



City of Seattle

**Department of Planning and Development**

Diane M. Sugimura, Director

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

**Application Numbers:** 3007764 & 3007765

**Applicant Name:** Jim Westcott, Weber + Thompson Architects, for  
Connor Homes

**Address of Proposal:** 4706 California Avenue SW & 4203 SW Alaska St

**SUMMARY OF PROPOSED ACTIONS**

Land Use Application to allow two 7-story structures, one (the west structure) containing 10,355 square feet of a retail commercial at ground level, with a total of 70 residential units above ground level, and the other containing 15,330 square feet of retail commercial and three residential units at ground level and 123 residential units above. Parking for 271 vehicles and 64 bicycles will be provided in three levels of connected below-grade parking to be shared by each building. Project includes 55,000 cubic yards of grading. Existing structures on each site are to be demolished.

The following approvals are required:

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

**Alley Vacation – Petition for a partial, underground alley vacation (SDOT)**

**SEPA - Environmental Determination** pursuant to SMC 25.05

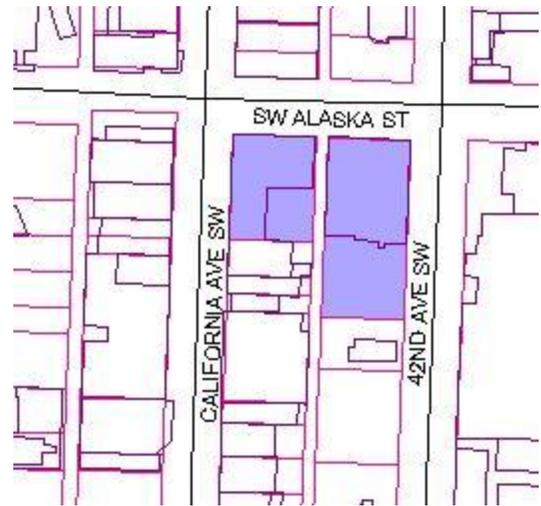
**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS

DNS with conditions

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

## **VICINITY AND AREA DEVELOPMENT:**

The development site consists of two parcels, one (16,675 square feet) at the corner of SW Alaska Street and California Avenue SW, the other, larger (28,750 square feet) parcel at the corner of SW Alaska Street and 42<sup>nd</sup> Avenue SW. The two parcels are separated by a north/south running alley connecting SW Alaska Street and SW Edmunds Street. The applicant has applied for and received approval for a partial alley vacation which will provide a single, underground parking garage beneath two proposed above-ground structures.



The zoning for both sites is Neighborhood Commercial 3, with an 85-foot height limit (NC3-85). There is a pedestrian zoning overlay that affects the entire west parcel and which extends along the north forty-four feet of the east parcel. Currently there are structures on each parcel which are proposed for demolition in order to accommodate the envisioned development. The project site is located within the West Seattle Junction Urban Village boundaries.

## **PROJECT DESCRIPTION**

The applicant proposes to develop two mixed-use buildings above a common underground parking structure. The west building, with a footprint of approximately 13,300 square feet, would contain five stories of residential units over one floor of retail at sidewalk level. The east building, with a footprint of approximately 25,800 square feet, would contain six floors of residential units over a retail base. The entire development would contain approximately 196 residential units. Parking spaces for approximately 271 vehicles would be provided below grade, in three underground levels, with access to the parking garage proposed off 42<sup>nd</sup> Avenue SW.

Each of the above-grade structures would be held back from their respective south property lines in order to accommodate cross-block pedestrian corridors. The cross-block pedestrian corridor connecting the alley with 42<sup>nd</sup> Avenue SW would complement and expand the pedestrian corridor which is part of the “Mural” building that has been developed by Harbor Properties along 42<sup>nd</sup> Avenue SW on the adjacent property to the south.

The proposed development lies within a swath of 85-foot allowable zoning height extending a block on either side of the commercial spine of California Avenue SW. Until recently actual development up to the allowed height limit has been minimal and sporadic (the nine-story Alaska House, just to the north on 42<sup>nd</sup> Avenue SW across SW Alaska Street, and which has stood there for 30 years, is an exception). More recently, several projects extending to the zoned height limit have been constructed or are under construction or proposed for construction in the general vicinity. Nevertheless, despite this activity, California Avenue SW itself still remains characterized by a ribbon of one and two story commercial buildings with relatively small footprints. This existing articulation, scale and massing of urban form remains for many

residents of the area emblematic of not only the traditional but the desired commercial main street appropriate for the West Seattle neighborhood.

The overall proposal has obtained City Council approval for a partial underground vacation of the alley that is located midblock between 42<sup>nd</sup> Avenue SW and California Avenue SW and that runs between SW Alaska Street and SW Edmunds Street.

### **PUBLIC COMMENT**

The comment period for this proposal ended on November 19, 2008. The City received several written comments regarding the project, many expressing concerns regarding the incongruities between the height and bulk of the proposed development height (and of any new development in the area allowed by the current zoning) and actual historical development which had been at significantly lesser heights, densities and scales and that “projected a small town feel.” An even greater outpouring of public comment was elicited at each of the Design Review meetings. Specific comments from those meetings are included under the Design Review analysis discussed below.

### **ANALYSIS - DESIGN REVIEW**

#### **ARCHITECTS’ PRESENTATION (April 10, 2008)**

The presentation by the development team began with brief analysis of the vicinity and site and an explanation of the developer’s intentions to apply for a partial, subterranean alley vacation from City Council to allow the parking garage to extend beneath the existing alley that would be improved and remain open to traffic both during and after construction of the proposed development. While access to loading berths for each of the separate above-grade structures would be taken off the alley, general access to the parking garage would be taken from 42<sup>nd</sup> Avenue SW, near the south edge of the structure facing that street. This would require the recommendation of approval by the Board for granting of a departure from development standards and approval of the departure by the Director.

Although the western parcel enjoys the same zoning height limit of 85 feet as the eastern site, it is the developer’s intention to extend the western structure at the corner of SW Alaska Street and California Avenue SW only to five stories rather than the allowable six stories. The eastern structure would extend to six stories. As presented at the meeting, the structures would be expected to provide approximately 208 residential units, and parking for as many as 362 vehicles would be provided in the conjoined garage.

