



City of Seattle

Department of Planning & Development
Diane M. Sugimura, Director

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

Application Number: 3008044
Address of Proposal: 5020 California Avenue SW
Applicant: Cliff A. Frydenberg for Shoreline Bank

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a six story, 91 unit apartment building with 4,000 sq. ft. of retail at grade. Parking for 95 vehicles to be located within the structure. Review includes demolition of nine residential units within three structures.

The following Master Use Permit components are required:

Design Review - pursuant to Seattle Municipal Code (SMC) 23.41

SEPA - Environmental Determination pursuant to SMC 25.05

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

SITE & VICINITY

The 22,125 square-foot site consists of three parcels and is located along the California Avenue SW neighborhood commercial corridor, immediately west of a single-family residential zone. The site currently contains three structures functioning most recently for multi-family, single family, and small-scale commercial uses. The site shares street frontage to the west with California Avenue SW and utilizes an existing and fully-improved alley to the east for vehicular access.



The site exhibits a grade change from east to west of approximately 24 feet, trending lower towards California Avenue SW from the adjacent single-family zone residences to the east. There are no environmentally critical areas (ECAs) located on the site. An identified ECA steep slope exists north of the site; however the subject properties are located further south than any potential buffer for this area.

The site is zoned Neighborhood Commercial 2 with a 65-foot height limit (NC2-65) and a floor area ratio (FAR) of 4.75 for structures that contain both residential and nonresidential uses. Similar zoning exists along the east and west sides of California Avenue SW between SW Edmunds Street to the north and SW Dawson Street to the south. An existing alley located approximately 150 feet east of California Avenue SW delineates a zoning transition from NC2-65 to Single Family 5,000 (SF5000). Areas along the east and west sides of California Avenue SW south of SW Dawson Street are zoned primarily NC2-30. Surrounding land uses include a mix of multi-family and single-family residential structures, with commercial uses located along both sides of California Avenue SW.

The multi-family residential buildings in the vicinity of the site vary in terms of construction age, although most properties in the immediately vicinity were constructed between the 1960's and 1990's. Most of the single family homes to the east appear to be of early to mid-20th century construction.

California Avenue SW is fully improved with curbs, gutters, sidewalks, and landscape strips along both sides of the pavement. Limited on-street parking is available along both sides of this street, between SW Hudson Street and SW Dawson Street. Vegetation on the site consists primarily of grass and shrubs, with a few mature trees located on the northern-most parcel.

Bus stops are located on California Avenue SW, with a northbound stop immediately south of the site at Dawson Street SW and a southbound stop west of the site at SW Hudson Street.

PROPOSAL

The proposed development includes the demolition of existing on-site structures and the construction of a mixed-use building featuring street-level commercial space along California Avenue SW with approximately 91 apartment units above. The proposal would utilize an existing alley immediately east of the site for vehicular access to an at-grade parking structure within the building.

PUBLIC COMMENTS

Approximately 40 members of the public attended the Early Design Guidance meeting, 20 members of the public attended the 2nd Early Design Guidance meeting and 4 members of the public attended the Recommendation meeting. The following comments were offered at those meetings:

- Residents of the building to the north commented that California Avenue SW and the small structures currently on the site allow substantial light to penetrate his building. He added that the proposed development should recognize this impact in the design.
- California Avenue SW is beginning to exhibit a canyon effect and the design should provide relief along this corridor.
- The design should utilize high quality materials, such as stone and brick.
- The proposed courtyard should be east-facing and the building should step down as it approaches the alley.
- Please show sensitivity to the immediate vicinity, particularly properties to the north and east.
- The design should entertain using California Avenue SW for vehicular access rather than the alley.

