



**City of Seattle**

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**Department of Planning and Development**

D. M. Sugimura, Director

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

**Application Number:** 3009518  
**Applicant Name:** Jodi Patterson-O’Hare for Trinsic Acquisition Company LLC  
**Address of Proposal:** 4435 35<sup>th</sup> Avenue Southwest

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a six-story structure with 151 residential units above eight live-work units (9,552 sq. ft.) in an environmentally critical area. Parking for 152 vehicles will be located at and below grade. Existing eating and drinking establishment to be demolished. Project revised since original application.\*

The following approvals are required:

**Design Review** – Seattle Municipal Code (SMC) Chapter 23.41 with the following Development Standard Departures:

1. Vehicular Access – To allow vehicular access from both the alley and the street. (SMC 23.47A.032.A and C)
2. Parking Location – To allow street-level parking to not be separated from street-level, street-facing facades by another permitted use. (SMC 23.47A.032.B.1.b)
3. Street-Level Development Blank Façade Standards – To allow more than the maximum length of blank façade exceed 40% of the street-facing façade. (SMC 23.47A.008.A.2.b & c)
4. Street-Level Development Transparency Standards – To allow less than 60% street-level transparency. (SMC 23.47A.008.B.2.a)
5. Parking Access Driveway Slope – To allow more than 15% driveway slope. (SMC 23.54.030.D.3)

**SEPA - Environmental Determination** (SMC Chapter 25.05).

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

\*See discussion regarding project history on page 3.

## **BACKGROUND INFORMATION**

### Site and Vicinity Description

This approximately 31,659 square foot (sq. ft.) proposal site is a consolidation of four tax parcels in the Southwest neighborhood of West Seattle bounded by Southwest Oregon Street to the south, 35<sup>th</sup> Avenue Southwest to the east, commercially-zoned property to the north and an alley to the west. This rectangular-shaped site is zoned Neighborhood Commercial 3 (NC3-65) in the West Seattle Junction Hub Urban Village. Existing development on the site consists of a one-story restaurant building with accessory surface parking.



Vehicular access to the existing surface parking is via both 35<sup>th</sup> Avenue Southwest and the partially improved 16' wide alley. The 35<sup>th</sup> Avenue Southwest right-of-way is classified as a Principal Arterial, pursuant to SMC Chapter 23.53 and Southwest Oregon Street is classified as a non-arterial street. Most of the existing alley and the entire portion of Southwest Oregon Street that abuts the project site's boundary lines are unimproved, steeply-sloped and covered with vegetation. Sidewalk, curb and gutters abut that portion of the site's frontage along 35<sup>th</sup> Avenue Southwest.

The site is modestly vegetated with most of the heavy brush situated at the site's southwesterly corner. The property topography is characterized with grades generally flat across the majority of the site and ascending dramatically to the unimproved alleyway to the west and to the unimproved Southwest Oregon Street to the south. A portion of the site is identified as Environmentally Critical Area (ECA)-Steep Slope Areas. The applicant has been granted a limited ECA exemption from ECA steep slope development standards for all work associated with this project (#3009518) but all other ECA Submittal, General, and Landslide-Hazard Development Standards and related criteria still apply.

Surrounding property north, south and west are also zoned NC3-65. The property east of the project site is zoned Single Family 5000 (SF 5000). Surrounding development includes a mix of single family homes, multifamily residential buildings, small to medium-sized commercial buildings and restaurants. A fast food restaurant (KFC) is located north of the site at the intersection of Southwest Avalon Way and 35<sup>th</sup> Avenue Southwest. The Alki Lumber business occupies property located across the alley to the west. A commercial/residential development (Avalon West Apartments), the City of Seattle Parks and Recreation (DOPAR) West Seattle Stadium and West Seattle Golf Course are directly across 35<sup>th</sup> Avenue Southwest to the east. Two apartment buildings comprise the block due south of the development proposal. Single family homes are located along 35<sup>th</sup> Avenue Southwest, two blocks south of the site. A King County Metro Rapid Ride Transit stop is adjacent to the site along 35<sup>th</sup> Avenue Southwest.

### Proposal Description

The proposed project is for the design and construction of a six-story, mixed-use commercial/residential building with 151 residential units above eight ground-level live-work units (9,552 square feet (sq. ft.)). The existing commercial building will be demolished.

Accessory parking for 152 vehicles is proposed to be provided at and below grade within the structure. Vehicular access to 147 stalls located in the below-grade garage will occur via the alley. Vehicular access to five parking spaces accessory to the commercial use located at ground-level is proposed to occur via garage entry at 35<sup>th</sup> Avenue Southwest.

Grading of approximately 49,349 cubic yards (cu. yds.) of material is anticipated to occur during the removal of debris, construction of the structure's foundation of the residential building and its' below-grade parking garage.

### Public Comments

Several members of the public attended the second Early Design Guidance (EDG) meeting held on June 13, 2013. The following comments, issues and concerns were raised:

- Requested clarification regarding the current and proposed location of the Rapid Ride bus stop.
- Concerned about possible construction-related impacts to the existing Rapid Ride bus stop located in front of the project site at 35<sup>th</sup> Avenue Southwest.
- The Director of the YMCA and participant of the West Seattle Triangle planning committee:
  - Preferred the current proposal in comparison to the past project design. Stated the current proposal is better designed to take advantage of the site's complex conditions.
  - Strongly in favor of a design that includes the installation of the hill climb in Southwest Oregon Street and requested that the Board support this effort.
- Questioned if the project design included overhead weather protection at 35<sup>th</sup> Avenue Southwest and at the proposed hill climb at Southwest Oregon Street.

Several members of the public attended the Final Recommendation meeting held on October 10, 2013. The following comments were offered:

- The Director of the YMCA and participant of the West Seattle Triangle Planning committee:
  - Thanked the design team for a great design.
  - Reiterated strong support for the installation of the hill climb in Southwest Oregon Street and requested that the Board support this effort.

The SEPA public comment period for this project originally ended August 10, 2011 and was later renoticed as a revised application which resulted in an additional public comment period ending August 14, 2013. DPD received no written comments from the public during this comment period.

### Additional Information and Project Requirements

On November 19, 2009, an applicant (Neal Thompson w/Roger Newell Architect) presented the following proposal for the project site to the Southwest DRB during an EDG meeting: *“A mixed use structure with ground floor retail commercial space of approximately 12,250 square feet, parking for approximately 158 vehicles, and five stories of residential development totaling anywhere from 100 to 150 units. Access to parking would be both from the alley connecting to Southwest Avalon Way and from a driveway connecting through the unopened Southwest Oregon Street to 35<sup>th</sup> Avenue Southwest.”* The Southwest DRB at that time identified the priority design guidelines and recommended that the applicant proceed to the Master Use Permit (MUP) application stage.