Special features of the overall development would include cross-block pedestrian corridors at the south ends of each of the proposed structures. The corridor between 42<sup>nd</sup> Avenue SW and the alley would conjoin a passage already being provided as part of the Harbor Properties project then under construction. The development and design team proposed extending retail uses along each of the pedestrian corridors as well as along the ground level of the alley within each of the structures.

Three alternate massing models for the site were briefly presented to the Board. The first option established a strong five-story presence at the corner of SW Alaska Street and California Avenue SW while providing a substantial notch at the residential levels within the southeast quadrant of the structure. The eastern structure was C-shaped above the retail base with the void facing to the east.

The second option differed from the first primarily by providing an E-shaped massing (with a shortened middle arm) and providing the void to the alley, with the opposite façade solidly aligned with 42<sup>nd</sup> Avenue SW.

The preferred third option showed each of the structures holding their edges at the street corners, while providing substantially more linear, saw-toothed courtyards facing each other at the alley, and with slightly greater modulation along the California Avenue SW and 42<sup>nd</sup> Avenue SW upper level facades. As in the other options, the western structure kept itself at only five stories of residential units above the retail base.

#### **Public Comments:**

There was sizable representation of members of the public who attended the meeting; many with concerns regarding the compatibility of the proposal, especially the western building, in height, bulk and scale with the existing build-out and urban form along California Avenue SW. Public comments solicited from the public included the following:

- Concern that the height of the proposal would go against the “small town feel” that is the cherished expectation of California Avenue SW;
- The massing of the building and the proposed height was “too great” for West Seattle and out of line with existing patterns of development;
- Concern that, because of the sizes of the designated retail space, the expectations of the developers ran counter to the neighborhood’s predilection for small, locally-owned businesses; “smaller retail, more entries”;
- The California Avenue SW façade needs to tier back at the upper levels so as not to overwhelm pedestrian comfort;
- SW Alaska Street needs the enhancement of seating and artwork, as well as plantings and the pleasant rhythm of multiple, regular entries from the sidewalk;
- Questioned the desirability of providing a cross-block connector from the alley to California Avenue SW;
- Concern about the mix of pedestrians and vehicles on alley, especially since the project would not control the whole alley—the Harbor Properties project just to the south will be using the alley for access and egress;

- There is an excessive focus on the problematic pedestrian alley environment that is “romantic” and may be unworkable; the focus needs to be on California Avenue SW where the massing and scale issues are significant;
- The two structures should not be treated as twins conjoined at the hip; they “should be treated as cousins, and could even be distant cousins”;
- “Horrified by the height”;
- Show people in scale with the proposal the next time around;
- Materials, especially at the pedestrian level, should be of prime importance;
- Concern (by representative of local Chamber of Commerce) that too much is being made of small, locally owned businesses since there was a demonstrable need for some larger retail spaces in the area that would provide greater employment opportunities to residents of West Seattle.

### **Board’s Deliberations:**

After considering the analysis of the site and context provided by the proponents and hearing public comment the Design Review Board members identified by letter and number those siting and design guidelines found in the City of Seattle’s *Design Review: Guidelines for Multifamily & Commercial Buildings* which they considered to be of highest priority for this project.

## **DESIGN GUIDELINES**

### **A Site Planning**

#### ***A-1 Responding to Site Characteristics***

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

The Board cited this guideline, noting the “prominent intersection” component and picking up on the motif articulated by several members of the public that this was “the most important and prominent location in West Seattle.

#### ***A-2 Streetscape Compatibility***

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

If the project were to pursue the alley activation idea to any extent, setbacks, recessed entries, modulation, landscaped spaces adjacent the alley at alley level and not just at a terrace level well above the actual alley plane would be essential to making it work successfully.

**A-3 Entrances Visible from the Street**

Entries should be clearly identifiable and visible from the street

*Members of the Board thought less emphasis should be given the residential entries; explore whether the project would benefit from a shift of residential entries to SW Alaska Street.*

**A-4 Human Activity**

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

*Members of the Board noted that the outside street perimeter of the project was much more important than the alley activation. In general, the Board was less than enthused by the idea of alley retail spaces and activation. Nor did they speak favorably of the pedestrian corridor being proposed between California Avenue SW and the alley. They expressed the opinion that it broke up the desired continuity of retail entrances along California Avenue SW and, if a viable desirable item, needed to be located further south in the block.*

**A-8 Parking and Vehicle Access**

*Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.*

**A-10 Corner Lots**

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

The guidelines above were all chosen by the board to be of highest priority. Human activity on the street should be promoted by the interface of sidewalk and the retail spaces (and the interface of sidewalk grade and interior space was essential for success here). Activation of California Avenue SW, SW Alaska Street and 42<sup>nd</sup> Avenue SW sidewalks should be a priority.

**B Height, Bulk and Scale**

*Projects should be compatible...and provide for transitions*

There is an inherent potential conflict between any new development and the existing pattern in the neighborhood of lower residential and commercial buildings built on smaller parcels of land. There is an established fabric in the area and this new development should continue to demonstrate sensitivity to that fabric and, given the zoned development potential, to provide for refined transitions in height, bulk, and scale. The Board noted that while tall buildings were not inherently evil, the existing context and urban form of California Avenue SW needed to be addressed seriously and the deference given that context—in terms of continuity of datum points, upper level setbacks, vertical and horizontal modulation, etc.—would be key to the success of the project. This guideline, together with C-1, cited below, are the two guidelines of highest priority, among those noted of highest priority, for achieving a successful design outcome on this development site.

## ***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 complement the architectural character and siting pattern of neighborhood buildings.***

In this instance the goals of complementarity and compatibility will certainly have to consist of deferential gestures that address issues of height, bulk and scale in an effective manner.

### ***C-3 Human Scale***

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

The Board noted that the project should explore opportunities to achieve a good human scale, especially the way various entrances address the different street fronts.

### ***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, patterns, or lend themselves to a high quality of detailing are encouraged.***

Architectural materials scale and details should be integrated within a building whose concept is appropriate for the site and its surroundings as well as its programmatic uses. The Board was not prescriptive regarding materials, but would expect to see a choice of durable and sustainable materials and to be presented with samples of proposed colors and materials at a subsequent recommendation meeting. The new development, the first of its kind and size within the immediate vicinity will be setting the precedent and establishing the desirable characteristics for other developments to follow.