- Indicate whether balconies will be located along the north façade of the proposed building.
- The architect should consider splitting the mass into two buildings rising above a two-story platform.
- Open space should be east facing to minimize impact to adjacent single-family residents.
- Adequate guest parking should be provided on-site, given the number of proposed units and the lack of on-street parking available in the vicinity.
- The proposal seems too large for the established scale and context of the neighborhood.
- The design should provide an adequate loading/unloading zone for delivery trucks.
- Architect should investigate possibility of creating a single-purpose residential structure, and remove retail use from the proposal.
- Design should show greater sensitivity to the single-family zone to the east.
- Provide additional rendering at the next meeting to show an increased setback from the alley and rendering from the perspective of the single-family zone.
- The east facing façade should utilize vegetation and landscaping to enhance the proposal's green factor.
- The street trees along California Avenue SW should be removed as part of this project, since the City does not provide their adequate maintenance.
- The lack of off-site parking provides that those visiting this development will be challenged to find parking.
- California Avenue SW should be used to provide vehicular access to the site.
- Clarify the building setback along the alley; it appears the proposal is insufficient.
- The residential courtyard should not face California Avenue SW.
- Please indicate whether overhead weather protection will be provided along California Avenue SW frontage.
- Architect should consider removing the proposed courtyard and locate the required greenspace on the roof in order to reduce the size of the building.
- Proposal should embrace the principal objective provided in the West Seattle Junction Neighborhood Design Guidelines, which states the a proposal should feature better design and site planning to enhance the character of the City and ensure that the new development sensitively fits into the neighborhood.
- Outside of the West Seattle commercial core, many commercial spaces site vacant. To avoid this, the developer should consider removing commercial space from the proposal and reducing the height of the building.
- New development on this site must respect the character of the neighborhood and the single-family zone transition to the east.
- Architectural character of the development should reflect residential influences, such as implementing pitched roofs and incorporating craftsman home construction techniques.
- The design should not turn the back of the building towards the alley, since this perspective is highly visible for the residents of the single-family properties to the east.

Notice of Application and Comment Period

Public notice of the Land Use Application was given on April 10, 2008. The public comment period ended on April 23, 2008. The Land Use Application file is available at the Public Resource Center located at 700 Fifth Ave, Suite 2000 (<http://www.seattle.gov/dpd/PRC/LocationHours/default.asp>).

ANALYSIS - DESIGN REVIEW

Design Guidance

At the Early Design Guidance meeting held on January 10, 2008 and after visiting the site, considering the analysis of the site and context provided by the proponents, the Design Review Board members provided the following siting and design guidance and identified by letter and number those siting and design guidelines found in the City of Seattle's "*Design Review: Guidelines for Multifamily and Commercial Buildings*" and "*West Seattle Junction Urban Village*" Design Guidelines of highest priority to this project:

Three design alternatives were presented at the Early Design Guidance (EDG) meeting. All options included a mixed-use structure with street-level commercial space, apartment units on the upper floors, and at-grade parking contained within a parking garage accessible from the existing alley to the east.

The **first alternative** provided a mixed-use structure with commercial space facing California Avenue SW to the west and at-grade parking accessible from the alley to the east of the site. The parking structure is capped and creates a level platform with the street-facing commercial uses along California Avenue SW. Approximately 90-100 apartment units are proposed above the commercial and parking level platform, yielding a "U" shaped building with the open end facing California Avenue SW. This street-facing open space is designed to provide a residential courtyard which takes advantage of sun exposure and westward views of the sound. The units range from studios to two-bedroom units, with an overall average unit size of 670 square feet. Three pedestrian entrances along California Avenue SW provide access to the street-level commercial space. Contemplated materials were not provided during the presentation of this design option. The applicant provided a preliminary landscape plan and green factor assessment, featuring new small caliper-diameter trees along the north and south property lines and medium caliper-diameter trees along California Avenue SW to complement the existing street trees. Shrubs of varying height will also trim the north and south perimeters of the site, while four 50 square-foot clusters of shrubs will be planted intermittently along the alley-facing property line. This alternative features open space/landscaped buffers along the north, south, and east property lines.

The **second alternative** provides a mixed-use building with street-level commercial space along California Avenue SW and at-grade parking accessible from the alley to the east of the site. The parking structure is also capped and creates a level platform with the street-facing commercial uses along California Avenue SW. Approximately 90-100 apartment units are proposed above the commercial and parking level platform, providing an open courtyard on the platform at the southwest corner. The units range from studios to two-bedroom units, with an overall average unit size of 660 square feet. Contemplated materials were not provided during the presentation of this design option. The preliminary landscape plan and green factor analysis, as detailed in the description for the first alternative, also applies to this alternative. This alternative also features open space/landscaped buffers along the north, south, and east property lines.

