3 with a 65-foot height limit (NC3 –65) and contain predominately retail commercial uses centered on the intersection of 23rd Avenue and South Jackson Street. On the north end of this commercial area and to the southeast of the project site is the P.H. Masonic Temple. To the east of the site the zoning is Lowrise 2 (L2) and contains predominately residential structures but also the Bethel Christian Church. To the west across 23rd Avenue the zoning is Lowrise 4 (L4) and contains a variety of ages of multi-family development, a retirement and assisted living facility directly across 23rd Avenue, and the Historic Landmark Fire Station No. 6 to the north at the corner of East Yesler Way and 23rd Avenue. To the north of the CCSWW building is the Historic Landmark Douglas Truth Branch of the Seattle Public Library, in an L3 zone.

Public Comment

The two week Master Use Permit public comment period began October 10, 2008. No comments were received during that time. Public comment was also received at the Early Design Guidance meeting (held October 10, 2007) and two Recommendation meetings (held May 20, 2009 and June 17, 2009). Public comments received at all Design Guidance meetings are documented in the respective meeting reports and available on DPD's web site and in the MUP project file at DPD.

ANALYSIS - DESIGN REVIEW

At the June 17, 2009 second *Recommendation* meeting the Design Review Board reviewed the design submitted in response to the EDG and further developed in conjunction with the project planner and discussed the requested *Design Departures*. Following clarifying questions and deliberation the Board provided the following additional guidance and recommendations. The

Board's comments and recommendations follow the EDG Guidance and first Recommendation meeting that are in *Italics*.

A. Site Planning

A-1 Responding to Site Characteristics. *The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.*

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.*

EDG Meeting: *The proposed parking access driveway extending from 23rd to 24th Avenues will be traversed by CCSWW employees using the new parking. It will also be visible from the CCSWW building and the residents of the proposed structure. Consequently the driveway area and north side ground level of the proposed building should:*

- *Not have a utility / service character, but acknowledge its visibility from the CCSWW site and the both avenues when approaching from the north.*
- *Be designed to be foster interaction between the two buildings and sites.*

Recommendation Meeting: *The project proposes extending the first level brick along 23rd Avenue onto the north façade to the depth of the retail space behind. Extensive landscape screening is proposed for the blank concrete base past this and ending at the northeast corner garage entrance. A "paving pattern change" is proposed between the first level's parking vehicle and man doors and the CCSWW walkway across the shared driveway.*

For the next Recommendation meeting the architect should:

- *Reconcile the awkward termination of the second level siding at the concrete base next to the proposed trash room doors / next to the northeast garage entry;*
- *Describe specific material and pattern change proposed for the crosswalk / upper garage entry;*
- *Address the pilaster termination discussed in C-2 below;*
- *Demonstrate continued compliance with this guideline when any utility doors are relocated from the 24th Avenue façade to the north façade;*
- *Describe how substantial wall screening at the time of planting will be achieved by the choice of plant species and sizes in a reasonable period of time (i.e. blank wall will not be exposed for a long period of time until adequate landscaping screening is achieved).*

Second Recommendation Meeting: The Board finds that the presented design changes respond to this guidance and **Recommends** approval as proposed.

A-2 Streetscape Compatibility. *The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.*

EDG Meeting: *There are a number of developments along 23rd Avenue to the south and west of the project site that have begun to create a “street wall” definition for this avenue.*

- *The design should continue this by placing the structure in a traditional urban relationship close to the sidewalk.*

Development on this site will require a 3 foot dedication of land along 23rd Avenue for right of way (ROW) widening. The minimum sidewalk width required will be 6 feet. To build upon these required street improvements:

- *The proposed retail uses along 23rd Avenue should be close to the street for interaction and engagement with the street. But they should also be set-back enough to create a comfortable and safe pedestrian environment next to the street, which has high traffic volumes and speeds and no on street parking as a buffer. Recessed entry areas are a possible approach.*
- *If administrative office use is necessary at the southwest corner, it should be designed to support activity on the street.*

