



City of Seattle

Gregory J. Nickels, Mayor

**Department of Planning & Development**

D.M. Sugimura, Director

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

**Application Number:** 3007798  
**Applicant Name:** Mark Travers for Paul Labellarte  
**Address of Proposal:** 4912 South Willow Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow nine, 3-story residential structures (26 residential units total). Parking for 26 vehicles to be provided within the units. Project includes 3,000 cu. yds. of grading. Existing structures to be demolished. Review includes future full unit lot subdivision.

The following approvals are required:

**Design Review - Seattle Municipal Code (SMC) Section 23.41 with Development Standard Departures:**

1. Rear setback – To allow less than required rear setback (SMC 23.45.0014B)
2. Driveway width – To allow less than required driveway width (SMC 23.53.025)
3. Open Space– To allow less than required open space (SMC 23.45.016A)
4. Building depth – To allow greater than allowed building depth (23.45.011)

**SEPA Environmental Review - Seattle Municipal Code (SMC) Section 25.05**

**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS

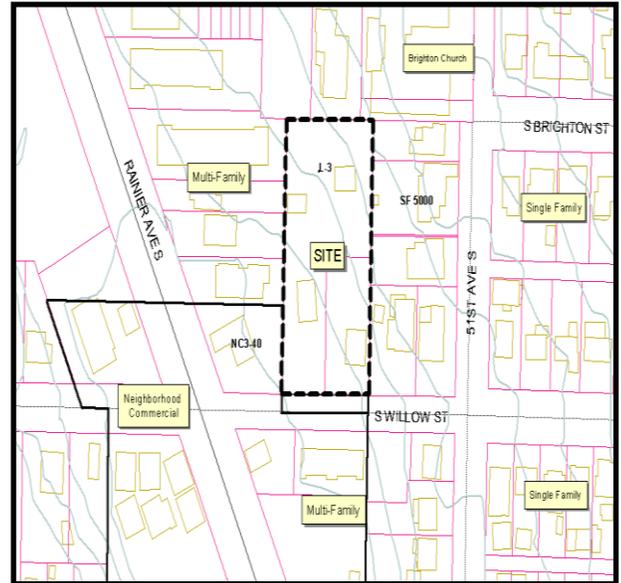
DNS with conditions

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

## SITE & VICINITY

The 40,095 square-foot site is located east of the Rainier Avenue commercial corridor and immediately west of a single family residential zone. The site currently contains two vacant single family structures and two associated outbuildings, with street frontage to the south along South Willow Street. An automotive repair shop exists immediately west of the site, along Rainier Avenue South, while multi-family developments are present to the north.

The site exhibits a significant grade change from west to east, sloping up towards the adjacent single family residences to the east. There are no environmentally critical areas (ECAs) located on the site. An identified ECA steep slope exists east of site; however, the subject property is located further west than any potential buffer for this area.



The site is zoned Lowrise 3 (L-3) with a density limitation of one dwelling unit permitted per 800 square feet of lot area. This zoning continues to the north and northwest. Neighborhood Commercial zoning (NC3-40) is located to the west and south, while Single Family zoning with a 5,000 square-foot minimum lot size (SF5000) exists east of the site. Surrounding land uses include a mix of multi-family and single-family residential structures, with commercial uses located along both sides of the Rainier Avenue.

The multi-family residential buildings in the vicinity of the site vary in the terms of construction age. Most of the single family homes to the east appear to be of mid-century to 1970's construction. The existing commercial structures along Rainier Avenue in this vicinity are of indeterminate age; however, the majority of the structures appear to have been constructed prior to 1980.

Sidewalks are located on the north side of South Willow Street, between Rainier Avenue South and 51<sup>st</sup> Avenue South although the existing right-of-way (ROW) for this portion of South Willow Street is substandard. East of 51<sup>st</sup> Avenue South, South Willow Street is fully improved with curbs, gutters, sidewalks, and landscape strips along both sides of the pavement. Limited on-street parking is available along South Willow Street. There is limited vegetation on this site, with the exception of overgrown grass and a few mature trees near the north and east property lines.