The **third alternative ("preferred alternative")** proposes similar street-level commercial use and at-grade parking as detailed in the descriptions of the first two alternatives. The parking structure is again capped and creates a level platform with the street-facing commercial uses along California Avenue SW. Approximately 90-100 apartment units are proposed above the commercial and parking level platform, yielding a "U" shaped building with the open end facing south. This south-facing open space

takes advantage of sun exposure and features a landscaped courtyard accessible to residents of the proposed building. This alternative also features open space/landscaped buffers along the north, south, and east property lines and additional building modulation along the north façade to increase the setback from the corresponding property line. Contemplated materials were not provided during the presentation of this design option. The preliminary landscape plan and green factor analysis, as detailed in the description for the previous alternatives, also applies to this alternative.

The applicant stated that the three alternatives were developed to advance the design guidelines identified by the applicant as highest priority. Multiple, recessed entries along California Avenue SW are proposed with each of the three alternatives and are intended to enhance the streetscape compatibility (A-1) between the proposal and established context surrounding the site. The applicant noted that setbacks proposed from the western property line, display windows, and plantings along the sidewalk are intended to enhance the transition from the street to the building. The alternatives feature a two-story base, five-story middle, and one-story top floor design which the applicant stated complies with the City's intent for height, bulk, and scale compatibility (B-1). Articulation, treatments, and signage are intended to be compatible with traditional development in the West Seattle Junction area and strive to advance the human scale (C-3) of the proposal. Impacts resulting from on-site parking (D-5) will not be visible from the street, as vehicular access to the site will be achieved by accessing an alley presently to the east of the site. The applicant added that the three alternatives, as provided, will not require any identified design departures.

Board Questions and Comments (at Early design Guidance)

The Board had the following questions and clarifying comments, *with responses noted from the applicant*:

- All three design alternatives appear to feature maximum height along the east/alley side of the site. Is there a design reason for this?
 - *The grade of the site trends higher towards the east/alley side of the site, so the mass along the alley is as proposed to balance the site.*
- Does the proposed design require the upper mezzanine to be located along the alley?
 - *The design intent for the upper mezzanine includes loft space along the alley, which would allow larger windows and increased transparency along the upper level along the alley.*
- Has the design team investigated taking access from California Avenue SW rather than the alley?
 - *Access from California Avenue SW would not be supported by the City, which encourages alley access whenever possible.*
- Does the applicant have any design alternatives which feature stepping-back from the alley, to improve the transition to the single-family zone?
 - *In order to make the project financially feasible, the building envelope cannot be given away; however, the design will show sensitivity to this edge condition.*
- How many units are proposed with each alternative?
 - *Approximately 90 to 100 units are proposed among the three alternatives.*
- It appears that fir trees are present on site, in addition to the street trees present along California Avenue SW. Do you intend to retain these trees and are they incorporated into your green factor equation?
 - *The street trees will be retained, while the on-site firs will be removed. Green factor requirements will be upheld with this proposal.*

- Can you specify the height of the building to the north?
 - *The building to the north is 65 feet in height.*
- Please clarify the required setback from the alley for the NC2-65 zone.
 - *15 feet is required for portions of a structure above 13 feet in height to a maximum of 40 feet. For each portion of a structure above 40 feet, additional setback should be at a rate of 2 feet of setback for every 10 feet in height.*

Board Deliberation (at the Recommendation meeting)

Joseph Hurley They seem to have done a really good job of meeting the prior guidelines by changing the scale, providing a unified courtyard, addressing the building to the north, and the houses across the alley. They are setting back on the alley side.

A good strong street presence on California is the right thing to do.

David Foster The massing is commendable. It casts less shadow on neighbors. Given the scale of the development, this is as good a layout as one could achieve, given the building to the north, and the neighbors. The Departure is justified.

Christy Coxley The reason for the departure is good- enclosing the trash room, and should be allowed. If neighbors are concerned about noise, pests and nuisances, there is every reason to grant the departure.