## ***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.

### ***D-8 Treatment of Alleys***

The design of the alley entrances should enhance the pedestrian street front.

**D-11 Commercial Transparency**

Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.

**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 provide for a visually interesting street front for the pedestrian. 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.

The above guidelines were cited by the Board as being of highest priority without any further guidance offered.

**E Landscaping**

**E-2 Landscaping to Enhance the Building and/or Site**

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

Landscaping should be designed with the goal of realizing the prioritized guidelines, should soften the edge conditions where appropriate, and should contribute to attractive and usable open spaces.

**Departures from Development Standards:**

The design team noted that they had identified one departure from development standards that would be needed: from SMC 23.47A.032A, which requires parking access from the alley when the lot abuts an improved alley. The Board noted that they would like to see some alternative vehicular entry options presented at the next Design Review Meeting.

**Staff Comments (after April 10, 2008 meeting)**

Projects requiring Design Review must address the community design guidelines in the *West Seattle Junction Urban Village Design Guidelines* as well as the Citywide Design Guidelines. The applicant is directed especially to “West Seattle Junction Context and Priority Design Issues,” as discussed on page iii and “Height, Bulk and Scale Compatibility” and “Architectural Character” as discussed on page v. This is in addition to the West Seattle Junction Design Guidelines A-2, B-1, and C-1 which have particular applicability.

As noted in *West Seattle Junction Design Guidelines*, the differential between the current zoning in the Junction and the existence of one-to two-story commercial buildings within the

commercial core along California Avenue SW is bound to cause potential conflicts between new development and the existing built environment. Since the value articulated in the *Guidelines* is “to preserve and continue the small town quality in new development...through the siting, massing and design of new buildings,” its realization requires “more refined transition in height, bulk and scale” than is normally the case. The West Seattle Design Review Board has recommended to the Department of Planning and Development that the applicants return for another Early Design Guidance meeting at which time the design team will demonstrate alternatives for providing “more refined transitions in height, bulk and scale” for the building located at the corner of California Avenue SW and SW Alaska Street.

DPD concurs in this recommendation and request, provided the meeting focuses on proposed alternative designs showing refined transitions in height, bulk and scale for the California Avenue SW structure. The meeting should also include the presentation of further analyses and explorations into alternative vehicular entry options as specifically requested by the Board. The applicant should be free to present, along with the above requested design alternatives, any other elements of the design development they feel would be informative for the Board.

It is the expectation of DPD that subsequent to the next Early Design Guidance meeting the applicant will proceed to further design development, which includes a demonstrable response to the guidelines and guidance noted above, as well as to the guidance that will be forthcoming, and to a Master Use Permit application. Subsequent to a successful application, the proposal will be returned to the Design review Board for a recommendation of approval meeting.

### **Second EDG Meeting, May 29, 2008**

At the Second Early Design Guidance Meeting, held on May 29, 2008, all members of the Board were again present. Following welcoming comments, introductions by the Board members and a brief description of proposed development, the development team was invited to make their presentation to the Board and members of the public who were in attendance.

### **Design/Development Team Presentation**

The presentation began with remarks on the part of the developer of the project that contained the following information: the project would provide an additional 200 residential units to the area; all parking would be provided underground in a single garage which anticipated a partial alley vacation from the City; each of the above ground buildings would be pulled back from the alley at the second level to provide for air and light, privacy and views for the individual residential units in each structure, like an “opened geode”; the largest of the retail spaces, proposed to wrap around each of the structure and include alley frontage, would be 12,00 square feet; the planned commercial configuration would provide for a good tenant mix; by providing access to parking from one access point off 42<sup>nd</sup> Avenue SW, the impact to pedestrian comfort and safety would be the least disruptive. A final comment referred to the Board’s earlier guidance regarding placing the two residential entries on SW Alaska Street; the development team had looked at this and had determined that it was “not feasible.”

Following the remarks of the developer, the architect, representing the design team, reprised the programmatic and design considerations of the April 10<sup>th</sup> presentation: incorporating retail along the alley would activate the alley as a pedestrian-friendly zone and double the amount, and increase the variety, of retail space provide by the project; the mid-block connectors would help to make a relatively large project more porous and accessible; the preferred scheme, with vehicle access off 42<sup>nd</sup> Avenue SW, not only would free up the alley for pedestrian comfort but would make the onsite parking opportunity more visible and accessible for potential shoppers. It was noted that, while the residential entries had not been re-located to SW Alaska Street, these were small in overall width and would not, in the design team's estimation, be disruptive to the continuity of retail uses, especially along California Avenue SW. Retail space would wrap around each of the mid-block connecting pathways and draw pedestrians along those pathways and to the alley retail. Retail entries along the alley would be combined with landscaping and provisions for green, "living" walls extending from the alley level to the residential podium and terraces above the alley (proposed landscaping for this and the entire site was more fully elaborated by a member of the project's landscape team, Thomas Rengstorf Associates). At the upper levels the structure would be open to the alley and the units on the eastern structure. The massing of the preferred scheme would "hold the corner" at California Avenue SW and SW Alaska Street, while providing for a notched entry at sidewalk level, and hold the street wall along SW Alaska Street to the full height of the west building. At a point perhaps a third of the distance of the structure's extension south along California Avenue SW, the upper massing above the street-level retail space would step back approximately 10 feet from the property line, with the upper façade carved away and modulated with bays and balconies.

As at the first EDG meeting, the design/development team noted they were requesting one departure from development standards, namely a departure from SMC 23.47A.032A, which requires parking access from the alley when the lot abuts an improved alley. The project was still premised on sole access from 42<sup>nd</sup> Avenue SW.