Recommendation Meeting: *The Board noted that all facades respond to this guidance through their scale and proximity to the sidewalk. The 23rd Avenue and the Main Street façades, except the studio unit entries, respond to this and other guidelines and guidance for supporting the pedestrian environment. However, as discussed under D-1 and D-12 below, the studio unit facades and 24th Avenue façade need further design development.*

Second Recommendation Meeting: *The Board finds that the presented design changes respond to this guidance and **Recommends** approval as proposed.*

A-3 Entrances Visible from the Street. *Entries should be clearly identifiable and visible from the street.*

EDG Meeting: *Residential, office, retail, and semi-public spaces (multi-purpose room) should have entries visible to the public and users and be differentiated from each other.*

Recommendation Meeting: *The proposed design for the office and commercial spaces successfully does this. See D-1 and D-12 below for further guidance on the studio unit and courtyard entrances.*

Second Recommendation Meeting: *The Board finds that the presented design changes respond to this guidance and **Recommends** approval as proposed.*

A-7 Residential Open Space. *Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.*

EDG Meeting: *The widest width of the amenity area is approximately 30 feet. This may be too narrow to achieve the above objectives. The width of the space on the 23rd Avenue façade is likely one-third to one-half of this and will occlude a substantial amount of needed afternoon sun light.*

- *The design should assure adequate width of the amenity level to create functional and inviting user areas. The MUP submittal should include solar studies of sunlight penetration during the four seasons (spring and autumn equinox, summer and winter solstice). A detailed “site” plan of the area configuration should also be included.*
- *The proposed roof top residential amenity area (open space) between the two upper level structures should have a strong connection to the interior of the building and be easily accessible to users. It should be an active space.*
- *Suggestions on creating this connection are multiple entries for the northern apartment building (mid-way on the long wall and at the structure end(s)), orientation of living rooms and kitchens/dining rooms toward the amenity area, among others.*

Recommendation Meeting: *The proposed courtyard configuration and design successfully responds to this guidance. However, the proposed courtyard egress stairway to 24th Avenue should be treated more than a Code required emergency egress / ingress point.*

The open grating is a good element for visual interest and a connection between the courtyard and street. But the solid door panel and plan to alarm the door so even key card or similar tenant access is not possible will result in a forgotten and dirt collecting space. The further developed design should:

- *Allow the stairway to be a tenant access space to 24th Avenue. This will off-set the otherwise almost complete lack of uses along this entire façade.*
- *Explore ways to create a greater visual opening / connection between the street and the courtyard. One suggestion is to extend the grating to the door itself.*
- *Design a door and door frame that is integrated into the surrounding grating; now it appears as an awkward freestanding door frame.*

Second Recommendation Meeting: The Board finds that the presented design changes respond to this guidance. They discussed whether the proposed concrete beam parallel and next to the stairwell could be removed for greater openness, but did not reach a consensus on its removal. As proposed the Board **Recommends** approval as proposed.

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.*

EDG Meeting: *Although off site, the project proposal to replace a large planting strip along 24th Avenue with diagonal parking (approximately 21 spaces) would have a negative affect on the pedestrian environment. Planting areas provide opportunity for landscaping, street trees, wider sidewalks, and “spill-over” activity space for pedestrians. Diagonal parking schemes can place automobiles in close proximity to pedestrians and remove space for these others elements. The Board does not support this proposal. The project proponents may present other schemes that separate parking from pedestrians and maintain landscaping.*

Recommendation Meeting: *The project no longer includes diagonal parking in place of the 24th Avenue South planting strip. See D-2 on guidance relating to proposed interior driveway ramp location.*

Second Recommendation Meeting: The Board finds that the presented design changes respond to this guidance and **Recommends** approval as proposed.