Bus stops are located on Rainier Avenue South, with a northbound stop immediately north of South Willow Street and a southbound stop immediately south of South Willow Street.

## **PROJECT DESCRIPTION**

The proposed development includes the demolition of existing on-site structures and the construction of 26 townhomes, with parking for one car per unit contained at-grade within each unit. The proposed development would gain vehicular access from South Willow Street, utilizing one curb cut and a proposed motor court to serve the off-street parking for each unit. Pedestrian pathways within the development will connect residents to the entrances of each unit and to the public ROW along South Willow Street.

A Master Use Permit (MUP) to allow the construction of a new 17,130 square-foot mosque was previously approved for this subject property; however, the application has since been canceled. The site was cleared in anticipation of that construction.

## **PUBLIC COMMENT**

Six members of the public attended the Early Design Guidance meeting. The following comments were offered:

- Children in the vicinity of the development do not have consolidated play areas. Are you proposing the common open spaces to accommodate children as play areas?
  - The primary play areas for children will be within the provided private open spaces.
- Will these proposed units be sold as market-rate housing?
  - Yes.
- The applicant should consider providing more guest parking, as this portion of South Willow Street is already severely limited in the amount of available off-street parking.
- Clarify parking and garage access for the proposed units.
  - Garage parking will be provided at grade, for one car, within each unit. Vehicular access to each garage will be achieved directly from the internal access driveway and motorcourt.
- Make sure that the design avoids resembling barracks-housing. This location deserves a quality development.
- Have you considered pushing the development closer towards the adjacent commercial properties to the west, yielding more open space along the shared boundary with the single-family zone to the east?
  - Emergency access provides substantial limitations on the design of the access driveway, thus limiting the configuration of the units.
- Clarify the setbacks required for this development, given the L-3 zoning designation.
  - The applicant identified the zoning regulations and limitations provided some of the information listed in the table on page three of this report.
- Where would the responsibility lie for maintaining common open space areas and the access driveway?
  - The residents of the development would share responsibility of the common areas within the development. This agreement would be documented and recorded as part of a joint use and maintenance agreement.
- A density of 30-33 units is very difficult to achieve while still providing adequate open space. The design should consider removing several units to create a better design.
- Be sensitive and considerate to the single-family residents to the east of the site.

- Consider building into the existing grade to the east, in order to minimize the impacts of this development on the single-family residents to the east. Utilize the existing change in grade on site to yield an advantageous design.
- Complete a shading study in order to analyze the impacts that this development may have on the single family homes east of the site.

There were no members of the public in attendance at the Recommendation Meeting held on December 16, 2008.

There were no written comments in response to the Notice of Application published on September 11, 2008, with comment period ending September 24, 2008.

## **ANALYSIS - DESIGN REVIEW**

### Design Presentation

Three design schemes were presented at the Early Design Guidance meeting. All options included three-story residential structures with ground related private open space and at-grade parking within each unit.

The first option included nine residential buildings collectively containing 31 residential units. Vehicular access is proposed to each unit via a motor court which features a linear primary access driveway extending south to north, terminating in a “hammerhead”, or “T”, turnaround at the northern-most units. The units immediately north of South Willow Street and east of the access driveway are street-facing, with proposed private open space abutting the South Willow Street ROW. This design option features a concentration of private open space oriented along the west property line, intending to serve as a buffer the subject development from the automotive repair shop to the west. This design option also features nine on-site guest parking stalls and four common open space areas, at a minimum width of ten feet.

The second option includes eight residential buildings, collectively containing 32 residential units. The motor court proposed with this design option features a slight meander to the primary access driveway, which ultimately terminates in a “hammerhead” turnaround at the northern-most property line. Private open space is again provided solely at the ground level and on-site parking for one car is provided at-grade within each unit. Off-street guest parking was not an element of this design option. All 32 residential units are oriented so that the garage doors and entryways face the primary access driveway of the proposed motor court.