Debra Barker I am pleased with the height bulk and scale. They are good. What are the details? What is the relationship of the courtyard to the alley? There is a perfectly logical reason for there to be a relationship to the alley. Otherwise the residents are cut-off. If you have no connection other than driving, you have no connection.

David Foster There is a good argument that eyes on the alley are a good thing. When you have no connection, you don't contact your neighbors, etc. The residential relationship needs to be reinforced with the alley.

Joseph Hurley It feels like there should be a gate.

Colin Vasquez Is this a directive we need to send the designers? Board: Yes.

Christy Coxley: I disagree.

David Foster Interaction at alley should be encouraged.

Joseph Hurley Alleys get a lot more circulation than people give them credit for. Alleys are a good place to zig zag through on your way home.

Christy Coxley I will be the lone dissenter on this issue.

Colin Vasquez The directive is to add connection at alley.

Debra Barker This continues into the height bulk and scale of the parking entrance. I am interested in seeing more detail of the garage entry and the alley facade. I would like to see detail of a softening character around the garage entry and the garbage area, so it isn't so hard an experience. Add visual interest, not fluff.

Joseph Hurley There is actually about 10' of roof above the deck in that area above the trash room.

David Hewitt *Yes there is some deck space there, and the trellis continues across the garage doors, and it will be dripping with vines.*

Debra Barker On page 18 the trellis is not strong enough. It still looks pretty tentative.

Joseph Hurley The lid at the setback needs to be planted. This is a good simple opportunity to plant and soften the alley side. (10' setback) David Hewitt: *We have an opportunity to create a green edge of planting at this level (David Hewitt.)*

David Foster What about the Materials?

Brandon Nicholson Metal is the best siding available for projects like this. It tends to last, and metal buildings don't get tented. The designers have used metal in a careful, considered way here.

Joseph Hurley They are using a metal with a deep strong profile which looks good; especially for something set back a ways. I really like the use of metal in this project.

Christy Coxley They are doing a good job of modulation through the use of color as well.

David Foster The modulation of the building is one of its stronger points. It really is nicely proportioned, and much better than a lot of the things we see.

Brandon Nicholson It is rare to see a building this well scaled and proportioned, in terms of massing, composition, solid and void, use of materials, stepping, the use of bays. It is nice to see that much work devoted to the study presented.

Debra Barker There is a lot of attention to detail, and that is appreciated. The original rendering at the streetfront is monotonous. The updated rendering is much better, with different materials. Run with the different materials, and pull some of that into the California Street area. The original rendering is pretty vanilla (page 19). Stronger colors should be encouraged at the pedestrian level, as well.

Christy Coxley There is also opportunities to do things with Signage in that area as well.

Brandon Nicholson I agreed with Deb about the first rendering, but think if they leave the ability to provide multiple retail tenants and entries, the street frontage will be improved. Even if the developer doesn't put in the doors, they should leave the potential for a whole series of doors, for smaller tenants. The residential entry needs to be better addressed. They need to do something to call it out. Perhaps a marquis could help.

Joseph Hurley This is a residential building, and there ought to be some indication that this is how you enter.

Brandon Nicholson It needs to be different from just another commercial entry, to avoid confusion.

Debra Barker There is additional opportunity for landscaping at SE corner. Does anyone want to take this up?

Brandon Nicholson This could be addressed by garage lid modifications discussed earlier.

Debra Barker They will have another building to the south some day. And the low planting there at the south will be lost. Sheet 14 shows hardscape. Could that be room for planting? There is also a site triangle issue there. Doug Hofius-*There is an emergency fire exit at that corner which needs to remain functional.*

Debra Barker Could the trellis wrap the corner, to start softening that edge?

Brandon Nicholson One of the amazing things about this location is the views to the west. I think there should be a roof deck for residents at the top. Consider this opportunity. Courtyards don't get used, but roof decks do. This is a real opportunity to residents who don't have the good views.

Debra Barker There is a pedestrian connection for residents to the courtyard.

David Foster Level R6 allows for access to the roof. David Hewitt. *There are some limitations on occupancy, exiting, and size of roof decks, which affect this issue. We will look at that, though.*

Brandon Nicholson I don't think this should be a mandate, but it is a good opportunity which shouldn't be overlooked.