A-10 Corner Lots. *Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.*

EDG Meeting: *The building design should continue its orientation to both avenue corners with South Main Street. Active uses should be fronting both sides of each corner, appropriate to their location on the quieter character of 24th Avenue or the more active 23rd Avenue.*

Recommendation Meeting: *The proposed fenestration, entry plaza, and building entries at the corner of 23rd Avenue and South Main Street respond to this guidance. Although the building is located close to the corner of 24th Avenue and South Main Street, the proposed residential entry design and amount of wall without a use / activity area approaching this corner does not meet the priority guidelines overall. See D-12 on guidance pertaining to this issue.*

Second Recommendation Meeting: The Board finds that the presented design changes respond to this guidance and **Recommends** approval as proposed.

C. Architectural Elements and Materials

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-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.*

EDG Meeting: *Priorities for this highly visible site that is located at the in the southern end of the 23rd & Union – Jackson Residential Urban Village.*

- *Strong and durable materials, such as brick or masonry, should be used at the building base, particularly along the tough environment of 23rd Avenue.*

Recommendation Meeting: *Numerous issues were noted and discussed by the Board that precipitated their recommendation for a second Recommendation meeting. Responses to the following issues must be prepared for the next presentation to the Board:*

- *The general façade treatments along both 23rd Avenue and South Main Street should be extended along 24th Avenue (e.g. extensive use of brick, addition of window shelves [if effective], and ground level visual interest). A more developed façade design theme is necessary; it should reflect this area's transitional nature to the residential area to the east. The number of utility doors must be relocated to the north side or interior (see D-2 below).*
- *Too many colors are proposed; simplify. Colors should complement the proposed choice of*

brick.

- *Terminate the pilasters at a logical ending point, such as the floor levels between units, not mid-way between floors as proposed.*
- *Explore a change in brick material, pattern, etc between “buildings” (the 4-level north portion and the 3-level south portion). As presented, the uniform use of brick around the entire structure conflicts with the stated intention of breaking down the building mass into north and south portions.*
- *The brick base should be proud (forward) of the siding material above to emphasize the “base and upper” affect.*
- *Find an alternative to the proposed horizontal siding, or at least such extensive use of it. This material does not read well on large multi-family buildings, particularly in this neighborhood commercial core. The proposed use of metal siding should be continued, if appropriate for the developing choice of materials.*
- *The leader heads proposed for the butter-fly roof ends (south building portion) will be very visible due to their location. These should be further developed be visual attractive and compliment / respond to the overall building parti.*

Second Recommendation Meeting: The Board finds that the presented design changes substantially respond to this guidance. The proposed use of one type of brick for both “buildings” is OK based on the proposed inclusion of soldier courses and the continued use of the brick type and color presented at the first Recommendation meeting. Future color fading and a consequent color mismatch with the adjacent brick could occur with the proposed application of a red / brown color to the north façade concrete wall. The Board directs the architect to consider leaving the material unpainted, using a non-fading stain or a contrasting color. The Board questioned the inclusion of the colored panels on the 23rd Avenue façade of the south “building” and **Recommends** their removal; the colored panels on the Main Street façade are a positive design element and should remain. Otherwise, the Board **Recommends** approval as proposed.

D. Pedestrian Environment

D-1 Pedestrian Open Spaces 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.*

EDG Meeting: *A recessed residential entry along 23rd Avenue is proposed, where high traffic volumes and speeds require an ample entry area. However, this should be designed for visibility to the interior for resident safety.*

Recommendation Meeting: *The proposed entry plaza on 23rd Avenue should be continued. At the next Recommendation meeting, demonstrate that the proposed canopies here will provide adequate weather protection.*

Although the 24th Avenue courtyard egress stairway will be secondary to the second level entry by the elevator, this stairway is an opportunity to respond to many guidelines and guidance. It cannot do this as the proposed alarmed / emergency access only exit. The visually open grill work should be continued and the recommendation guidance in A-7 followed.