On July 1, 2011, the applicant submitted a MUP application to DPD *“to allow a six-story structure with 170 residential units above 10,799 sq. ft. of commercial. Parking for 187 vehicles will be located at and below grade. Existing structure to be demolished.”* DPD reviewers identified several concerns during correction cycles that needed resolution prior to the applicant proceeding to the Recommendation phase; those concerns being vehicular access, street improvements and allowed structure height measurement techniques.

DPD was notified this year (2013) that the property had been sold to a new owner which, in turn, had hired a new design team (GGLO). The current applicant (GGLO) requested to submit a

revised proposal under the same project number. In consideration of the proposed revisions, changes to zoning (C1-65' to NC3-65') and applicable codes, and length of time since the first EDG meeting, the applicant was directed by DPD to pursue an additional (second) EDG meeting and submit revised materials. Consequently, the subject of the analysis in this report is focused to the new design offered by GGLO.

This proposal also includes extensive improvements to those portions of the streets and existing alley that abuts the subject site. The applicant has submitted a 60% Street Improvement Plan (SIP) application (#187648) to the Seattle Department of Transportation (SDOT) requesting installation of a pedestrian hill climb stair in Southwest Oregon Street; a combined hill climb stair/turnaround in the alley, sidewalk improvements at 35<sup>th</sup> Avenue Southwest, landscaping and other improvements within the adjacent right-of-ways. SDOT confirmed that the 60% SIP has been approved with condition/comments to be addressed prior to formal review submittal to SDOT. SDOT clarified that any private infrastructure in the right-of-way (ROW) will require an Annual Renewable Street Use Permit and a recorded indemnity agreement. Additional details on agreements or financial obligations to be determined by SDOT.

### **DESIGN REVIEW ANALYSIS**

#### **SECOND EARLY DESIGN GUIDANCE MEETING: June 13, 2013**

The EDG packet includes materials presented at the EDG meeting, and is available online by entering the project number (3009518) at this website:

[http://www.seattle.gov/dpd/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp)  
or by contacting the Public Resource Center at DPD:

**Mailing Public Resource Center**  
**Address:** 700 Fifth Ave., Suite 2000  
P.O. Box 34019  
Seattle, WA 98124-4019

**Email:** [PRC@seattle.gov](mailto:PRC@seattle.gov)

The design team (GGLO) began their presentation by providing historical background of past development efforts at the project site and revisited the current architectural context of the neighborhood. Land use considerations associated with the West Seattle Triangle Planning as it relates to the project site were also discussed.

Several refinements of the past design scheme were presented to the Board, including a design packet supplement (code departure summary) that was not included in the EDG design packets initially provided to the Board. The project team's design development goals were to create building massing that was shaped into three distinct components, each with circulation core at their center and unique outward orientation and roofscape. The design presented included a six-story, mixed-use commercial/residential structure with residential units, enclosed parking, and retail space and live-work units at grade. Onsite parking, accessed via 35<sup>th</sup> Avenue Southwest for the commercial uses and the alley for future residential tenants was proposed.

The applicant's preferred scheme included a public plaza and breezeway creating pedestrian access onsite from 35<sup>th</sup> Avenue southwest to the alley. The main residential lobby entrance was facing 35<sup>th</sup> Avenue Southwest, setback from the sidewalk edge and transit area. Extensive streetscape improvements inclusive of a pedestrian hill climb stair in Southwest Oregon Street and a combined hill climb stair/turnaround in the alley were proposed. This scheme illustrated

some ground-related residential units abutting and directly accessed from the alley. This design would necessitate design departures from parking location and access, alley improvements, and parking driveway slope.

**FINAL RECOMMENDATION MEETING: October 10, 2013**

The packet includes materials presented at the Recommendation (REC) meeting, and is available online by entering the project number (3009518) at this website:

[http://www.seattle.gov/dpd/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp)  
or by contacting the Public Resource Center at DPD:

**Mailing Public Resource Center**  
**Address:** 700 Fifth Ave., Suite 2000  
P.O. Box 34019  
Seattle, WA 98124-4019

**Email:** [PRC@seattle.gov](mailto:PRC@seattle.gov)

The applicant submitted a revised Master Use Permit (MUP) application to DPD on July 19, 2013. The design massing scheme offered by the applicant at the Second EDG phase and presented to the Board at the Recommendation meeting did not change. A design packet supplement was provided at the Recommendation meeting that was not included in the design packets initially provided to the Board. The preferred massing design had further evolved to include colors, materials, fenestration, architectural detailing and landscaping. Feedback pertaining to coordination efforts by the applicant concerning proposed improvements within the right-of-ways from Seattle Department of Transportation and King County Metro was offered to the Board. The applicant's presentation included five code departures for vehicle access, parking location, driveway slope, street-level blank façade standards, and street-level transparency standards.

**PRIORITIES & BOARD RECOMMENDATIONS**

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.

**EARLY DESIGN GUIDANCE: June 13, 2013**

1. **Design Concept and Massing:** The design of the new building should respond to specific site conditions and opportunities, and massing should create a well-proportioned and unified building form.
  - a. The Board expressed strong support for the applicant's preferred design scheme.
  - b. Upon review of the presented design sketches and vignettes, the Board stated the design concept was headed in a positive direction and encouraged the applicant to continue to explore architectural features, building materials, textures and colors to create a unified building form. (A-1, A-4, B-1, C-2)
  - c. The Board did not give specific direction regarding exterior finish materials. The Board did state that it expects to review physical materials and color samples at the Recommendation meeting. (C-3, C-4)
  - d. At the Recommendation meeting, the Board would like to review photo-realistic, eye level perspective renderings from several street and alley locations showing all corners of the building. The renderings should include design elements (walls,