## **PUBLIC COMMENT**

Approximately 30 members of the public attended the meeting and many of the public comments reiterated those that had been made at the previous Early Design Guidance meeting held on April 10<sup>th</sup>. Predominant among the comments were those concerns regarding the bulk and scale of the west building; the proposed scheme was generally perceived to overwhelm the site and not to fit into the scale of the structures constituting the existing California Avenue SW retail strip. Other comments focused on the following elements:

- A need for the west building to express greater continuity with older brick structures, in height, bulk, scale and materials;
- Complement the existing materials, don't mimic them, or the project will be unsuccessful;
- While the new structure should make distinctive gestures of deference to the existing context in perceived bulk and in scale, its design should be bold and not merely mimic the past;

- The building should “hold the corner” but not for its full vertical height;
- The building should have a softened corner; it should not hold the corner;
- The alley must remain functional for other business and structures;
- The design needs to provide more clearly for its own alley functions, like deliveries and dumpsters;
- Invert the “geode” and put the plain exterior along the alley;
- The building should tier back, like a wedding cake;
- The building will inform everything else that comes along and needs to do more than respond to its own programmatic needs predilections;
- Since this structure will set the bar for other development, it cannot be a “wedding cake” because every other new building would then be a wedding cake and that would warrant something calamitous for the overall urban design of the junction;
- The design team needs to get it right and what’s been shown doesn’t get it right yet;
- The structure needs to be something special, and it is not there yet;
- The building needs to be “loveable” in order to fit in successfully;
- The design needs to provide more clearly for alley functions, like deliveries and dumpsters;
- Include local art work within the design.

## **BOARD’S DELIBERATIONS**

The Board acknowledged the comments from the public and noted that they concurred with those comments that indicated that the applicants did not get the massing of the building right. The project had not adequately addressed “West Seattle Junction Context and Priority Design Issues” regarding “Height, Bulk and Scale Compatibility” and “Architectural Character” as discussed in the *West Seattle Junction Urban Village Design Guidelines*. As noted, the differential between the current zoning in the Junction and the existence of one-to two-story commercial buildings within the commercial core along California Avenue SW is bound to cause potential conflicts between new development and the existing built environment. Since the value articulated in the *Guidelines* is “to preserve and continue the small town quality in new development...through the siting, massing and design of new buildings,” its realization requires “more refined transition in height, bulk and scale” than is normally the case. The Board did not believe the applicants had demonstrated alternatives for providing “more refined transitions in height, bulk and scale” for the building located at the corner of California Avenue SW and SW Alaska Street which had been their directive in recommending a second Early Design Guidance meeting.

The Board also pointed out that the applicants had not adequately responded to two of their specific requests, namely, to demonstrate explorations of alternate vehicular entry options and residential entries from SW Alaska Street.

The members of the Board were in agreement that in order to gain their recommendation of approval of the overall design of the project the applicant would have to present a design that demonstrated a dramatic shift in the massing of the western building. In effect, in order to be in harmony with the guidelines selected to be of highest importance for the success of the project and the explicit guidance of the Board at the two Early Design Guidance meetings, the massing of the structure on the western site should be conceived in three components. The first would be a three-to four story "building" rising above and co-extensive with SW Alaska Street and extending between California Avenue SW and the alley to the east. This "building" would extend along California Avenue SW at the property line for a distance where it would distinctively conjoin with a second portion of the structure, continuous at the property line, of 1 to 2 stories, and intended to align approximately with the existing retail frontages south of the site. A third distinct element of the overall massing would be that portion of the overall structure, significantly set back from both SW Alaska St and California Avenue SW at the points where it took rise above the other two massing elements.

The Board noted that it would be disinclined to recommend a departure for vehicle access from 42<sup>nd</sup> Avenue SW unless the massing guidance was attended to in an acceptable fashion. The Board also noted that it was not abandoning its predilection for maintaining retail continuity along California Avenue SW by moving the residential entry to SW Alaska Street. The Board would expect to see a series of shadow studies when the applicant returns for a Recommendation Meeting.

It was the Board's recommendation that the project should proceed to design development and Master Use Permit application. It was the Board's expectation that a successful application would seriously address the massing and scale issues that had been the predominate focus of the second Early Design Guidance Meeting as well as respond to all those guidelines that had been noted to be of highest priority for a successful project.

### **Recommendation Meeting, March 12, 2009**

The meeting was attended by five members of the Board.

### **ARCHITECTS' PRESENTATION**

The presentation by the development team began with a brief recapitulation of what had been presented at the two Early Design Guidance meetings regarding an analysis of the vicinity and the developer's intentions for the two sites separated by the north/south alley that bisects the block between California Avenue SW and 42<sup>nd</sup> Avenue SW. It was still the intention to obtain a partial, subterranean alley vacation from City Council to allow the parking garage to extend beneath an alley that would be improved and remain open to traffic. To this end, it was explained, an application for a partial subterranean alley vacation has been made to the Seattle

Department of Transportation and a formal presentation of the proposal had been made to the Seattle Design Commission on November 20, 2008, at which time the Commission unanimously approved the urban design merits of the proposal. In doing so, the Commission encouraged the design team to consider, among other elements, the following:

- wider sidewalks along all street frontages of the project to allow nodes or eddies to allow pedestrian rest opportunities;
- continuous connection of mid block pedestrian flow;
- respite opportunities along the frontage of the project, as well as enhancing the nodes at alley entries;
- more retail spillage into the alley;
- a greater pedestrian buffer from the traffic along California Avenue.

While access to loading berths for each of the separate above-grade structures would be taken off the alley, general access to the parking garage, as had been shown at the two Early Design Guidance meeting, was still contemplated as coming off 42<sup>nd</sup> Avenue SW, toward the southern limit of the structure facing that street, thus requiring the granting of a departure from development standards and a recommendation of approval from the Board. Parking for approximately 362 vehicles would be provided in the conjoined garage.

Special features of the overall development still included cross-block pedestrian corridors at the south ends of each of the proposed structures. The corridor between 42<sup>nd</sup> Avenue SW and the alley would conjoin a passage already being provided as part of the Harbor Properties project now under construction. The Conner Homes development proposed extending retail uses along each of the pedestrian corridors, but, in response to the Board's guidance at the Early Design Guidance meetings, was no longer proposing alley entrances to retail spaces.

The developer, Charlie Connor of Connor Homes, began the presentation by explaining the importance for the project of taking parking access from 42<sup>nd</sup> Avenue SW. He also noted that in response to concerns from merchants who shared the alley that the alley would be rerouted across the site to 42<sup>nd</sup> Avenue SW during the early phases of construction in order to provide uninterrupted alley access to the merchants who depend on the alley for regular deliveries.