Debra Barker Can we make a mandate regarding exterior lighting, so that it doesn't trespass other properties? Colin Vasquez *This is a code requirement for the zoning reviewer to determine, in their review of a site lighting plan.*

Debra Barker Could wattage of exterior lighting be regulated? I have concerns about the property at California and Charleston. Colin Vasquez - *This can be considered. There have been locations where this has been addressed as an enforcement issue.*

Debra Barker I hope someone tracks this issue.

Colin Vasquez Are you all in agreement about the granting of the departure? Board *Yes*

Brandon Nicholson I do have a concern about garage exhaust fan noise. Look at the location of fan, so that the noise impact does not detract from courtyard. It works better when the fan is at the bottom of the shaft rather than at the top. It is a good condition to put on the project, to keep the noise effect down in the garage rather.

Debra Barker I agree that noise should not be a problem.

Colin Vasquez Is the Board recommending approval? Are all in agreement? – Board Members *Yes*

Christy Coxley I think it is really great. They have really listened to the board's recommendations and the neighbors' comments.

Brandon Nicholson Absolutely.

Debra Barker We would like to see this project built like this.

DESIGN GUIDELINE PRIORITIES

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 following siting and design guidance and identified by letter and number those siting and design guidelines found in the City of Seattle's *Design Review: Guidelines for Multifamily and Commercial Buildings* and *West Seattle Junction Design Guidelines* of highest priority to this project.

The Board had the following general comments:

- The massing diagrams presented maximized height with insufficient attention to the single-family zoning transition to the east.
- The proposal should shift the mass and height from the alley towards California Avenue SW (reiterated by DPD during the pre-submittal meeting and subsequent communications).
- The applicant should investigate creative ways of utilizing provided open space to minimize impacts to the properties to the north and east and to preserve existing views.
- The design schemes presented lack significant exploration of the site opportunities and constraints. The applicant should recognize the challenges of the site and consider pursuing a design requiring departures if it will yield a more accommodating design.
- California Avenue SW is principally a commercial street and the design should incorporate this characteristic. The design should pay strict attention to quality and detail to serve a context setter for future projects along this corridor.

The following items were repeatedly discussed by the Board and included among the most important for the design.

- **Height, bulk and scale relative to the zone transition to the east. (A-5, B-1)**

The subject site exhibits a significant zoning transition to the east, from NC2-65 to single-family residential uses. Despite a slight grade change trending towards the single-family zone, particular attention should be focused on developing a design which eases this transition.

- Techniques such as reduction in upper story massing, upper story setbacks, and emphasis of lower building elements through materials and architectural treatment at the east façade could be used to improve the effect of the proposed building on adjacent sites. The Board suggested that the applicant consider creative uses of green space and the residential courtyard orientation in order to minimize height, bulk, and scale impacts felt by the adjacent properties. The applicant should pay particular attention to the orientation of the building and its approach to adjacent properties, perhaps by “cascading” the structure or, at minimum, stepping the structure back from the alley and the Broxton to the north. The Board and City staff noted that height, bulk, and scale impacts are also a significant component of the pending SEPA review.
- The Board requests that the applicant provide three unique design schemes which more appropriately address the height, bulk, and scale impacts that would result from this development. These refined designs should all feature techniques and implementations which minimize the impacts to the less intensive zone, as well as the Broxton to the north.

The applicant should also address all priority guidelines and Board guidance below during the next stages of design review.

The Design Review Board reviewed the final project design on September 11, 2008 at which time site, floor and landscaping plans, as well as elevation sketches and renderings, were presented for the members’ consideration.

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 felt that the proposed massings, displayed in the three alternatives presented during the initial EDG meeting, do not offer a satisfactory response to the site characteristics pertaining to the transition east of the site. Development on this site should, where possible, preserve the views and light currently available to the properties to the east (and the Broxton to the north).

In response to public comments, the Board wants the applicant to 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.