- fencing, gates, landscaping, stairs, seating, bus operations, hardscape, blank wall treatments, etc.) that would be visible by pedestrians. (A-1, A-2, C-2, C-3, C-4, D-9, D-10, E-1, E-2)
- e. The Board stated it expects to review a detailed landscape plan that includes location, size and species of proposed plantings and hardscape materials at the Recommendation meeting. (E-1, E-2)
2. **Southwest Oregon Street Frontage:** The design of the new building should incorporate architectural features, elements and details to be visually interesting for pedestrians, enhance the character of the streetscape, sufficiently lighted, create a transition between the public sidewalk and private entry, and reinforce the spatial characteristic of Southwest Oregon Street. (A-1, A-2, A-4, D-1, D-7)
    - a. The Board was in strong support for a design that included the installation of a pedestrian hill climb stairs on Southwest Oregon Street. The Board understood that the applicant hadn't acquired conceptual approval of the proposed street improvement from Seattle Department of Transportation (SDOT) prior to the meeting. Therefore, the Board requested the applicant provide street improvement plans (60% SIP drawings) and feedback from SDOT regarding the status of the proposed street improvement.
    - b. Conceptual residential lighting and signage designs proposed for the building's south-facing façade should be presented at the Recommendation meeting. (D-9, D-10)
  3. **35<sup>th</sup> Avenue Southwest Frontage:** The design of the new building should incorporate architectural features, elements and details to enhance pedestrian comfort and safety, encourage human activity, discourage blank walls, and reinforce the existing spatial characteristic of 35<sup>th</sup> Avenue Southwest. (A-2, A-4, C-3, D-1, D-7, D-12)
    - a. The Board was concerned that the proximity of future pedestrian traffic, and proposal-related vehicular traffic and the Rapid Ride Transit Stop to the ground floor commercial parking entrance/exit may cause access to the enclosed parking to be challenging and perilous. Additionally, the Board questioned if the same parking/loading area would be adequately sized/configured in a manner that would allow drivers that enter and are unable to park have the ability to turn around on site. The Board stated this concern must be resolved. At the Recommendation meeting, the Board expects to review a parking layout design and diagrams that clearly illustrate vehicular maneuverability within the parking area and discourages future vehicles from backing out onto 35<sup>th</sup> Avenue Southwest. (A-8, D-7)
    - b. The Board was concerned that the specialty paving illustrated in the mid-block plaza may signal to pedestrians an informal mid-block connection across 35<sup>th</sup> Avenue Southwest which should be discouraged. The Board expects to review the SDOT conceptual plans and landscaping elements pertaining to this area at the Recommendation meeting. The Board offered methods (extension of planting strip, accent walls, bike parking) that would successfully address this potential concern. (D-1,D-7)
    - c. The Board acknowledged that all visible blank walls (north wall façade) will need to be addressed. The Board expects to review details pertaining to any landscaping and/or design treatments (murals, green screening, etc.) proposed to address this concern at the Recommendation meeting. (D-2, E-2)
    - d. The Board emphasized the prominent Rapid Ride Transit Stop, shelters and associated equipment (pay station, etc.) should be located and designed to enhance pedestrian comfort and safety, contribute positively to the building design,

- accommodate both commuters and residents, and be protected from weather elements. The Board commented positively regarding the proposed placement of the bus station presented at the meeting. However, the Board recognized that further consultation with both SDOT and King County Metro is necessary before the Board could offer any feedback. Therefore, the Board expects the applicant to address this requirement with both agencies during the MUP process and provide feedback at the Recommendation meeting. (A-2, C-3, D-1)
- e. Conceptual commercial/residential lighting and signage designs (retail, live-work, residential, parking) proposed for the building's east-facing façade should be presented at the Recommendation meeting. (C-3, D-9, D-10)
- 4. The Alley Design and Residential Entries:**
- a. The Board recognized that the proposed alley improvements, to create a combined hill climb stair/turnaround condition, are atypical-designed with more focus on pedestrians versus vehicles. Consequently, the Board encouraged an alley design that incorporates significant elements (bollards, special pavement, etc.) designed to protect pedestrians/residents from vehicular movements at the alley turnaround (see also 2.a). (A-8, D-1, D-7)
- b. The Board recognized that proposing residential townhouse entrances abutting the alley is unusual and, until the access improvement concerns are resolved with SDOT, it is difficult to visualize the building's functionality and appearance if a through-alley improvement design is required. Therefore, the Board expects to review an enhanced rendering of the design with the through alley build-out profile at the Recommendation meeting. (A-8, D-12).
- c. Conceptual residential lighting and signage (addressing) designs proposed for the building's west-facing façade should be presented at the Recommendation meeting. (D-9, D-10)
- 5. Pedestrian Open Spaces and Building Entrances:**
- a. The Board stated that it is critical that the paths and entry areas around the site (streets, alley) and through the site (mid-block plaza) be attractive, comfortable, well lit, and secure for pedestrians and residents. At the Recommendation meeting, the Board expects to review details of the open spaces (landscaping, seating, screening, stairs walls, etc.) specifically those associated with the ground level plaza, near the alley, and the proposed rooftop deck areas. (D-1)
- b. The Board stated the turnaround, which also serves as utility service access to the waste collection area, should be screened to minimize visibility. The screen/wall treatment (materiality, landscaping, and security) should be attractive and enhance the pedestrian/resident experience. (D-6, E-2)
- c. Conceptual lighting and signage (directional/wayfinding) designs proposed for the building's mid-block plaza should be presented at the Recommendation meeting. (D-9, D-10)
- d. The applicant explained that the design included: a primary residential entrance facing 35<sup>th</sup> Avenue Southwest; two secondary entrances-one from Southwest Oregon Street and one from the mid-block plaza corridor; and townhouse entrances abutting the alley. The Board liked the proposed location of the main residential entrance setback from the bus station at 35<sup>th</sup> Avenue Southwest; felt that it activated the corridor, allows for a more prominent commercial presence and permits for residents/visitors to safely access the building away from the bus zone. (See 4.b.) (D-1, D-12)