The third option (“preferred” alternative) proposes the construction of ten buildings, collectively containing 33 residential units. This alternative utilizes street-facing residential units along South Willow Street, with private open space for each abutting the ROW. This option also creates two “hammerhead” turnarounds within the motor court and minimizes the number of units taking both vehicular and pedestrian access immediately from the primary access driveway. The applicant noted that this option provides private open space abutting a majority of the north, east, and west property lines, intending to minimize impacts to the adjacent properties.

The applicant also noted that the three options feature a linear vehicular primary access driveway, designed as such in order to accommodate emergency vehicles. Further discussions between the applicant and the Seattle Fire Department (SFD) will occur to identify potential design alternatives which could realign the primary access driveway while still satisfying the requirements of the emergency responders.

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the siting and design guidance and identified by letter and number those siting and design guidelines found in City of Seattle's "*Design Review: Guidelines for Multifamily and Commercial Buildings*" of highest priority to this project. Identification and discussion of the Guidelines have been incorporated into the priorities addressed below.

At the Recommendation Meeting, held on December 16, 2008, the architect presented a more refined design that is a variation on Option 3 with five, three-unit buildings on the west side of the site all facing south, three, three-unit buildings on the east side of the site facing west, and one duplex located at the northeast corner of the site. There are 26 units proposed each with a garage for one car. A retaining wall of cultured stone is proposed on the east and north sides of the site responding to changes in elevation. Two small areas of common open space are proposed toward the rear of the site and four guest parking spaces are proposed as well. Units within each building are modulated to add interest and roofs of several of the buildings are hipped to allow greater light into the site.

## **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 proposed massings, displayed in the three options presented during the initial EDG meeting, do not offer a satisfactory response to the significant grade change along the eastern portion of the site.

Public comments noted that the applicant should utilize the steep grade change to help minimize the impacts that the development may have on the single-family residences to the east. The Board requested that the applicant prepare north/south and east/west (from the middle of the site) section elevations to show how the proposal will work with adjacent surrounding properties and with the existing site conditions. These sections shall also extend through to the adjacent properties, to illustrate potential impacts posed by this development.

The applicant should maximize light and interest with this design, and minimize the canyon-effect along the primary access driveway. The Board recommended utilizing small blocks to maximize the amount of light able to pass into the long, narrow alley-like drive aisle.

The design should also avoid the homogenization of the units, in part by utilizing unique entrances and architectural treatments, which minimize uniformity, yet carry forward a distinct design theme.

*At the Recommendation Meeting, the Board agreed that the sections provided by the architect demonstrated that the buildings would have minimal effect on the residences to the east because of the lower elevation of the site. They also agreed that the proposed arrangement of the buildings achieved a better site design. Turning the buildings on the west of the site to face south allows more light into the site and a better arrangement of individual open space areas. Staggering the units within each building also allows for more privacy for individual unit entrances. The retaining wall to the east and south appears well designed with open fencing atop the wall adding to the screening.*

**A-2 Streetscape Compatibility.**

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

The Board requested that the applicant's design engage South Willow Street as much as possible, through the creative use of open space and strong street-facing façades to provide a desirable "eyes-on-the-street". The applicant shall clearly articulate the street-facing facades and sufficiently describe the design intent during the next meeting.

The applicant should strengthen the design presentation to include additional detail showing pedestrian access from South Willow Street to the street facing units. A landscape plan is also required, to help clarify the street-level perspective that will be created by this development. More details regarding this landscape plan are provided in A-7.

*The Board felt that the building facing Willow Street seemed more like the back of buildings rather than the front. They agreed that the units facing South Willow should be more engaging with the street and directed the applicant to work with DPD on a more refined design for each of these street facing buildings.*

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

*Entries should be clearly identifiable and visible from the street.*

Entrances along South Willow Street should actively engage the street through utilizing creative landscaping, stoops, pedestrian walkways, open space, and other design features. Entrances along the primary access driveway should be limited and unique in order to minimize the homogeneity of the development. The applicant should consider implementing treatments, materials, and colors which both advance a design theme while also limiting the uniformity of the facades.