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

The Board stressed the importance of siting the building effectively to maximize the special characteristics of the alley and California Avenue SW rights-of-way. Compatibility with the streetscape established in the vicinity provides that the proposal should carry the mass and height along the California Avenue SW façade and should step back from the alley right-of-way to the east.

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 Board felt that the proposed design should respond to the concerns of adjacent residents, particularly the single-family residents to the east of the site and the residents of the Broxton to the north.

The site is located on a zone edge as shown in the map provided on page one of this report. Special consideration should be given to the design of the east façade of the building in order to meet these guidelines. Items to consider include reducing structure height on upper levels, setting back upper levels to reduce scale, shadowing, window locations, landscaping, location of open space, materials, and architectural treatments.

The proposed development should create an acceptable transition 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 zoning constraints of this site. The Board requests that the applicant prepare section elevations, as detailed in the guidance for A-1, to identify how the proposal will work with the existing site conditions and adjacent properties. The applicant shall also refine the provided shadow study to clarify potential impacts posed by this development. The applicant should develop and graphically document the design relationship with adjacent properties.

At the Recommendation Meeting, the Board was generally pleased with the design guidance response. The board liked the current L-shaped design — with the building massing oriented to the western and southern portions of the site, thus providing a large courtyard at the northwest quadrant, which provides an open space/landscaping amenity visually shared with the adjacent neighbors to the north and east. Additionally, the northwestern portion of the northern façade of the building is set back 8-10' from the north property line, and the remaining portion of the northern façade at 68-73'.

The building street level retail provides a strong reinforcement of the street edge along California Ave SW, with pedestrian level canopies and upper level sun screens. Above the base, the residential façade presents a rhythm of projecting bays.

The existing trees along California Ave SW will be retained/maintained.

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 detailed in the *West Seattle Junction Design Guidelines*, current zoning along California Avenue SW has created abrupt edges between intensive mixed-use development and less-intensive residential development. In addition, the Code-complying building envelope of NC2-65 often results in development that exceeds the scale of the existing vicinity. Refined transitions in height, bulk, and scale must be considered within this guideline.

The Board noted that special consideration should be given to the east façade and massing to improve the transition from the NC2-65 zone to the less intensive SF 5000 zone to the east, by examining other items discussed in the Hot Button Issues and Items A-1, A-2, and A-5.

At the Recommendation Meeting the Board was pleased with the modified design that shows two-story loft live-work units above street level retail, which gives a strong base to the building, with a separate residential entry. The scale of the upper portions of the building is broken down at the roof levels.

C. Architectural Elements and Materials

C-3 Human Scale. The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

The applicant shall provide additional details regarding this item at the next stage of review. The design should pay strict attention to quality and detail to serve as a context setter for future projects along this corridor.

At the Recommendation Meeting the Board was pleased with the incorporated architectural features, elements and details proposed. California Ave SW pedestrian street frontage is reinforced by keeping the existing street trees and expanding the planting beds adjacent to those trees, with shrubs and other low growing vegetation, providing a rhythm to the sidewalk. The building material/color palette is composed of – Colonial Red, ribbed metal panels as the building base material; beige, smooth Hardi-panels for the projecting elements of the building mass, white vinyl windows, and darker colored canopies and sun screens along California Ave SW.

D. Pedestrian Environment

D-2 Blank Walls. Buildings should avoid blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

The applicant should guide the design to avoid potential blank walls, with particular focus on minimizing the aesthetic impacts from the perspective of the single-family zone. Guidance provided under A-1, A-2, and A-5 should be implemented to ensure the façades are adequately treated.

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

The Board strongly agreed that the vehicular access to the site should be visually minimized. Comments reflect those found in A-1, A-2, A-5, and D-2.

D-8 Treatment of Alleys. The design of alley entrances should enhance the pedestrians' street front.

The Board strongly agreed that the east-facing façade should be treated with consideration for the single-family zoning transition. Comments reflect those found in A-1, A-2, A-5, and D-2.

At the Recommendation Meeting, the Board directed the applicant to provide a redesign of the alley/trellis/fence to provide a pedestrian gate that leads from the alley across the courtyard and connects with the building.

Additionally the Board would like to see a softer character around the garage entry and the garbage area. The lid at the setback needs to be planted.