Second Recommendation Meeting: The Board finds that the presented design changes respond to this guidance. The proposed larger courtyard stairway and landing at grade is gracious and inviting. The proposed benches and bicycle parking will support a level of activity complementary to this area's transition to the residential zone across 24th Avenue. The Board discussed concerns about vandalism of the two proposed benches. In their experience, free-standing benches are prone to being vandalized. In contrast, benches integrated into a wall structure, such as the proposed planter wall, seem less likely to be vandalized. Provided this concern is addressed and resolved with approval by the project planner, the Board **Recommends** approval.

Planner Note: The location and arrangement of the proposed bicycle racks should be further examined for similar safety and vandalism concerns. The location of the spaces does not provide any "eyes on the street" surveillance capabilities. Who will be the users of these spaces: residents, visitors, CCSWW employees or visitors? As designed, it would not be prudent to leave a bicycle there overnight, and there is likely a heightened risk of theft and / or vandalism during the day. Vandalized bicycles are often abandoned and then become an eyesore. Would it be more likely for CCSWW employees / visitors to park here or park by the building entry where there is surveillance? Would residential tenants park in the 13 interior garage spaces and the courtyard level bicycle storage instead? If security for the rack area is improved, or if they are moved because it can't be improved, what should go here, additional landscaping?

The response to this issue should be submitted to the project planner along with the design responses to other issues in this report.

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.*

EDG Meeting: *The rear (north) wall at ground level should not be blank or considered a "rear" wall. This façade will be visible from 23rd and 24th Avenues as well as the remaining CCSWW building and site to the north, particularly where the CCSWW building is substantially stepped-back from its 23rd Avenue property line.*

If a Design Departure from the requirement for an intervening use between the interior parking and the 24th Avenue street level façade is pursued the applicant must demonstrate how the overall design would meet this and other guidelines.

Recommendation Meeting: *The proposed north wall design at ground level includes brick material wrapping from 23rd Avenue and storefront glazing and a canopy to the depth of the commercial space behind this façade; this should be continued.*

Per the last bullet point in A-1 / A-5 above, the proposed substantial and attractive screening of the concrete base should be continued.

Solid waste, egress, and mechanical room doors are proposed along the eastern end of the north wall. Alternatives to the addition of more utility doors, which effectively adds to the amount of blank wall sections that cannot be screened, should be carefully considered in responding to the guidance about the 24th Avenue façade below.

The applicants have proposed no street level intervening use between the structured parking areas and the sidewalk along 24th Avenue as required by Code (SMC 23.47A.005.C). This requires two Design Departures (see Design Departure matrix). Instead approximately 62 feet of the façade in front of the lower level parking ramp is proposed with three grated ventilation openings and blank double transformer room door in a concrete wall with approximately 5 feet of landscape screening between the building and sidewalk. The remainder of the 24th Avenue street façade contains the side of the ground level studio units along approximately the southern 20% of this frontage and a brick veneer portion containing blank parking access doors for the upper and lower parking levels.

The Board does not approve of this Design Departure request as proposed. The garage ramp screening and blank utility doors, in combination with the blank parking access doors, treats this façade as the building's back and does not create an interesting pedestrian environment. At EDG the Board stated that overall it was not supportive of this request but would consider it if the applicant could demonstrate how the proposed layout is essential to the functioning of a floor plan and is replaced with a strong response to the Code and Design Guideline requirements for treatments of blank walls.

The Board, however, does understand the difficulty of a site with three street frontages and the applicant's expressed financial constraint that limits the amount of excavation for parking, hence the restrictions on garage ramp location and parking configuration. But if a Design Departure from this Code provision would be recommended, the resulting façade treatment would have to have a high quality of visual interest to support the pedestrian environment and create a good transition to the residential neighborhood to the east. This guidance also applies to that portion of the ramp's west side wall that is open and visible to 24th Avenue.