Next, architect Peter Greaves of Weber+Thompson Architects; presented on behalf of the design team, explaining how other elements of the Board's Early Design Guidance had been incorporated into design. Primary among these was the massing of the structure intended for the corner of SW Alaska Street and California Avenue SW. The members of the Board had expressed agreement that in order to gain their recommendation of approval of the overall design of the project the applicant would have to present a design that demonstrated a dramatic shift in the massing of this western building. The design team, in order to be in harmony with the guidelines selected to be of highest importance for the success of the project and the explicit guidance of the Board at the two Early Design Guidance meetings, were presenting the massing of the structure on the western site conceived as three distinct components. The first was a four story brick-clad "building" rising above and co-extensive with SW Alaska Street and extending

between California Avenue SW and the alley to the east. This façade of this “building” would run along California Avenue SW at the property line for a distance where it would distinctively conjoin with a second portion of the structure, continuous at the property line, comprised of a retail frontage, of a single story but substantially tall to align with the existing retail frontages south of the site. A distinct element of the overall massing was a third portion of the overall structure, set back from both SW Alaska St and California Avenue SW at the points where it took rise above the other two massing elements.

### **PUBLIC COMMENT**

Having asked some clarifying questions of the design team, the Board then opened the meeting to comments from the public. Comments included the following:

- an “overall good project” for the Junction;
- approval of the small-scale retail being proposed;
- should “spur” much-needed improvements in existing retail;
- retail spaces should incorporate windows and doors that could be opened widely in summertime; should include outdoor tables and chairs;
- still too massive and will destroy small-scale character of neighborhood;
- missing character and historical continuity that could be incorporated into the architectural details of the proposed structures; brick not enough; needs pattern and interest;
- 42<sup>nd</sup> Avenue SW vehicular access will conflict with pedestrian safety and comfort and is too close to the cross-block connection between 42<sup>nd</sup> And the alley;
- the building at SW Alaska and California “too monolithic,” “too boxy,” “sterile,” needs modulation of some kind.

### **Board Deliberations**

Members of the Board noted that the design had responded to several concerns voiced previously by both Board and the community, but they were also agreed that there was still lacking a treatment of details, especially those that would impart character at the retail, pedestrian level. The Board further noted the inability to add further discussion and deliberation time since they had to exit the Library by 8:00 PM sharp. Given this constraint and a number of unresolved issues, it was the Board’s desire and recommendation that the applicants return for another recommendation meeting.

### **Second Recommendation Meeting, April 2, 2009**

A second Recommendation Meeting was held on Thursday, April 2, 2009, at the West Seattle Community Church, commencing at 6:30 PM. Although this meeting lasted in excess of three

hours, the Board was again unable to provide the Department with a Recommendation or a Recommendation with conditions regarding the development proposal.

In attendance were all five Board members.

Jim Westcott of Weber+Thompson Architects presented for the design team and reminded the Board and the public that, per the Board's directives, the presentation would focus on the architectural detail of the proposed "west" building. The presentation kept to its promise with some attention paid the street-level, pedestrian/ retail areas along both California Avenue SW and SW Alaska Street and more attention given the upper box portion of the building and in particular the balconies facing onto California Avenue. A variety of colors, shapes and textures applied to the balconies were said to "break down the mass" of that façade while adding an element of "fun" to it.

A colors and materials selection was on display and was presented with comments from the architect. Materials will include colored, flat and textured cementitious panels as well as different colors of brick.

The Board was reminded of the request of a departure to take vehicular access from 42<sup>nd</sup> Avenue SW, with the architect pointing to the future pressures upon the alley, especially since future development adjacent the alley anywhere within the remaining two thirds of a long block facing onto California Avenue "would have no choice but to enter a garage from the alley."

### **PUBLIC COMMENT**

After asking several clarifying questions regarding the presentation, the Board opened the meeting to public comment. A representative of the West Seattle Junction Association noted the organization's opposition to locating a residential entry on California Avenue SW, since they were desirous of a complete contiguity of retail fronts along that façade. This was seconded by a spokesperson for the Junction Neighborhood Association who said that moving the residential entries to SW Alaska Street was "incredibly important." Another member of the public expressed the opinion that the proposed sidewalk widths were insufficient on both street fronts. At least a couple of comments demurred regarding the proposed balcony treatments and others lamented the modernist aesthetic displayed and the lack of any effort to architecturally blend the structure with the "older style" that exists there.

### **Board Deliberations**

The Board moved widely over a number of issues but appeared to be relatively agreed regarding the following:

- they were not opposed to the "modernist aesthetic" and were leery that a thoughtless introduction of "older" design elements might result in the kind of ornamental appliqué that they already found troublesome on the upper "flat box" of the structure; they appeared to be in general agreement that the old/new interplay could be generated most effectively in the individual treatments of the new street-level retail spaces;

- they did not find the California Avenue SW residential entry as essentially disruptive, in contrast to the view expressed by some members of the public;

Granting a departure for locating the entry/exit for vehicular parking on 42<sup>nd</sup> Avenue SW was agreed to by three of the five Board members.

The Board agreed, however, that another “focused” Design Review Board Recommendation Meeting would be required to resolve the one remaining important issue of the upper massing of the west building. Specifically, the applicants were asked to address and present some alternatives to the large, “flat” upper box. A successful solution would include, but not be limited to, carefully examining and presenting alternatives in:

- coloring,
- modulation, to break up the flatness of the upper box.
- creating a distinctive relationship between the upper floor and cap of the upper box to the rest of the mass of the box, and
- integrating the upper mass more effectively with both the “brick” building and the retail, one-story bar of the structure that connects with the existing retail facades to the south of the site.

### **Recommendation Meeting, April 23, 2009**

Early Design Guidance meetings on this proposal were conducted on April 10, 2008 and again on May 29, 2008. Recommendation Meetings were held on March 12 and April 2, 2009. Five Board members were present for the meeting held on April 23, 2009.