E. Landscaping

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighborhood properties and abutting streetscape.

The Board stressed that the proposal should include the creative utilization of green space and landscaping to soften the transitions towards the single-family zone and towards the Broxton to the north. The Board also urged that the courtyard design should respond to the great neighborhood amenity of the sensitive views from the properties to the east and should be oriented to provide a break in the massing along the alley.

At the Recommendation Meeting, (see comments following A-5 and D-8).

DEPARTURES

No departures have been requested by the applicant. A complete zoning analysis was completed once the design advanced adequately. The proposed development shall adhere to the NC2-65 development standards.

The Design Review Board members recommended the following conditions to be resolved administratively with DPD Staff prior to issuance of a MUP permit:

Recommendation #1: Work with DPD staff to refine the material/landscaping choices for the garage entry and alley façade.

Recommendation #2: Work with DPD staff to redesign the alley trellis/fence to provide a gate that provides pedestrian access from the alley, across the courtyard and connects with the building.

Recommendation #3: Work with DPD staff to redesign the garage entry and the alley façade. The Board would like to see a softer character around the garage entry and the garbage area. The lid at the setback needs to be planted.

Recommendation #4: Work with DPD staff to design the garage exhaust fan where the noise impact does not detract from the courtyard. For example the fan should be place at the bottom of the shaft rather than at the top.

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 Director of DPD to adequately conform to the applicable Design Guidelines.

ANALYSIS & DECISION – DESIGN REVIEW

Five members of the Southwest 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 recommendations and decision of the Design Review Board made by the five members present at the 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 recommendations and decision 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 with the conditions summarized at the end of this Decision.

ANAYSIS—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) because the proposed project is located in a commercial zone and exceeds four dwelling units.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated March 31, 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 submitted by the project applicant, 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 an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations. Adverse impacts are anticipated from the proposal. Thus, a more detailed discussion of some of the impacts is appropriate and is noted below.

Short -Term Impacts

The following temporary construction-related impacts are expected: temporary soils erosion; decreased air quality due to dust and other suspended air particulates; increased noise from construction operations and equipment; increased traffic and parking demand from construction personnel; tracking of mud onto adjacent streets by construction vehicles; conflict with normal pedestrian movement adjacent to the site; consumption of renewable and nonrenewable resources; and removal of ground water. Due to the temporary nature and limited scope of these impacts, they are not considered significant. Although not significant, these impacts are adverse, and in some cases, mitigation is warranted.

City codes and/or ordinances apply to the proposal and will provide adequate mitigation for some of the identified impacts. Specifically these are: 1) Grading and Drainage Control Ordinance (storm water runoff, temporary soil erosion, and site excavation); and 2) Street Use Ordinance (tracking of mud onto public streets, and obstruction of rights-of-way during construction).

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. Filing of a Notice of Intent to that agency will alert them of the development proposal and help insure air quality impacts during demolition and construction are controlled. To insure this outcome SEPA Construction Impacts authority will be imposed to require the owner or developer of the proposed project to file a Notice of Intent with the PSCAA prior to beginning any work on the site.

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.

Street and Sidewalks

The proposed on-site demolition, excavation and construction are controlled by a demolition/building permit. The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through the Seattle Department of Transportation. It is the City's policy to minimize or prevent adverse traffic impacts which would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (25.05.675 R).

In this case, adequate mitigation is provided by the Street Use Ordinance, which regulates and provides for accommodating pedestrian access. Therefore, additional mitigation under SEPA is not warranted.

Construction Noise

As redevelopment proceeds, noise associated with demolition/construction activities at site could adversely affect the surrounding residential uses. Due to the proximity of these 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.

All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7:00 am to 7:00 pm. Interior work that involves noisy construction equipment, including electrical compressors, may be allowed on Saturdays between 9:00 am and 7:00 pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

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

Construction Parking

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. Construction workers can be expected to arrive in early morning hours and to leave in the mid-afternoon. Surrounding residents generate their peak need for on-street parking in the evening and overnight hours when construction workers can be expected to have departed. SEPA mitigation of parking impacts during construction appears to be unwarranted.