The applicant shall provide design details and supporting graphics which articulate the design themes and concepts which will be advanced by this proposal. The Board requires that the applicant define the location and treatments of the primary pedestrian entrances to each unit and elaborate on the proposed design themes for this proposal.

*See comments at A-2.*

**A-5 Respect for Adjacent Sites.**

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

The proposed design should respond to the concerns of adjacent residents, particularly the single family residents to the east of the site.

The proposed development should create an acceptable level of screening between the project site and the existing residences to the east. The applicant must provide sufficient detail on how the proposed development will work with the existing grade change at this site. The Board requests that the applicant prepare section elevations, as detailed in the guidance for A-2, to identify how the proposal will work with the existing site conditions and adjacent properties. The applicant shall also prepare a shadow study to clarify potential impacts posed by this development.

The Board's requests detailed descriptions of the proposed design theme, architectural direction, and façade treatments. The applicant should develop and graphically document the design relationship with adjacent properties.

*At the Recommendation Meeting the Board agreed that the proposed orientation of the buildings and the proposed screening respond well to the single family residences to the east. See comments at Landscaping.*

**A-6 Transition Between Residence and Street.**

*For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.*

The design alternatives should each highlight the connectivity and circulation patterns of residents along pedestrian pathways and through the motor court. The applicant should clearly articulate a transition between the pavement, pervious pavement, grasscrete, and pedestrian pathways as proposed by the three design options. The Board also requests a landscape plan which, in part, shall detail the entrances to each unit and the transition to the components of the motor court.

*At the Recommendation Meeting, the Board directed the applicant to work with DPD to provide a more clearly delineated "implied" pedestrian path through the site by varying the paving pattern or other means. The Board also expressed concern that the entrances to the units on the east side of the site were dangerously close to the driving aisle though barriers are proposed. The Board is willing to grant a departure from the*

*required 32-foot easement width but would like to see a clear pedestrian pathway and landscaping incorporated into the drive aisle. The ultimate width of the drive aisle will depend on incorporating these features. The Board directed the applicant to work with DPD to achieve a solution.*

**A-7 Residential Open Space.**

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

The Board requests that the applicant examine the potential for active use open spaces by increasing, or combining, the areas of common open space. The applicant needs to provide additional information detailing how on-site open space will be utilized and how pedestrian access to each proposed unit entrance will not encroach into any private restricted open space. The Board has serious concerns regarding the proposed measures for handling trash and recycling collection. The applicant should work with the appropriate waste management providers to develop a plan for handling such waste generated on-site. Should the waste management provider require the consolidation of waste into one area for pick-up, the applicant shall identify this location, and develop a design concept for integrating this function into the street-front design.

As previously noted, the applicant will need to consult with a landscape architect to develop a concept-level landscape plan which advances the design theme for this development. While specific plant sizes and exact statistics are not required at this time, the landscape plan should include a cohesive vision for including functional open space area on the site and feasible landscaping alternatives.

*The applicant is requesting a departure from the minimum amount of open space (200 sq. ft. minimum) for units on the east side of the site adjacent to the retaining wall. The Board is unwilling to consider this departure because the combination of the retaining wall and the design of the balconies renders the open space nearly unusable. The Board indicated that it would be willing to approve a departure for a reduction in the setback on the west in return for increasing the open space dimension on the east but in no case less than 200 square feet per unit or less than 9 feet in horizontal dimension. The Board also commented that the enclosed areas below the decks on these units actually exacerbated the issue and recommended removing these enclosures.*

**B. Height, Bulk and Scale**

**B-1 Height, Bulk, and Scale Compatibility.**

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

As previously noted in the responses to the Site Planning design guidelines in Section A, the applicant shall provide advanced details to highlight how this development will work with the sloping grade and how the proposal will successfully relate to the single-family residences to the east. The existing grade change could be utilized to ease transition between the site and the single-family properties to the east; however, insufficient detail was provided during this meeting.