### **ARCHITECTS’ PRESENTATION**

The presentation by the development team began with brief comments from the developer, Charlie Connor of Connor Homes, followed by remarks and a visual presentation by James Westcott of Weber+Thompson Architects. Mr. Westcott began by reminding the Board (and, in effect, briefing the two new Board members) that at the April 2<sup>nd</sup> meeting the design team had addressed concerns and issues regarding details of the street-level retail environment and had received recommendation for approval, by a vote of 3 to 2 of the Board members then present, for a requested departure from development standards to allow for vehicular access to the underground parking area for both buildings from 42<sup>nd</sup> Avenue SW. He also recalled that the Board had recommended retaining the residential entries on 42<sup>nd</sup> Avenue SW and California Avenue SW, noting that the plans called for wrapping the retail storefronts around the corner at the California Avenue entry recess so that the entry would not distract unduly from the pedestrian experience along California. The Board had also recommended as a condition of approval that the selection of street tree species and locations for planting along SW Alaska Street across from the proposed new park would be coordinated with Bill Ames of the Seattle Department of Transportation. Another recommended condition at the previous meeting had been a requirement for retail entries to be located within the building recesses of each of the

buildings at the two street-intersection corners. The Board had also asked the design team to remove the bollards proposed and shown for these two corners.

Mr. Westcott then recalled that the Board had requested that the applicant return as quickly as convenient for another meeting that would entail a “focused” review of unresolved issues regarding the massing and treatment of the structure to be located at the corner of SW Alaska Street and California Avenue SW, the so-called “west building.” In particular, the design team had been asked to re-examine the one-story retail brick façade of the south half of the west building facing onto California Avenue and to review the modulation and treatment of the recessed, gray upper portion of the building. The applicant was also adding a request for a departure from SMC 23.54.030 G, which required a ten-foot sight triangle at the junction of driveway and sidewalk where vehicles exited from the parking garage.

There was a brief presentation of twelve massing studies that had been studied by the design team which was quickly followed by the presentation of four detailed studies (Schemes A through D), which focused primarily on the upper massing of the west building. Scheme A offered a top floor of the building that was differentiated from the other residential floors by incorporating more glass and less peripheral wall.

Scheme B showed a simple two-foot pull out of the wall for five stories above the one-story light brick retail façade. This would mean a 14-foot setback rather than a 16-foot setback of this portion of the upper façade in order to provide modulation. In this scheme the upper floor remained of a piece with the rest of the upper box.

Scheme C was described as a “seismic shift” and showed two vertical panels along the west façade pulled away, perhaps a foot, from the box. In this scheme the vertical pull-outs ran up 6 stories, to the top of the box, but otherwise the top floor displayed more penetration and glass as had been the case with scheme A.

Finally, Scheme D showed the more open top floor with more deeply modulated push-outs that only reached to the base of that floor and enwrapped the southwest, northwest and northeast corners of the upper box.

### **PUBLIC COMMENT**

After asking a few clarifying questions of the design team, the Board opened the meeting to public comment. As part of the solicitation of public input, the Board Chair had asked that members of the public should express their preferences for one of the lettered schemes.

One commenter thought the west building remained out of scale and regretted that there was no intention to go back to the east building since, regrettably, the corner of that building at 42<sup>nd</sup> Avenue SW appeared much too heavy. A preference was expressed for “Scheme D.” Another found scheme “D” a “fairly acceptable building,” Scheme D appeared to be preferred by the majority of those who commented. One member of the public was in favor of something even more asymmetrical than had been shown.

It was noted that only one of the 12 massing studies had shown a 2-story height along the sidewalk edge façade on the south half of California Avenue SW and more than one member of the public indicated a preference for this extended element that imparted a stronger sense of proportionality and overall strength to the California Avenue façade.

Another member of the public lamented the lack of any attempt to establish historical continuity with the existing built environment through incorporation of historical elements or fine detailing, especially in the brick work, a comment that had been a refrain at earlier Design Review Board meetings on this project.

### **Board Deliberations:**

Following the development team's presentation and after hearing public comments, members of the Board identified the following issues with the presented design presented that they considered unresolved:

- the corner of California Avenue SW and SW Alaska Street was in need of further development and alterations; it was “too plain”; the corner was “weak”; the corner was “too timid”; the canting of the corner created an “uncomfortable feeling; in sum, the corner needed design changes in order to “strengthen it.”
- compositionally, the design needed a two story base flush to the street south of the residential entry on California Avenue SW; a second story “frame” extension above the first retail floor was not the proper solution; the two-story façade needed integrally to include the second-floor residential units behind the façade.
- the north elevation of the west building was “static”; Why was the northeast corner (at the alley) the same as the northwest corner at California Avenue SW? The north façade would benefit by the introduction of asymmetrical elements and detailing.
- the top floor needs additional differentiation; the building still needs to be lighter at the top.

In making these observations, members of the Board acknowledged that the design had responded positively to several concerns voiced previously by both the Board and the community. One Board member specifically expressed gratitude to the design team for presenting four options, rather than the usual three, in response to the Board's request.

### **Departures from Development Standards**

Consistently from the earliest presentation of the project, the applicant had requested as a departure (from SMC 23. 47A. 032 A 1a), and dependent upon the successful application for a partial subterranean alley vacation, that access to the proposed underground parking garage be taken off 42<sup>nd</sup> Avenue SW and not the alley.

In support of the provision for a non-alley access for the proposed project the *Transportation Impact Analysis* prepared by The Transpo Group, Inc (April 2008) undertook an evaluation of operations and queuing at the alley intersections with SW Alaska Street and SW Edmunds Street

that suggested with project traffic utilizing the alley substantial queuing could take place along the alley at weekday peak hours. It was indicated that providing all access to the parking garage from a driveway at 42<sup>nd</sup> Avenue SW would enhance pedestrian safety along the alley and at the alley intersections with SW Alaska Street and SW Edmunds Street. Members of the Board had earlier indicated they would recommend granting of the departure and reiterated that recommendation at the final recommendation meeting.

Additionally, it was necessary for the applicant to add a request for a departure from SMC 23.54.030 G, which required a ten-foot sight triangle at the junction of driveway and sidewalk where vehicles exited from the parking garage. The proposal was for providing an approved safety warning system, which might include mirrors, signage, lighting, changes in pavement, and other elements. The Board recommended approval of the departure and mitigation by an alternative approved safety warning system, provided the system did not employ loud signal broadcast enunciators. In order to meet this condition, final approval of the system to be installed must have the approval of the Land Use Planner.

A colors and materials selection was on display, as had been the case at the two earlier recommendation meetings. These included colored flat and modulated cementitious panels, bricks in various colors, and metal trim and were referred to by the design team in response to specific questions regarding their use raised by the Board.