The Board discussed some possible approaches to this goal:

- *Relocate the parking ramp further to the west along the north façade to allow an active use (such as the bicycle parking now proposed for the garage interior) or a high quality and visually interesting façade treatment. The extra residential or office parking space that was discussed could be removed to assist in any re-configuration. (Planner Note: The applicant should research options for reductions to the on-site office parking, such as off-site parking covenant with a use that has substantial parking but uses it at different hours than the CCSWW office parking demand during the day, such as the church or Masonic Temple across 24th Avenue).*
- *Move the transformer room to the building's north side, at a minimum.*
- *Explore options for wall transparency into an active use, such as relocated bicycle parking.*
- *Change the blank garage access man doors, and courtyard stairway door, to include a design or pattern for increased visual interest.*
- *If the garage ramp must remain, this must be demonstrated to the Board and the façade material and screening must create a visually interesting pedestrian environment. This could involve a further set-back of the ramp to allow more area for one or a combination of visual treatments.*

Second Recommendation Meeting: The Board finds that the presented design changes respond to this guidance and **Recommends** approval as proposed.

D-5 Visual Impacts of Parking Structures. *The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.*

D-7 Personal Safety and Security. *Project design should consider opportunities for enhancing personal safety and security in the environment under review.*

EDG Meeting: *The design proposes two entries with security gates for the parking garage. The proposed landscaping in front of the north façade where it is visible from 23rd Avenue is likely to create a security / visibility problem. These openings and the surrounding building base and any landscaping should respond to this guidance.*

Recommendation Meeting: *See D-2 above.*

Second Recommendation Meeting: *See D-1 above.*

D-6 Screening of Dumpsters, Utilities and Service 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.*

EDG Meeting: *Dumpster and recycling areas should be screened from street view; the parking garage is the likely location. Utility meters should be within the garage areas if possible, or substantially screened if outside.*

- *Location of these utilities should be determined before MUP submittal for discussion at the Recommendation meeting.*

Recommendation Meeting: *To assist in responding to D-2, and continue an adequate design response to the north façade as discussed in A-1 and A-5 consider moving the mechanical and solid waste access doors to the interior. This is particularly important if the relocated transformer room, per D-2, must have exterior facing doors.*

Second Recommendation Meeting: *The Board finds that the presented design changes respond to this guidance and **Recommends** approval as proposed.*

D-12 Residential Entries and Transitions. *For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and be visually interesting street for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops, and other elements that work to create a transition between the public sidewalk and private entry.*

Recommendation Meeting: *This guideline was not identified at EDG but is now a priority guideline.*

The 24th Avenue and South Main Street corner, although containing private residential units and their entries, is uninviting and appears lost in its recessed space. The space is framed by two pilasters that are awkwardly terminated and one that is oddly off-set from its adjacent brick wall.

Second Recommendation Meeting: The Board noted that the revised design for the residential studio unit entries has many positive changes from that previously proposed. These are the separation of the entries (one to each street frontage), individual unit porches and fenestration and entries that “read” residential. However, the Board identified three elements that must be further developed to meet this guidance:

- The Main Street / 24th Avenue brick clad corner column,
- The deeply recessed stairs for the Main Street facing unit, and
- The lack of clear visual separation between the small scale residential nature of this unit and the remaining Main Street street-level façade.

The Board noted that the column creates an unnecessary and strange gap in the overall residential expression of this “building’s” 24th Avenue façade. Also, the brick cladding imitates the pilaster elements on the remaining facades but is at odds with the residential expression of this “building’s” 24th Avenue façade. The Board **Recommends** filling in the gap and removing the brick cladding by continuing the proposed horizontal siding. The architect should determine if brick cladding should remain on the Main Street façade at this corner.

The Board **Recommends** that the Main Street facing unit’s entry stairs should be pulled toward the street. With this move the architect will have to determine what will occur in its former space; should the Main Street unit’s porch be extended there? Should the 24th Avenue unit be extended to the south? The addition of landscaping into this place would not be successful because of the lack of direct sunlight and cove like location.