The Board requests that detailed north/south and east/west section elevations be provided at the next meeting, to clarify height, bulk, and scale compatibility with adjacent properties. In addition, more clarification on potential design implementations, themes, and materials is required to fully assess the developments compatibility with adjacent properties.

*See comments at A-1 above.*

## **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 neighboring buildings.*

The Board reiterates that the applicant should provide a substantial amount of additional detail regarding the design direction and character of the proposed units. The applicant shall also provide comparisons showing elements of completed projects that will be utilized in this design. The proposed design alternatives shall include, but are not limited to, details pertaining to the modulation, architectural treatment, reveals, materials, and colors proposed with each option.

The Board also feels that the components of the proposed development may be visually separate but should have a common theme of design for consistency. The design of the units shall strive to minimize homogeneity of the units and focus on maximizing the sense of place.

*At the Recommendation Meeting the applicant presented a proposed design that included modulation of units within each building, variation in colors and materials, and varied roof forms. They also wished to see landscape elements that are incorporated into the common open space such as brick walls and trellises be repeated elsewhere on the site to provide for continuity and to knit the whole site together. A majority of the Board members liked the hipped roofs commenting that it reduces the scale of the buildings and lets more light into the site. They recommended that the hipped roofs be more consistent and “hips” added to buildings D, F, and H.*

*The Board also wished to have the architect work with DPD to establish a more refined design for the street facing facades of buildings A and I that result in more graceful entries.*

**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 facade walls.*

Guidance reflects the comments in response to items C-1. The applicant should provide additional details regarding this item at the next stage of review.

*See comments above at C-1.*

**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.*

Guidance reflects the comments in response to items C-1. The applicant shall provide additional details regarding this item at the next stage of review.

*The Board feels that the color and material choices are somewhat haphazard without a strong concept for the choices. The Board recommended that the architect establish a more consistent rhythm with regard to the variation in color and materials that reinforces the massing and modulation choices.*

**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.*

Guidance reflects the comments in response to items A-1 and A-7. The applicant should provide additional details regarding this item at the next stage of review.

*See recommendation A-6 above regarding pedestrian circulation through the site. The Board wished to see an "implied" sidewalk as a reminder to vehicles that the driveway is to be shared with pedestrians. The hammerhead at the head of the driveway should be broader and more spacious. The Board is willing to grant a departure from the required 32-foot easement width as long as pedestrian circulation, landscaping and vehicle maneuvering can be accommodated in the final width. The Board directed the applicant to work with DPD to determine the final width of the easement.*

**D-3 Retaining Walls.**

*Retaining walls near a public sidewalk that extend higher than eye level should be avoided where possible. Where higher retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscapes.*

The Board notes that a retaining wall will most likely be necessary near the eastern property line to support soils and grade transition. The Board adds that the relationship between the retaining wall and the buildings should be well-considered, especially with the transition towards single-family properties to the east. The applicant should provide sufficient detail to clarify the scope and appearance of the retaining wall.

*At the Recommendation Meeting the Board commented that the retaining wall on the east side of the site was well designed with open fencing along the tops of portions of the wall. The Board was willing to allow a portion of the retaining wall to be within the required open space as long as it is made of cast concrete and not cultured stone.*

**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.*

The Board notes that a common trash and recycling collection location may be required pursuant to the regulations of the Seattle Land Use Code and the appropriate waste management service providers. The Board requests that the applicant obtain letters detailing the preferred alternative from City of Seattle and the appropriate waste management providers.

The applicant shall revise the design options accordingly to include provisions for managing trash and recycling collection at the next stage of review. The updated plans should include the proposed location of trash and recycling areas, access to and from the site for collection trucks, and proposed screening as directed by DPD and the appropriate waste management providers.