The Board agreed finally that this “focused” Design Review Board Recommendation Meeting, while not completely resolving all the outstanding issues the Board had with the design, brought it close enough that they could recommend approval with specific items that would require the applicant’s cooperating with the Land Use Planner and the Department of Planning and Development to work out the details of the design in conformance with the specific guidance expressed by the Board. “Successful” solutions would be those agreed to by DPD and would include thoughtful, careful, and comprehensive responses to the following Board considerations:

- The top, residential floor of the west building needs additional differentiation from the other floors, including but not limited to the diminution in appearance of structural and cladding elements and expansion of visible penetrations. This might best be achieved by starting with the more generous openings shown in both Schemes A and D. Additionally, this same or similar fenestration scheme, transferred in some recognizable way to the “tower element” of the “brick building” (see condition 2, below), could help to integrate the upper mass more effectively with the “brick building.”
- At the tower element in the brick building, at the corner of California Avenue SW and SW Alaska Street, differentiate the window treatment from the rest of the building. This could be done with material and openness, and/or by moving the frames, possibly as bay windows. These could project into the right-of-way if not structural. Make a clear relationship between these tower windows and those on the upper floor of recessed upper “building.” To further strengthen the distinctiveness of this corner, do away with the symmetrical treatment of the corner that wraps the alley and treat the two corner bays at the alley the same as the non-corner bays on the north, east and west facades.

- Square the post at the corner of SW Alaska Street and California Avenue SW to align with the rectilinear building. Make it appear stronger by making it dimensionally larger in each direction. Look at a subtle change in the brick “mix” at the corner element to further distinguish it.
- Explore signage expressions that would announce the “Junction” boldly and forcibly attached to this beefed-up corner post. In addition to this “super-graphic,” produce samples of proposed variable signage types that would impart differentiation and character to the street-level retail spaces.
- Provide a two-story base south of the residential entry on California Avenue SW that integrates the first level of residential units above into the façade.
- In addition to doing away with a “second tower” treatment at the alley, explore clipping one side or the other of the extruded modulation bays on the fifth and sixth floors to further diminish the monotonous and static symmetry of the north-facing facade.

Subsequent to the final recommendation meeting before the Design Review Board, the applicant voluntarily met with members of the local community in a series of meetings to address issues these members of the public felt had not been addressed with adequate specificity. In the course of those conversations the applicant agreed to incorporate into the design of the project various elements which included the following: to continue to engage the community and solicit neighborhood participation in the design of cornices, sills, canopies, soldier courses, art, lighting and other details at the construction document phase; to include an art panel program with historical representations in the north ground plane façade of both buildings; to incorporate dark bronzed window framing at retail level; to work with SDOT to reduce the dimensions of the planting strip on California Avenue SW with the goal of increasing the sidewalk width to 8’6””; to install special pavement detail providing texture and wayfinding elements throughout the mid-block passage; to extend brick and brick detailing from the West building to the north façade of the East building (preferably a light gray color rather than the red brick color of the West building; to work with Harbor Properties to explore opportunities to integrate east building plaza with the Mural Apartments project plaza, including signage, pavers and other design elements, and to install a wayfinding sign at the plaza entrance, denoting the connection to California Avenue and to incorporate the plaza design details as part of construction documents; to provide additional streetscape amenities including benches and pedestrian lighting proposed for the West building which would be carried to the East Building; and, finally, to design the landscaping on SW Alaska Street to integrate with the Junction Plaza Park across the street. Since the time that approval was given to the agreement by the parties involved in the agreement, namely, the applicant and the neighborhood representatives, the MUP plans sets have been updated to incorporate the details of the agreement. Likewise, details of the community agreement have been incorporated into the City Council’s approval (May 2, 2011) of the applicant’s petition for the vacation of a subterranean portion of the alley (Clerk File 309496).

### **Departures from Development Standards**

Consistently from the earliest presentation of the project, the applicant had requested as a departure (from SMC 23. 47A. 032 A 1a), and dependent upon the successful application for a

partial subterranean alley vacation, that access to the proposed underground parking garage be taken off 42<sup>nd</sup> Avenue SW and not the alley.

In support of the provision for a non-alley access for the proposed project the *Transportation Impact Analysis* prepared by The Transpo Group, Inc (April 2008) undertook an evaluation of operations and queuing at the alley intersections with SW Alaska Street and SW Edmunds Street that suggested with project traffic utilizing the alley substantial queuing could take place along the alley at weekday peak hours. It was indicated that providing all access to the parking garage from a driveway at 42<sup>nd</sup> Avenue SW would enhance pedestrian safety along the alley and at the alley intersections with SW Alaska Street and SW Edmunds Street. Members of the Board had earlier indicated they would recommend granting of the departure and reiterated that recommendation at the final recommendation meeting. Additionally, it was necessary for the applicant to add a request for a departure from SMC 23.54.030 G, which required a ten-foot sight triangle at the junction of driveway and sidewalk where vehicles exited from the parking garage. The proposal was for providing an approved safety warning system, which might include mirrors, signage, lighting, changes in pavement, and other elements. The Board recommended approval of the departure and mitigation by an alternative approved safety warning system, provided the system did not employ loud signal broadcast enunciators. In order to meet this condition, final approval of the system to be installed must have the approval of the Land Use Planner.

Additionally, it was necessary for the applicant to add a request for a departure from SMC 23.54.030 G, which required a ten-foot sight triangle at the junction of driveway and sidewalk where vehicles exited from the parking garage. The proposal was for providing an approved safety warning system, which might include mirrors, signage, lighting, changes in pavement, and other elements. The Board recommended approval of the departure and mitigation by an alternative approved safety warning system, provided the system did not employ loud signal broadcast enunciators. In order to meet this condition, final approval of the system to be installed must have the approval of the Land Use Planner. A condition to this effect has been added to this Decision.

### **DIRECTOR'S ANALYSIS - DESIGN REVIEW**

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. The Director agrees with the further design considerations recommended by the Board members and their recommendations to approve the design and grant the requested departure, as stated above. The Director further finds that those refinements stated above, agreed upon by the applicant and members of the public, and subsequently incorporated into the design of the project through incorporation into the MUP plan sets, are consistent with the Design Guidelines chosen by the Board to be of highest priority for the proposal and with Board's guidance and conditioning.

## **DECISION - DESIGN REVIEW**

Approval of the design is Conditionally **GRANTED**, together with **APPROVAL OF THE REQUESTED DEPARTURES**.