**FINAL RECOMMENDATIONS: October 10, 2013**

1. **Design Concept and Massing:** The design of the new building should respond to specific site conditions and opportunities, and massing should create a well-proportioned and unified building form.
  - a. The Board was very impressed with the final building design and appreciated how the final design responds to the unique site characteristics. (A-1, A-2, C-2, C-3, C-4, D-9, D-1, E-2, E-3)
  - b. The Board reviewed the conceptual lighting design for the entire project and agreed that it would promote visual interest and pedestrian/resident security. The Board recommended a condition to maintain lighting design, scale, pattern, fixture type and location situated on the site as shown in the REC DRB materials. (D-7, D-10, D-12)
    - i. The Board acknowledged that the design of the lighting within the right-of-ways (ROWs) is within the purview of SDOT. However, the Board voiced strong support that the lighting design scale, pattern, fixture type and location situated in the (ROWs) be maintained as shown in the REC DRB materials.
2. **Southwest Oregon Street Frontage:** The design of the new building should incorporate architectural features, elements and details to be visually interesting for pedestrians, enhance the character of the streetscape, sufficiently lighted, create a transition between the public sidewalk and private entry, and reinforce the spatial characteristic of Southwest Oregon Street. (A-1, A-2, A-4, D-1, D-7)
  - a. The Board reiterated strong support for a design that included the installation of a pedestrian hill climb stairs on Southwest Oregon Street. The Board reviewed the SDOT street improvement plan materials (60% SIP drawings) included in the REC DRB packet and expressed appreciation for the efforts of the design team to provide timely feedback from SDOT regarding the status of the proposed street improvement.
  - b. The Board appreciated the lighting design proposed for the building's south-facing façade. (See 1. b.) (D-9, D-10)
3. **35<sup>th</sup> Avenue Southwest Frontage:** The design of the new building should incorporate architectural features, elements and details to enhance pedestrian comfort and safety, encourage human activity, discourage blank walls, and reinforce the existing spatial characteristic of 35<sup>th</sup> Avenue Southwest. (A-2, A-4, C-3, D-1, D-7, D-12)
  - a. The Board reviewed the commercial parking/loading garage driveway entry, layout and screening design and stated that past concerns regarding pedestrian/vehicular safety and vehicular maneuverability onsite had been resolved. (A-8, D-5, D-7)
  - b. The Board discussed and reviewed the landscaping and design treatments (murals, green screening) proposed for the visible blank walls; and offered specific feedback concerning the north wall façade. (D-2, E-2)
    - i. The Board supported the mural design treatment and appreciated the general concept of illustrating historical West Seattle imagery in a modern fashion (pixelated not painted).
    - ii. The Board was concerned about the future viability of the proposed green screens (at the north façade and mid-block connection) if the proposed plants are not initially well established and maintained by the owner. Consequently, the Board recommended a condition that the plantings for the vegetated walls

be installed at a larger size to provide some level of screening at building occupancy. The Board further encouraged the owner to commit to nurturing the vegetated walls until they are fully realized. (D-2, E-2)

- c. The Board supported the proposed location of the prominent Rapid Ride Transit Stop, shelters and associated equipment (pay station, etc.) and commented positively regarding the future placement of the bus station presented at the meeting. The Board appreciated the efforts of the design team made in providing comprehensive feedback from both SDOT and King County Metro regarding this concern. (A-2, C-3, D-1)
  - d. The Board appreciated the lighting design proposed for the building's east-facing façade. (See 1. b.) (D-9, D-10)
  - e. The Board discussed the proposed signage design for the ground-level commercial use (live-work). The Board commented that the signage character presented (painted storefront signage and metal panel signage) was too understated. The Board stated additional types of signage options (blade signs attached to wall or canopy, etc.) should be explored to support the marketability of the live-work uses to vehicular traffic as well as pedestrians. (A-2, C-3, D-10)
- 4. The Alley Design and Residential Entries:**
- a. The Board supported the proposed alley improvements to create a combined hill climb stair/turnaround condition and appreciated the significant elements (special paving, bollards, etc.) designed to protect pedestrians/residents from vehicular movements at the alley turnaround. (A-8, D-1, D-7)
  - b. The Board commented that the townhouse residential entrances abutting the alley were well articulated. (D-12, E-2, E-3)
  - c. The Board supported the lighting and signage (addressing) signage designs proposed for the building's west-facing façade. (D-9, D-10)
- 5. Pedestrian and Residential Open Spaces:**
- a. The Board commended the design team for creating usable, attractive and well-integrated pedestrian and residential open spaces (roof deck design). (A-7, D-1, E-2)
  - b. The Board emphasized the importance that the scale, texture and uniformity of the materials (paving, landscaping, etc.) in the pedestrian ROWs be applied and maintained as shown in the REC DRB materials. The Board acknowledged that the design of the materials within the right-of-ways (ROWs) is within the purview of SDOT. (D-1, E-2)
  - c. The Board noted that the vegetated green screen is an appropriate method to minimize visibility of the blank CMU interior wall façade which screens the turnaround/utility service access area at the mid-block connector.
    - i. The Board was concerned that the lack of direct sunlight may negatively affect the growth/establishment of the green screen plants. Therefore, the Board recommended a condition that architectural screening alternatives shall be provided if the proposed vegetated screen treatment is not a viable solution to screen the CMU wall adequately. (See 3.b.) (D-6, E-2)
  - d. The Board reviewed the proposed directional/wayfinding signage design exhibits and commented that they appreciated the tasteful, playful and simplistic manner the signage is expressed in the DRB REC materials. The Board stated that it is acceptable to utilize signage applications (cast-in colored concrete, etc.) on ground plane that aren't 100% permanent. (D-9, D-10)

- e. The Board appreciated the lighting design proposed for the building's mid-block plaza. (See 1. b.) (D-9, D-10)

**6. Materials:**

- a. The Board was very satisfied with the proposed material palette (concrete, wood, steel, etc.) and acknowledged the durability of the higher quality materials presented. (C-2, C-4)

**DESIGN REVIEW GUIDELINES**

The Board identified the following Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project. The Neighborhood specific guidelines are summarized below. For the full text please visit the [Design Review website](#).

**A. Site Planning**

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

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

**West Seattle Junction - specific supplemental guidance:**

A pedestrian-oriented streetscape is perhaps the most important characteristic to be achieved in new development in the Junction's mixed use areas (as previously defined). New development-particularly on SW Alaska, Genesee, Oregon and Edmunds Streets-will set the precedent in establishing desirable siting and design characteristics in the right-of-way.

**A-4 Human Activity.** New development should be sited and designed to encourage human activity on the street.

**West Seattle Junction - specific supplemental guidance:**

An active and interesting sidewalk engages pedestrians through effective transitions between the public and private realm. Particularly in the California Avenue Commercial Core, proposed development is encouraged to set back from the front property line to allow for more public space that enhances the pedestrian environment. Building facades should give shape to the space of the street through arrangement and scale of elements. Display windows should be large and open at the street level to provide interest and encourage activity along the sidewalk. At night, these windows should provide a secondary source of lighting.

**A-8 Parking and Vehicle Access.** Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.

**C. Architectural Elements and Materials**

**C-2 Architectural Concept and Consistency.** Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features

identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.

**West Seattle Junction - specific supplemental guidance:**

New multi-story developments are encouraged to consider methods to integrate a building's upper and lower levels. This is especially critical in areas zoned NC-65' and greater, where more recent buildings in the Junction lack coherency and exhibit a disconnect between the commercial base and upper residential levels as a result of disparate proportions, features and materials. The base of new mixed-use buildings - especially those zoned 65 ft. in height and higher - should reflect the scale of the overall building. New mixed-use buildings are encouraged to build the commercial level, as well as one to two levels above, out to the front and side property lines to create a more substantial base.