The Board noted that the Main Street unit’s individual residential expression and differentiation from the apartment and commercial expression of the remaining facades would be strengthened by removing the porch brick cladding. This also applies to the 24th Avenue studio porch brick cladding. Consequently, the Board **Recommends** removal of the brick in these areas.

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.*

EDG Meeting: See D-5 above.

Recommendation Meeting: See last bullet point in A-5 above. The landscape plan must be updated to include likely changes in response to D-2.

Second Recommendation Meeting: The Board finds that the presented design changes respond to this guidance and **Recommends** approval as proposed.

SUMMARY OF DEPARTURE REQUESTS

| Land Use Code Standard | Proposed Amount of Departure | Rationale for Request | Board Recommendation and DPD Determination |
|---|--|--|---|
| <p>Location of Parking. Parking may not abut a street level street facing façade in a structure that contains more than one residential dwelling unit, i.e. a permitted use must separate any parking from a street level street facing façade (SMC 23.47A.032.B.1.b).</p> | <p>The below grade parking ramp and two access man-doors for both levels of parking are proposed to abut the structure’s east wall with no intervening use along the 24th Avenue facade. Instead, a green wall and landscape screening would cover this wall section.</p> | <p>The site has three street frontages that must follow this Code provision. However, relatively small site, the need to replace the existing CCSWW surface parking and provide residential parking and project financial constraints as a low-income housing development that makes extensive excavation and construction for this parking financially difficult severely constrains the allow (land) uses that could go in this area. A-8, D-2</p> | <p>Based on the updated design presented the Board Recommends approval of this departure. DPD Approves.</p> |
| <p>Transparency. 60% of the street-facing façade between 2 and 8 feet above sidewalk shall be transparent. (SMC 23.47A.008.B.2.a)</p> | <p>Because of the parking and parking ramp beyond, provide no transparency on the section of wall subject to the departure request above.</p> | <p>This request is precipitated by the departure request above. In lieu of this requirement green wall landscape screening would be provided. A-8, D-2</p> | <p>Based on the updated design presented the Board Recommends approval of this departure. DPD Approves.</p> |

SECOND RECOMMENDATION MEETING BOARD RECOMMENDATIONS

The Board found that the design has substantially responded to its previous guidance. It gave direction on the few issues that must still be addressed (see C-4, D-1 and D-12 above). The Board **Recommends** approval of the project design and *Design Departures* provided the outstanding issues are resolved and approved by the project planner.

DIRECTOR’S ANALYSIS AND DECISION – DESIGN REVIEW

The Director of DPD has reviewed the **Unanimous Recommendation** of the four Design Board members present at the 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 Multi-Family and Commercial Buildings*.

The project planner received the applicant's design responses to the Board's Second Recommendation Meeting's further recommendations. The responses are:

- A-7: For structural and visual reasons, the concrete beam over the 24th Avenue stairwell will remain;
- C-2 and C-4: The north facing concrete wall will not be painted. The colored panels on the three story "building's" 23rd Avenue façade will be removed;
- D-1: Benches will be integrated or built into the planter walls along the 24th Avenue frontage. The previously proposed bike racks will be relocated to the CCSWW entry along 23rd Avenue.
- D-12: The brick column at the corner of South Main and 24th Avenue has been removed by extending the 24th Avenue façade and materials to the corner. A window opening has been included here that will allow views to the east and light into the porch entry area of the Main Street facing unit. The Main Street individual residential entry stairs cannot be moved southward due to the previously unforeseen need for a structure column in that area. The brick cladding will be removed from this residence's façade.

The project planner reviewed the above submitted design changes and found that they respond to the Board's Recommendations. Based on this determination the Director **APPROVES** the proposed design and related departures (subject to the **Conditions** found at the end of this decision).