The applicant shall also initiate all necessary coordination with the appropriate utility/service providers and detail all required provisions at the next meeting. Of particular note, the Board identifies that a mailbox kiosk and gas-meter cluster may be required to adequately serve the proposed units. Consultation with the postal service and the appropriate utility providers shall occur prior to the next meeting and the applicant shall include any requirements and potential design solutions in the next iteration of the design.

*At the Recommendation Meeting, the applicant explained that Seattle Public Utilities requires townhouse units to have individual trash and recycling containers. Therefore, an area is needed to “gang” 52 trash and recycling containers on pick up day. As proposed there is space for only 12 containers to be grouped for pick up day. The Board directed the applicant to eliminate the proposed guest parking spaces between buildings A and B and between B and C to allow for more room to group these containers. However, these spaces are required parking for the development and will have to be provided elsewhere on the site.*

**D-7 Personal Safety and Security.**

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

Personal security, loitering, and car prowling are common concerns in the vicinity of the project site. The proposed design should respond to security through methods such as securing safe and accessible vehicle and pedestrian access from South Willow Street, providing for “eyes on the street” via street facing facades, implementing sufficient lighting, and utilizing effective landscaping with clear sight lines in pedestrian areas.

*At the Recommendation Meeting the applicant provided a lighting plan for the interior of the site. The Board recommended that the proposed shoe-box light fixtures be replaced with the Lumec Domus pole lights which are proposed for several areas on the site. The Board feels that the Lumec lights are more attractive and will provide more continuity in site design.*

**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.*

Guidance reflects the comments in response to items A-7. The applicant should provide additional details regarding this item at the next stage of review.

*At the Recommendation Meeting the applicant presented a detailed landscape design addressing the retaining wall and screening on the east side of the site; the common open space areas; individual open space areas; and landscaping on South Willow. The Board was pleased with elevation showing the retaining wall on the east property line with open fencing on portions of the wall. The Board wished to make sure that the retaining wall be made of cast concrete. They also recommended that other landscape features such as low brick walls, trellis and fencing be repeated throughout the site for continuity.*

**DEPARTURES FROM DEVELOPMENT STANDARDS**

**Departure Summary Table**

<b>REQUIREMENT</b>	<b>REQUEST</b>	<b>APPLICANT'S JUSTIFICATION</b>	<b>BOARD RECOMMENDATION</b>
<p><b>Rear Setback</b> <b>SMC23.45.014B</b> Rear setback is 25 ft or 15% of lot depth whichever is less.</p>	<p>Request 5 ft. reduction in setback to 20 ft. and a reduction of 10 ft. at middle unit of Bldg. E.</p>	<p>In order to provide a larger intersection area of the vehicle easement and the provision of common open space area.</p>	<p>The Board did not feel this was tied to the provision of the common open space. They did agree, 3 to 2, to grant this departure. A-1; D-2</p>
<p><b>Access Easement Width</b> <b>SMC23.53.025D</b> Vehicle access serving 10 or more residential units must be 32 feet in width with a 24 foot surfaced roadway.</p>	<p>Request to reduce access easement to 22 feet in width.</p>	<p>To provide more open space and areas for ganging trash and recycling containers.</p>	<p>The Board unanimously recommended approval of this departure provided that the applicant to work with staff to determine the minimum required easement width which would accommodate pedestrian path, landscaping and vehicular maneuvering space.</p>
<p><b>Open Space</b> <b>SMC23.45.016A3</b> An average of 300 square feet of private open space and no unit shall have less than 200 square feet.</p>	<p>Request open space be reduced to 169 sq ft in units B1 and B2; and reduced to 173 sq ft. for units C2 and C3.</p>	<p>Reduction is to allow building modulation and more common open space.</p>	<p>The Board unanimously declined to grant this departure request and stated that the 200 sq. ft. minimum should stand with no less than 9 feet in horizontal dimension. The Board is willing to grant a one-foot departure from the west setback requirement in order to facilitate this requirement.</p>
<p><b>Building depth</b> <b>SMC23.45.011A.</b> Maximum building depth for townhouses is 65% of lot depth.</p>	<p>Request that cumulative building depth be increased to 68.53% of lot depth.</p>	<p>Allows for more usable private open space.</p>	<p>The Board voted 4 to 1 to grant this departure request. A-3; A-6; C-2</p>