The use and repetition of architectural features and building materials, textures and colors can help create unity in a structure. Consider how the following can contribute to a building that exhibits a cohesive architectural concept:

- façade modulation and articulation;
- windows and fenestration patterns;
- trim and moldings;
- grilles and railings;
- lighting and signage.

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

**West Seattle Junction-specific supplemental guidance:**

Facades should contain elements that enhance pedestrian comfort and orientation while presenting features with visual interest that invite activity.

Overhead weather protection should be functional and appropriately scaled, as defined by the height and depth of the weather protection. It should be viewed as an architectural amenity, and therefore contribute positively to the design of the building with appropriate proportions and character.

Overhead weather protection should be designed with consideration given to:

- continuity with weather protection on nearby buildings;
- when opaque material is used, the underside should be illuminated; and
- the height and depth of the weather protection should provide a comfortable scale for pedestrians.

**Signage:** Signs should add interest to the street level environment. They can unify the overall architectural concept of the building, or provide unique identity for a commercial space within a larger mixed-use structure. Design signage that is appropriate for the scale, character and use of the project and surrounding area. Signs should be oriented and scaled for both pedestrians on sidewalks and vehicles on street.

The following sign types are encouraged:

- pedestrian-oriented blade and window signs;
- marquee signs and signs on overhead weather protection;
- appropriately sized neon signs.

- C-4 **Exterior Finish Materials.** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

**D. Pedestrian Environment**

- D-1 **Pedestrian Open 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.

West Seattle Junction - specific supplemental guidance:

Design projects to attract pedestrians to the commercial corridors (California, Alaska). Larger sites are encouraged to incorporate pedestrian walkways and open spaces to create breaks in the street wall and encourage movement through the site and to the surrounding area. The Design Review Board would be willing to entertain a request for departures from development standards (e.g. an increase in the 64% upper level lot coverage in NC zones and a reduction in open space) to recover development potential lost at the ground level.

**Street Amenities:** Streetscape amenities mark the entry and serve as wayfinding devices in announcing to visitors their arrival in the commercial district. Consider incorporating the following treatments to accomplish this goal:

- pedestrian scale sidewalk lighting;
- accent pavers at corners and midblock crossings;
- planters;
- seating.

Pedestrian enhancements should especially be considered in the street frontage where a building sets back from the sidewalk.

- 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.
- D-7 **Pedestrian Safety.** Project design should consider opportunities for enhancing personal safety and security in the environment under review.
- D-9 **Commercial Signage.** Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.
- D-10 **Commercial Lighting.** Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.

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

<b>E. Landscaping</b>
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**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.

**E-3 Landscape Design to Address Special Site Conditions.** The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

### DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departures was based upon the departure's potential to help the project better meet the design guideline priorities and achieve a better overall design than could be achieved without the departures.

- 1. Vehicular Access (SMC 23.47A.032.A and C):** The Code states vehicular access is permitted from an improved alley. If access is not provided from an improved alley and the lot abuts two or more streets, access is permitted across one of the street lot lines as determined by the DPD. The applicant proposes vehicle access to parking from both the alley and from 35th Avenue Southwest. The applicant proposed this departure to allow for visible convenient access to parking at street level for the commercial uses and direct access to residential parking via the alley.

This departure would result in an overall design that would better meet the intent of Design Review Guidelines A-8, and D-7 by providing visible and convenient access to street-level parking to support the commercial uses at grade (live-work units). The Board noted that signage indicating commercial parking is necessary and advised that this parking area should be closely monitored by building management to deter illegal parking in the identified turnaround space.

The Board was pleased with the with the configuration of the parking layout that will allow vehicles that enter and are unable to park, the ability to turn around onsite and not back out onto 35th Avenue Southwest.

The Board unanimously recommended that DPD grant the requested departure.

- 2. Parking Location (SMC 23.47A.032.B.1.b):** The Code requires street-level parking within a structure be separated from street-level, street-facing facades by another permitted use. The applicant proposes street-level parking, within the southernmost area of the building, which abuts Southwest Oregon Street and not separated by another permitted use. The applicant explains that future parking to support the commercial uses, and provided at the ground floor level of the structure as measured from 35th Avenue

Southwest, will be predominately below grade along Southwest Oregon Street and would not be visible from the public right-of-way.

This departure would result in an overall design that would better meet the intent of Design Review Guidelines A-8, and D-7 by providing visible and convenient access to street-level parking to support the commercial uses at grade (live-work units). The Board stated that this departure is connected with the abovementioned departure for vehicular access.

The Board unanimously recommended that DPD grant the requested departure.

3. **Street-Level Development Blank Facade Standards (SMC 23.47A.008.A.2.b & c):** The Code states blank segments of the street-facing façade between 2' and 8' above the sidewalk may not exceed 20' in length and may not exceed 40% of the width of the structure's façade along the street. The applicant proposes a blank façade measured 28' 4" in length and 51% of the street-level street-facing façade on Southwest Oregon Street.

This departure would result in an overall design that would better meet the intent of Design Review Guidelines A-1, A-2, D-2, E-2, and E-3 by responding to the steep nature of Southwest Oregon Street and the non-traditional street frontage along the proposed external stairway (pedestrian hill climb). The Board was pleased that the blank portions of this facade will be mitigated with planter beds as well as vertical planted screens to enhance the natural, public pedestrian environment.

The Board unanimously recommended that DPD grant the requested departure.

4. **Street-Level Development Transparency Standards (SMC 23.47A.008.B.2.a):** The Code requires 60% of transparency for street-facing facades between 2' and 8' above the sidewalk. The applicant proposes 28% transparency for the street-facing façade at Southwest Oregon Street. Again, the applicant explains that the steep nature of Southwest Oregon Street will require non-traditional street frontage along the proposed external stairway (pedestrian hill climb).

This departure would result in an overall design that would better meet the intent of Design Review Guidelines A-1, A-2, and D-7 by responding to the steep nature of Southwest Oregon Street and addressing the non-traditional street frontage along the proposed external stairway (pedestrian hill climb).