ANALYSIS - SEPA

The initial disclosure of the potential impacts of this project was made in the environmental checklist submitted by the applicant dated August 28, 2008 and annotated by the Department. The information in the checklist, supporting documents, project plans, and the experience of the lead agency with review of similar projects forms the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665D) 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 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 certain limitations or circumstances mitigation can be considered (SMC 25.05.665 D 1-7). Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Construction Impacts

Site clearing and construction activities could result in the following temporary or construction-related adverse impacts:

- Erosion from excavation and storm water impacts from ground clearing,
- Increased noise levels,

- Decreased air quality due to suspended particulates (dust) from excavation and construction, hydrocarbon emissions and greenhouse gas emissions from construction vehicles, equipment, and the manufacture of the construction materials,
- Construction parking and traffic impacts.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts: The Stormwater Grading and Drainage Control Code, the Noise Ordinance, the Street Use Ordinance, and the air pollution standards of the Puget Sound Clean Air Agency (PSCAA). The Stormwater, Grading and Drainage Control Code regulates site excavation, requires that soil erosion control techniques be initiated for the duration of construction, and regulates the capture and treatment of on-site ground and storm water. The Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. The Street Use Ordinance regulates use of the right of way for temporary construction purposes and regulates obstruction of the pedestrian right-of-way. The Seattle Department of Transportation (SDOT) regulates construction truck routing to minimize impacts on the surrounding area. The Puget Sound Clean Air Agency regulations require control of fugitive dust and construction machinery emissions in order to protect air quality. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. Therefore no conditioning for these short term impacts is required. However, some impacts may not be entirely mitigated by existing codes and ordinances, such as the greenhouse gas affects on air quality and construction traffic impacts, and therefore warrants further analysis.

Noise

The project is estimated to take approximately 18 months from the start of demolition / excavation activities through the issuance of a Certificate of Occupancy. Residential uses in the vicinity of the proposal will experience increased noise impacts during the different phases of construction, such as but not limited to site clearing, excavation and shoring. Compliance with the Noise Ordinance (SMC 22.08) is required and limits the use of loud equipment registering 60 dBA or more at the receiving property line or 50 feet to the hours between 7:00 a.m. and 7:00 p.m. on weekdays, and between 9:00 a.m. and 7:00 p.m. on weekends and holidays. Based on the hour and dBA level limitations of the Noise Ordinance, sufficient protection for the surrounding residential uses is anticipated to be adequate. Low noise generating activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Air Quality

On-site construction activities themselves will generate minimal direct impacts. However the indirect impact of construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions that adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project. No potential short term adverse impact to air is anticipated and therefore air quality mitigation is not necessary.

Parking

Site preparation will involve removal of approximately 75 parking spaces. Construction staging and storage may also required the temporary closure of the approximately 10 parking spaces

between the CCSWW building and 23rd Avenue. Both areas of parking are often fully utilized; their removal will displace this parking demand to the surrounding neighborhood. Construction worker parking demand will also increase.

To mitigate the impact from the CCSWW parking displacement the applicant (CCSWW) has made entered into Memorandums of Agreement with three surrounding institutional property owners to provide 74 off-street parking spaces during construction (People's Institutional Baptist Church, Bethel Christian Church and Masonic Temple). The parking demand at these institutions occurs during evening and weekend hours and hence the parking is available during the Monday to Friday business hour demand of CCSWW.

Construction personal parking demand is expected to be minimal and is expected to be met by the current underutilized supply of on-street parking and minimized by the availability of numerous near-by bus routes that have frequent service and connections to the north and south and downtown to the west.