### **Summary of Board's Recommendations**

The recommendations summarized below are based on the plans submitted at the Final Design Review meeting. Design, siting or architectural details specifically identified or altered in these recommendations are expected to remain as presented in the presentation made at the December 16, 2008 public meeting and the subsequent updated plans submitted to DPD. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members recommended **CONDITIONAL APPROVAL** of the proposed design including the requested departures subject to the following design elements in the final design. The Board recommended that the applicant work with staff to resolve the following issues:

1. Provide a more refined, street-friendly design for the street facing facades on South Willow.
2. Provide a clearly delineated pedestrian path, landscaping and vehicle maneuvering pace in the vehicle access easement as a condition for a departure from the required 32-foot vehicle access easement.
3. Remove the enclosures below the decks on the units on the east side of the site.
4. Repeat landscape elements which are incorporated into the common open space areas such as low brick walls and trellises throughout the site.
5. Add hip roofs to buildings D, F, and H.
6. Establish a more consistent rhythm with regard to the color and material choices which reinforce the massing and modulation.
7. Construction of the retaining wall should be cast concrete rather than cultured stone.
8. Establish areas where all trash and recycling containers can be "ganged" on pick up day.
9. Provide written approval from SPU Solid Waste for pick-up plan and truck turn-around area.
10. Replace the proposed shoe-box lights with the Lumec Domus pole lights.

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director's decision reads in part as follows:

*The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:*

- a. Reflects inconsistent application of the design review guidelines; or*
- b. Exceeds the authority of the Design Review Board; or*
- c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or*
- d. Conflicts with the requirements of state or federal law.*

Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

## **ANALYSIS & DECISION – DESIGN REVIEW**

### Director's Analysis

Five members of the Southeast Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with and accepts the conditions recommended by the Board that further augment the selected Guidelines.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include all of the recommendations of the Design Review Board. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the five members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board. The Director is satisfied that all of the conditions imposed by the Design Review Board have been met.

### Director's Decision

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the five members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departures with the conditions summarized at the end of this Decision.

## **ANALYSIS - SEPA**

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05). The proposed project contains 26 residential units, greater than the SEPA exemption threshold of eight (8) when located outside of an Urban Center in an L-3 zone.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated July 2, 2008 and annotated by the Land Use Planner. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist and reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and 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 and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*” subject to some limitations. Short-term adverse impacts are anticipated from the proposal. No adverse long-term impacts on the environmentally critical area are anticipated.

### Short-term Impacts

The following temporary or construction-related impacts on the identified critical area are expected: 1) temporary soil erosion; and 2) increased vibration from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The ECA ordinance and DR 33-2006 and 3-2007 regulate development and construction techniques in designated ECA areas with identified geologic hazards. The Building code provides for construction measures and life safety issues. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment and no further conditioning pursuant to SEPA policies is warranted.

Due to the fact that grading will be undertaken during construction, additional analysis of earth and grading impacts is warranted.

### Drainage

Soil disturbing activities during site excavation for foundation purposes could result in erosion and transport of sediment. The Stormwater, Grading and Drainage Control Code provides for extensive review and conditioning of the project prior to issuance of building permits. Therefore, no further conditioning is warranted pursuant to SEPA policies.

### Greenhouse Gas Emissions

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.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces, and loss of plant and animal habitat.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the ECA Ordinance, the Stormwater, Grading and Drainage Control Code which requires provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding. 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.

Operational activities, primarily vehicular trips associated with the project and the projects' 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.

**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**

None.

**CONDITIONS – DESIGN REVIEW**

*For the Life of the Project*

1. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Marti Stave, 684-0239), or by the Design Review Manager (Vince Lyons, 233-3823). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