The Board unanimously recommended that DPD grant the requested departure, subject to the following condition:

*Transparency at the south property line along Southwest Oregon Street must be maintained where there is a visible connection to the north from the bottom of the hill climb beyond the sculptural concrete column to the glazing at the south façade of the live-work unit at the southeasterly corner.*

5. **Parking Driveway Slope (SMC 23.54.030.D.3):** The Code requires no portion of a driveway exceed a 15% slope except in certain instances. The applicant proposes vehicle access to the below grade parking garage via a ramped driveway with a 20% slope.

This departure would result in an overall design that would better meet the intent of Design Review Guidelines A-8 by providing a driveway design that will minimize the amount of required vehicle turning movements within the garage structure and improves safety and visibility. The Board noted the maximum percentage of driveway slope for

this departure should not exceed 20%. The Board advised that national standards regarding crest allowances for low-clearance vehicles should also be considered as part of the driveway slope design.

The Board unanimously recommended that DPD grant the requested departure.

### **BOARD RECOMMENDATION**

The recommendation summarized below was based on the design review packet dated October 10, 2013, and the materials shown and verbally described by the applicant at the October 10, 2013 Final Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the five Design Review Board members recommended APPROVAL of the subject design and departures, with the following conditions:

1. The lighting plan for the site should maintain the same level of lighting design, scale, pattern, fixture type and location as shown in the REC DRB materials. (D-7, D-10, D-12)
2. The plantings for the vegetated walls at the north façade and mid-block connection should be installed at a larger size to provide some level of screening at building occupancy. (D-2, E-2)
3. For the life of the project, architectural screening alternatives shall be provided if the proposed vegetated screen treatment is not a viable solution to appropriately screen the interior CMU wall façade at mid-block connection. (D-6, E-2)
4. Transparency at the south property line along Southwest Oregon Street must be maintained where there is a visible connection to the north from the bottom of the hill climb beyond the sculptural concrete column to the glazing at the south façade of the live-work unit at the southeasterly corner. (A-1, A-2, D-7)

Subsequent to the October 10, 2013 meeting, the applicant has worked with DPD staff to respond to the Design Review Board Recommended Conditions as follows:

1. The applicant documents on plan that the lighting design concept is consistent with the conceptual lighting design present to the board in response to recommended condition #1. This recommended design review condition has been satisfied.
2. The applicant has modified the landscape drawings in response to condition #2. This recommended design review condition has been satisfied.
3. The applicant commits to the installation of architectural screening on the identified CMU wall as a replacement of the proposed vegetated screen treatment. This is in response to condition #3. This recommended design review condition has been satisfied.
4. The applicant's plans illustrate a visible connection to the north from the bottom of the hill climb beyond the sculptural concrete column to the glazing at the south façade of the live-work unit at the southeasterly corner. This is in response to condition #4. This recommended design review condition has been satisfied.

The plans on file reflect the updated design and will be included in the issued MUP plan set.

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

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. Except for projects accepted in the Living Building Pilot Program established in Section 23.40.060, if four or more members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision that makes compliance with the recommendation of the Design Review Board a condition of permit approval, unless the Director concludes that the recommendation of 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.*

#### **Director’s Analysis:**

Five members of the Southwest Design Review Board were in attendance and provided recommendations 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 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 Citywide Design Guidelines and City of Seattle Design Review Guidelines for West Seattle Junction Urban Village. 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 recommendations 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 West Seattle Junction Urban Village. 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.

## **SEPA ANALYSIS**

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated June 17, 2013. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file and any pertinent comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature or limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between the City's 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.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. Additional discussion of short and long term impacts is found below.

### **Short – term Impacts**

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during demolition, excavation, filling and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

### **Noise**

The site abuts two streets (35<sup>th</sup> Avenue Southwest and Southwest Oregon Street). Residential properties are situated northeast and south of the project site and located in the same zone as the project site. The West Seattle Stadium, zoned SF 5000, is east of the site. Vehicular traffic on adjacent streets is identified as an existing noise source. The applicant asserts on the SEPA checklist that construction activity will be confined to following construction hours: 7:00 a.m. to 5:00 p.m., Monday thru Friday; and 8:00 a.m. to 5:00 p.m. on Saturday.

Short-term noise and vibration from construction equipment and construction activity (e.g., backhoes, trucks, concrete mixers, generators, pneumatic hand tools, engine noise, back-up alarms, etc.); demolition of the existing structures; and construction vehicles entering and exiting

the site would occur as a result of construction and construction-related traffic. Compliance with the Noise Ordinance (SMC 25.08) is required.

It is the Department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance is not justified for this project on this specific site. No further conditioning or mitigation is warranted.

#### Air Quality

Demolition of the existing structures, grading and construction activities will result in localized short-term increases in air particulates and carbon monoxide which could temporarily affect the air quality in the vicinity. Demolition/construction activities that would contribute to these impacts include excavation, grading, soil compaction, and operation of heavy trucks and smaller equipment (i.e., generators and compressors). Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliative, as necessary, to reduce airborne dust. In addition, compliance with the Puget Sound Clean Air Agency regulations requires activities which produce airborne materials or other pollutant elements to be contained with temporary enclosure. Regarding asbestos, Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency ("PSCAA") prior to demolition. Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the construction area by vehicle frames and tires; this soil could be deposited on adjacent streets and become airborne.

There is no indication of unusual short term adverse impacts. Current codes are adequate to provide mitigation and pursuant to the Overview Policy (SMC Section 25.05.665) and Air Quality Policy (SMC Section 25.05.675A). Therefore, no further mitigation is warranted.

#### Earth

Excavation of soil will be necessary to establish desired grades to allow for the structure's foundation at this ECA designated (Steep Slope) property. The maximum amount of grading proposed will consist of 48,349 cu. yds. of material. All of the onsite soil will be handled per a geotechnical engineer's recommendations.

The ECA Ordinance and Director's Rule (DR) 18-2011 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction/grading in potentially steep slope soil areas. Pursuant to this requirement the applicant submitted a geotechnical engineering report dated April 24, 2012 prepared by Siew L. Tan, P.E. (PanGEO, Inc.). This report evaluated soil and site conditions and provided recommendations for general earthwork, erosion and drainage controls, grading, earthwork and foundation/retaining wall construction.

A DPD Geotechnical Engineer has reviewed the abovementioned soils report in association with submitted MUP plans and has deemed this soils report to be relatively complete for this proposal. The abovementioned soils report, soil report addendums, construction plans, and shoring of excavations as needed, are currently being reviewed again by the DPD Geotechnical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation proceed without undue risk to the property or to adjacent properties.

No additional conditioning is warranted pursuant to SEPA policies.