The proposed off-site parking arrangement and the availability of frequent and nearby transit services are expected to mitigate any adverse construction parking impacts. To assure the continued availability of the proposed off-site parking, its provision is a **Condition** of project approval.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased carbon dioxide and other greenhouse gas emissions primarily from increased vehicle trips; increased demand for public services and utilities; increased height, bulk, and scale on the site; and increased area traffic. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use, parking requirements, shielding of light and glare reduction, and contains other development and use regulations to assure compatible development. However, some impacts may not be entirely mitigated by existing codes and ordinances, such as the greenhouse gas affects on air quality and traffic impacts, and therefore warrants further analysis.

Air Quality

The number of residential and commercial tenant vehicular trips, customer and visitor vehicular trips associated with the project is expected to increase from the amount currently generated by the site's parking use, and the projects' overall electrical energy and natural gas consumption is expected to increase. Together these changes will result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Height, Bulk, and Scale

The City's 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.”*

The discussion above in the Design Review portion of this decision regarding the Director's Design Review decision indicates that there are no significant height, bulk and scale impacts with the approved design as contemplated within this SEPA policy. Since the Design Review Board recommended approval of this project, and the Director agrees, no mitigation of height, bulk and scale impacts is warranted pursuant to this SEPA policy.

Parking and Transportation

DPD transportation planner analyzed the expected impacts from anticipated increased traffic volumes from the proposed project, the overall reduction in the number of parking spaces available for the CCSWW building and the likely increased demand for residential parking from the proposed residential units. This analysis indicated that the increase in the amount of traffic will have little effect on the surrounding street's levels of service. The reduction in CCSWW parking still provides at least the Code required minimum number of spaces. The new administrative and the residential parking demands will be met by the proposed 30 parking spaces. Based on these findings, no long-term parking mitigation is warranted.

DECISION - STATE ENVIRONMENTAL POLICY ACT

This decision was made after review by the responsible official on behalf of the lead agency of 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 requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030.2C.
- Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21.030 2C.

DESIGN REVIEW STANDARD REQUIREMENTS AND CONDITIONS

STANDARD REQUIREMENTS

For the Life of the Project

1. The building constructed shall comply with all images and text on the final MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, and landscaping). This shall be verified by the DPD planner assigned to this project (Art Pederson, 733-9074), or by the Design Review Manager, before the issuance of the Certificate of Occupancy. 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.
2. Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval by the Land Use Planner (Art Pederson, 733-9074).

Prior to Issuance of the Master Use Permit

3. Update the MUP plan sets as necessary to reflect the Design Review Board's **Recommendations** and Director's **Decision** and any zoning required updates.
4. Embed all conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.
5. Call out all departures on relevant updated MUP plan sheets and building permit plan sheets.
6. Include full size color versions of elevation sheets A 2.9 and 2.10 in Plan Sets 1 and 2.

Prior to Issuance of the Building Permit

7. The design shown in the building permit plans shall conform to all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials and landscaping), subject to any DPD approved post MUP design revisions.

Prior to Issuance of the Certificate of Occupancy

8. On-site verification of conformance with the approved building and site design as shown in the building permit plans and conforming to the approved MUP design, or subsequently revised and approved by the DPD planner assigned to this project (Art Pederson, 733-9074), or by the Design Review Manager, shall occur before issuance of the *Certificate of Occupancy*. 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.

GENERAL CONDITIONS

Prior to Building Permit Final Approval

9. The required access easement for project use of the portion of the driveway that is on the future (smaller) CCSWW site shall be recorded with King County and a copy of the recorded document submitted to the DPD zoning planner.

CONDITIONS – SEPA

During Construction

(The following condition shall be posted on the property line of each site street frontage in a location that is visible and accessible to the public and to construction personnel from the street right-of-way. 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.)

10. Provide off-site and off-street replacement parking for the existing south parking lot parking spaces per the Memorandums of Agreement (at People's Institutional Baptist Church, Bethel Christian Church and Masonic Temple). Instruct employees and visitors to use these spaces.

Signature: _____ (signature on file) Date: January 07, 2010
Art Pederson, Land Use Planner
Department of Planning and Development

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