Long-Term Impacts

Potential long-term or use impacts anticipated by the proposal include: increased height, bulk and scale of building in some areas of the site; increased light and glare from exterior lighting, increased noise due to increased human activity; increased demand on public services; increased traffic on adjacent streets; increased on-street parking, and increased energy consumption. These long-term impacts are not considered significant because they are minor in scope, but some warrant further discussion (noted below).

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 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.

Light and Glare

Due to the building's siting and a common open space area design as proposed, together with its adjacency to multi-family and single-family uses, a SEPA condition will be imposed to require all exterior building and site lighting to be screened from direct view and of moderate intensity to limit impacts beyond the site.

Parking

Onsite parking is proposed at a ratio of 1.07 spaces per residential unit, which is greater than the Code requirement of 1.00 spaces per unit. The experience of DPD has determined that this ratio of spaces to units can reasonably be expected to meet the project-generated parking demand. No SEPA based conditioning of parking impacts appears warranted.

Traffic and Transportation

Traffic will increase over existing conditions due to the net increase of 82 dwelling units on the site. However, it must be acknowledged that the site is presently under-developed. Although neighbors have expressed concern over traffic levels, this development is not anticipated to cause significant adverse impacts in terms of roadway congestion or safety. No SEPA based conditioning of traffic impacts appears warranted.

Other Impacts

Several codes adopted by the City will appropriately mitigate the use-related adverse impacts created by the proposal. Specifically these are: Grading and Drainage Control Ordinance (storm water runoff from additional site coverage by impervious surface); Puget Sound Clean Air Agency regulations (increased airborne emissions); and the Seattle Energy Code (energy consumption in the long term).

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.

CONDITIONS – SEPA

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

The owner applicant/responsible party shall:

Prior to Building Permit Issuance (including demolition)

1. The owner or developer of the proposed project shall file a Notice of Intent with the PSCAA prior to beginning any work on the site.

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2. All exterior building and site lighting to be screened from direct view and of moderate intensity.
3. The garage fan (or any mechanical equipment/exhaust shaft) located within or adjacent to the courtyard) shall be designed to minimize noise impacts.

During Construction

Construction activities, other than those taking place within the enclosed building, are limited to the hours of 7:00 am to 7:00 pm on non-holiday weekdays. It is recognized that there may be occasions when critical construction activities of an emergency nature, related to safety or traffic issues may need to be completed after regular construction hours as conditioned herein. Therefore the Department reserves the right to approve waivers of these construction hour and day restrictions. Such waivers must be requested at least three business days in advance, and approved by the Department on a case-by-case basis prior to such work. After the building is fully enclosed, on a floor-by-floor basis, interior work may be done at any time in compliance with the Noise Ordinance with no pre-approval from the Department.

4. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing roofing, and painting) shall be limited to non-holiday weekdays between the hours of 7:00 am and 7:00 pm. Interior work that involves noisy construction equipment, including electrical compressors, may be allowed on Saturdays between 9:00 am and 7:00 pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restriction may be authorized by DPD when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours are weekend days must be submitted to **Noise Abatement Coordinators** — David George david.george@seattle.gov (206) 684-7843 or Jeff Stalter jeff.stalter@seattle.gov (206) 615-1760 — at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

CONDITIONS – DESIGN REVIEW

The owner applicant/responsible party shall:

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5. The applicant must retain the fenestration, architectural features and elements, and arrangement of finish materials and colors presented to the Design Review Board on September 11, 2008, and as modified in updated plans approved by Colin R. Vasquez, Senior Land use Planner, following the Board's recommendation meeting.
 - Compliance with this condition shall be verified and approved by Colin R. Vasquez, Senior Land Use Planner, 206-684-5639 or by Vincent T. Lyons, Architect & Design Review Manager, 206-233-3823 at a Pre-construction meeting. The purpose of the meeting will be to review the approved Design Review Plans and to inform the contractor that any changes to the exterior of the building must be reviewed and approved by the Land Use Planner prior to proceeding with any proposed changes.
 - (You must make an appointment with the assigned Land Use Planner or Design Review Manager at least three (3) working days in advance of scheduling a date for a Pre-construction meeting.)