*Construction-Related Streets and Pedestrian Circulation*

The Street Use Ordinance includes policies that regulate dust, mud and circulation within the public right-of-way. Construction activities may result in sidewalk closures or other obstacles to pedestrians. Any temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through the Seattle Department of Transportation (SDOT). The sidewalks along 35<sup>th</sup> Avenue Southwest are heavily traveled by pedestrians due to the West Seattle Rapid Ride Transit stop located adjacent to the site and the project site being in the vicinity of commercial businesses and the West Seattle Stadium. This pedestrian route should be kept open to the greatest extent possible.

The submitted plans illustrate temporary displacement of the existing Rapid Ride bus shelter and bus stop sign along 35<sup>th</sup> Avenue Southwest. King County Metro is the responsible agency concerning impacts to bus transportation facilities. The City Planner has verified that King County Metro has been notified about the future impacts to the bus facilities and confirmed that this impact can be addressed through coordination between the applicant and their agency.

Construction of the project is proposed to last for several months. The demand for parking by construction workers during construction is anticipated to reduce the supply of parking in the vicinity. However, the applicant states that parking for the construction workers will be secured from nearby business owners.

Additionally, this proposal includes improvements to the existing alley abutting the subject site and the neighboring property to the north (KFC). Currently, the adjacent property north of the project site utilizes this existing alley as a secondary access to parking via Southwest Avalon Way. Based on the submitted plans, the current alley width (16') allows for two-way access. There is a concern that temporary closures of the alley may be necessary during excavation and construction of the building and alley improvements.

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The immediate area is subject to traffic congestion during the peak hours on nearby arterials, and large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic. There are no City codes or ordinances to address the impact of large vehicles on highly congested streets. As a result, mitigation is warranted as described below.

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). Due to construction related demand affected by construction staging, deliveries, alley closure; additional mitigation is warranted pursuant to the Construction Impacts Policy (SMC 25.05.675.B). Pursuant to this policy, a Construction Transportation Management Plan (CTMP) addressing street/sidewalk closures, truck routes and hours of truck traffic, will be required to mitigate identified impacts. Additionally, owners of the nearby restaurant (KFC) whose parking is accessed via the identified alley shall be advised of the alley closure schedule and the construction process. The owner/responsible party must provide a contact person to address construction-related problems associated with the alley closure. Also, any temporary closure of the alley must meet with full SDOT concurrence and approval.

*Greenhouse Gas Emissions*

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacturing 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 due to the relatively minor contribution of greenhouse gas emissions from the project.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

#### 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; increased bulk and scale on the site; increased ambient noise associated with increased human activity and vehicular movement; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; loss of plant habitat; increased airborne emissions resulting from additional traffic; increased energy consumption; and increased light and glare. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

#### Historic Preservation

Section 25.05.675.H of the SEPA code describes the City's policies for protecting historical sites. *"It is the City's policy to maintain and preserve significant historic sites and structures and to provide opportunity for analysis of archeological sites.....For projects involving structures or sites which are not yet designated as historical landmarks but which appear to meet the criteria for designation, the decisionmaker or any interested person may refer the site or structure to the Landmarks Preservation Board for consideration.....On sites with potential archaeological significance, the decisionmaker may require an assessment of the archaeological potential of the site."*

SEPA provides authority to mitigate impacts to historic buildings (SMC 25.05.675.H.2.c). In this instance, the existing commercial restaurant building addressed as 4433 35<sup>th</sup> Avenue Southwest is not designated as a historical landmark. However, because this proposal involves the demolition of one building which is more than 50 years old, historical information concerning this property (prepared by the applicant) was referred to DON for review. The Historic Preservation Staff reviewed the information and stated, "Based on the review of this information, as well as information from the City's Historic Resources Survey database and a visit to the site, we have determined that it is unlikely that the subject building would meet the standards for designation as an individual landmark". Therefore, no further conditioning is warranted by SEPA.

#### Shadows

Seattle's SEPA policies are directed at *"minimizing or preventing light blockage and the creation of shadows on open spaces most used by the public."* Areas outside of downtown to be protected include: publicly-owned parks, public schoolyards, private schools that allow use of schoolyards during non-school hours, and publicly-owned street-ends in shoreline areas. West Seattle Stadium (east of the subject property) is the only area protected by Seattle's SEPA policy that could be affected.

Submissions include analysis of shadow cast for the aforementioned Parks evaluated on June 21 and December 21 at the following time: 3:00 p.m. The study identified the greatest potential for the proposed buildings to cast shadows on West Seattle Stadium would be during the late

afternoon of December 21 when the sun shadows to the east. During this date and time, the shadow diagrams demonstrated that shadows cast onto West Seattle Stadium would be minor.

The affected area of West Seattle Stadium would be considered proportionally minor in comparison to the expansive area that the Park covers. It is not expected that the proposed development would result in any adverse shadow impacts to West Seattle Stadium. Therefore, no mitigation is warranted pursuant to SEPA's Shadows on Open Spaces policy (SMC 25.05.675.Q).

### Public Views

Section 25.05.675.P of the SEPA code describes the City's policies for protecting public views. *"The City has developed particular sites for the public's enjoyment of views of mountains, water and skyline and has many scenic routes and other public places where such views enhance one's experience...Adopted Land Use Codes attempt to protect private views through height and bulk controls and other zoning regulations but it is impractical to protect private views through project-specific review."*

SEPA provides authority to mitigate obstructions of public view from several specified public places around the city in certain City parks, scenic routes and viewpoints. (SMC 25.05.675.P (2) A) In this case, the following protected viewpoints may potentially be impacted: the West Seattle Stadium and 35<sup>th</sup> Avenue Southwest.

The view analysis report, prepared by the applicant, contains visual analysis performed from three locations. The applicant explains the height of the proposed building will not impact the public view corridor along the 35<sup>th</sup> Avenue Southwest scenic route and the development will include improvements (stair hill climb, landscaping) within the Southwest Oregon Street R.O.W that will enhance the public view to the West Seattle Stadium.

As visually demonstrated, the identified views will be minimally altered as a result of the construction of the proposed building. However, this view blockage is considered minor and the overall visual character of the area would not change. Additionally, this proposal will enhance visual conditions from Southwest Oregon Street to the West Seattle Stadium. Therefore, no mitigation is warranted pursuant to SEPA policies for public view protection (SMC 25.05.675.P).

### Traffic and Transportation

Gibson Traffic Consultants (GTC) prepared a Traffic Impact Analysis report (dated June 2013) and an addendum (dated September 12, 2013) for the subject site referenced in the report as the "Trinsic apartment development". This report offers the expected trip generation for the site, estimates project-related changes to the local traffic, and evaluates potential parking impacts. The analysis in this report is based on a development consisting of a six-story building with 158 multifamily units (including eight live-work and six townhomes). It also considers 158 parking spaces will be provided onsite.