## **ANALYSIS - SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated September 9, 2008. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The SEPA Overview Policy (SMC 25.05.665 D) 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 certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### **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 related vehicles. Several construction-related impacts are mitigated by 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. The following is an analysis of construction-related noise, air quality, earth, grading, construction impacts, traffic and parking impacts as well as mitigation.

### **Noise**

Noise associated with construction of the mixed use building and future phases could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Prior to issuance of demolition, grading and building permits, the applicant will submit a construction noise mitigation plan. This plan will include steps 1) to limit noise decibel levels

and duration and 2) procedures for advanced notice to surrounding properties. The plan will be subject to review and approval by DPD. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:

- 1) Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
- 2) Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 3) Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 4) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

#### Air Quality

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction activities, equipment and 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). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the nearby residential buildings.

#### Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

### Grading

Excavation to construct the underground parking garage and the two mixed use structure will be necessary. The excavation is estimated to be consisting of removal of an estimated 53,000 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Future phases of construction will be subject to the same regulations. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

### Construction Impacts

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 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.

### Traffic and Parking

Construction of the mixed use structure is proposed to last several months. During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities and parking (SMC 25.05.675 B and M). Parking utilization along streets in the vicinity is near capacity and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. Due to the large scale of the project, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. In order to minimize adverse impacts, construction workers will be required to park on site as soon as possible and continue for the duration of construction. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 52,000 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 911 round trips with 10-yard hauling trucks or 456 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Truck access to and from the site shall be documented in a construction traffic management plan, to be submitted to DPD and SDOT prior to the beginning of construction. This plan also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular consideration given to maintaining pedestrian access along California Avenue SW and SW Alaska Street. Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

There are a number of businesses that require usage of the existing alley for commercial and utility activity. Parking access for the recently completed Mural apartments and its 136 residential units is from the alley. Closure of the alley for any extended period will be disruptive to the businesses and residential users of the alley. The applicant has assured local businesses, residents and the general public that the alley will remain open, even if construction may require a temporary realignment of the alley and a detour across a portion of the development site. The proposal will be conditioned to provide mitigation for continuous ally access. Any temporary closure of the alley shall not exceed 24 hours in length and must have DPD and SDOT approval in each instance. Adequate advanced notice of such a temporary closure of the alley if deemed necessary and approved shall be given to business and residential users of the alley. This decision will be so conditioned to achieve these results.

#### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area; increased demand for parking; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; 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 and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, green house gas emissions, traffic, and parking impacts warrant further analysis.

#### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to 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.

### Traffic and Transportation

A traffic impact analysis, dated April 2008, has been prepared for this project by The Transpo Group, Inc. According to that analysis the proposed projects would increase site traffic by about 94 vehicle trips during the PM peak hour (53 inbound and 41 outbound). The projects would be expected to contribute the greatest share of traffic at the SW Alaska Street/42<sup>nd</sup> Avenue SW intersection. Project traffic would make up approximately 6 percent of weekday PM peak hour traffic at this intersection. The percent of traffic volume impacts at the other study intersections would be 3 percent or less. All study intersections would continue to operate at the same Level of Service (LOS) with the addition of project traffic as for future without-project conditions. Intersection delay at SW Alaska Street/ 42<sup>nd</sup> Avenue SW is expected to increase by 12.8 seconds. All other intersections would increase by 5 seconds of delay or less. All study intersections, are expected to remain operating at LOS D or better even with increases in traffic attributable to the proposed project. No conditioning by SEPA authority is warranted.

### Transportation Concurrency

The City of Seattle has implemented a Transportation Concurrency system in order to comply with one of the requirements of the Washington State Growth Management Act (GMA). The system is designed to provide a mechanism that determines whether adequate transportation facilities would be available “concurrent” with proposed development. With each of the three evaluated screenlines, with-project v/c ratios would remain below City LOS standards and the proposed project would meet the City’s transportation concurrency requirements. No conditioning by SEPA authority is warranted.

### Parking

The proposed project would increase the on-site parking supply from 35 to 271 parking spaces. These new spaces would be distributed as follows: there would be 207 residential parking spaces and 64 spaces designated for commercial uses. According to the Transpo Group *Transportation Impact Analysis*, the peak parking demand on weekdays would be 226 vehicles and would occur at 12:00 PM. On May 2, 2011, the City Council granted approval of the applicant’s petition for a partial underground alley vacation which will enable construction of a contiguous underground parking structure extending under the alley and under each of the proposed structures. The proposed 271 parking spaces would be accessed

### Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are anticipated to be non-significant. The conditions imposed below are intended to mitigate construction 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 the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public 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 2C.
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

## **CONDITIONS--SEPA**

### *Prior to Commencement of Construction*

1. Arrange a pre-construction meeting with the building contractor that includes the building inspector and Land Use Planner.

### *During Construction*

2. 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. 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.
3. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M.:
4. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:
  - a) Non-holiday weekdays between 7:00 A.M and 6:00 P.M.

- b) Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
  - c) Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
  - d) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
5. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.
6. Any temporary closure of the alley shall not exceed 24 hours in length and must have both DPD and SDOT approval in each instance. Adequate advanced notice of such a temporary closure of the alley, if deemed necessary and approved, shall be given to business and residential users of the alley.
7. Construction activities outside the above-stated restrictions may be authorized upon approval of a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. The Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short -term transportation impacts that result from the project.

## **CONDITIONS-DESIGN REVIEW**

### *Prior to Certificate of Occupancy*

8. A departure has been granted from SMC 23.54.030 G, which requires a ten-foot sight triangle at the junction of driveway and sidewalk where vehicles exit from the parking garage. The applicant has proposed to provide an approved safety warning system, including mirrors, signage, lighting, changes in pavement, and other elements. In recommending approval of this departure and mitigation by an alternative approved safety warning system, a recommended condition was that the system should not employ loud signal broadcast enunciators. In order to satisfy that this condition is met, final approval of the system to be installed must have the approval of the Land Use Planner.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Michael Dorcy, (206-615-1393) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved.

Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Michael Dorcy, 615-1393). An appointment with the assigned Land Use Planner must be made at least three (3) 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.

Signature: (Signature on File)  
Michael Dorcy, Senior Land Use Planner  
Department of Planning and Development

Date: June 23, 2011