Trip generation for the project was determined using the Institute of Transportation Engineers (ITE) Trip Generation Manual (9<sup>th</sup> edition) for the following category: Mid-Rise Apartments (ITE Land Use Code 223). Based on this information, the proposal is estimated to generate 660 new daily trips, 47 new AM peak hour trips and 62 new PM peak hour trips. Level of service (LOS) analysis was performed for nearby intersections. That analysis showed that the project is expected to add a small amount of delay at each of the study intersections, but is not expected to significantly affect their overall operation.

Vehicular access analysis was provided for the two proposed parking garage access points, one with access off the alley to Southwest Avalon Way for the residential use and the other to 35<sup>th</sup> Avenue Southwest for the commercial uses (live-work). In regards to the proposed alley access, the report states:

- Currently, there is limited sight distance to the west of the alley and a clear sight distance to the east heading north onto Southwest Avalon Way. The consultant explains that a legal agreement from the neighboring properties to the west (Alki Lumber Yard) and to the east (KFC) is being pursued by the applicant in order to attain appropriate sight line requirements (two 10' sight triangles clear of obstructions).
- The alley presently has insufficient ROW width and an obstruction (power pole) north of the project site to accommodate proposed traffic flow. The consultant explains that the applicant is in the process of negotiations with the property owner to the west (Alki Lumber Yard) to obtain a 2' easement (or acquisition) and is proceeding to relocate the power pole. The consultant states that with these actions, the proposed alley width of 18' of pavement from the project's turnaround north to Southwest Avalon Way would be sufficient to provide safe and efficient travel for the proposed volume and type of traffic expected to use the alley.

Regarding the proposed 35<sup>th</sup> Avenue Southwest access, the report notes:

1. On 35<sup>th</sup> Avenue Southwest, there are no sight distance obstructions to restrict the available sight distance. The consultant explains that this access is designed to only support deliveries, potential commercial tenants and with only five parking stalls being provided, it is anticipated that very few trips would utilize this garage.

The additional peak hour trips do not contribute significant adverse impacts requiring mitigation. However, the solutions offered by the traffic consultant to address concerns related to safety and vehicular access are dependent upon legal agreements from neighboring properties that haven't been realized prior to this decision. Additionally, the left-turns from the ground-level parking garage onto a principal arterial (35<sup>th</sup> Avenue Southwest) heading north will be challenging, based on the high volumes of traffic on 35<sup>th</sup> Avenue Southwest and the proximity of the Rapid Ride Metro bus stop to the north of the curb cut. Therefore, only right-turns exiting the garage should be allowed. None of these measures are identified on the MUP plans.

Based on the traffic analysis provided and in consultation with the DPD Transportation Planner, additional mitigation is warranted pursuant to SMC 25.05.675.R.

To mitigate traffic impacts, the applicant shall document all future improvements (sight triangles, 18' minimum alley width, and power pole removal) per the traffic report on the MUP drawings. Future signage indicating right-turn only exiting from the garage should also be noted on the MUP plans prior to issuance. Evidence of future legal agreements with the aforementioned neighboring properties in association with future vehicular access improvements must be submitted to the DPD Land Use Planner prior to the issuance of the final construction permit. Any alternatives to these requirements must be reviewed and approved by DPD Staff.

### Parking

The proposal site is situated within a commercial zone (NC3-65), the West Seattle Junction Hub Urban Village, and near a frequent transit service corridor. No parking is required for the project per the Land Use Code (SMC 23.54). The submitted MUP plans indicate 152 parking spaces will be provided onsite. A majority of the parking stalls (147) are accessory to the residential use.

A parking analysis was included with the Traffic Impact Analysis report (dated June 2013) and an addendum (dated September 12, 2013) prepared by GTC to assess the expected parking demand and supply. The DPD Transportation Planner has reviewed the Parking Analysis. It was concluded that the project is expected to generate a parking demand of about 178 vehicles during peak (overnight) hours. The project is proposing 158 parking spaces, indicating that parking spillover may be about 20 vehicles. If the tandem spaces are included in this 158 supply count, and if some or all of them are unused, the spillover parking could be as great as 30 vehicles. It is anticipated that these vehicles will seek parking on nearby streets on which parking is allowed.

Although SEPA Policy 25.05.675M recognizes that increased parking demand associated with development projects may adversely affect the availability of parking in an area, Policy 25.05.675M2b states no SEPA authority is provided for the decision maker to mitigate the impact of development on parking availability for residential uses located within urban villages and within 1,320 feet of a street with frequent transit service, as in this case. Therefore no mitigation is required.

### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

### **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 requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

### **SEPA CONDITIONS**

#### Prior to Issuance of the Master Use Permit

1. The applicant shall document all future access improvements (sight triangles, 18' minimum alley width, and power pole removal) per the traffic report prepared by GTC on the MUP drawings. Future signage indicating right-turn only exiting from the garage should also be noted on the MUP plans.

Prior to Issuance of Any Demolition, Grading and Building Permit:

2. In order to address construction related transportation and parking impacts, the responsible party shall submit a Construction Transportation Management Plan (CTMP) to be reviewed and approved by Seattle Department of Transportation in consultation with DPD. A construction transportation plan for workers and truck deliveries/routes shall be prepared to minimize disruption to traffic flow on adjacent streets and roadways. This plan shall include a requirement that truck trips be scheduled to avoid peak periods of 7:00-9:00 a.m. and 4:00-6:00 pm, Monday through Friday. The plan shall consider the need for special signage; flaggers; haul route definitions; street cleaning; identification of potential street and/or sidewalk closures; vehicle, bicycle and pedestrian circulation and safety; coordination with Metro Transit relative to construction activity that could affect transit service proximate to the project site. Pedestrian circulation along 35<sup>th</sup> Avenue Southwest shall be kept open to the greatest extent possible. The plans shall also include a notification process associated with the alley closure explaining schedule/process and person(s) to contact (including contact's phone number) concerning issues.
3. The owner(s) and/or responsible party(s) shall provide evidence of the required land acquisition and/or easements with the neighboring properties abutting the existing alley to the west and to the east in association with future vehicular access improvements. This documentation must be submitted to the DPD Land Use Planner prior to the issuance of the final construction permit. Any alternatives to these requirements must be reviewed and approved by DPD Staff.

During Construction

4. The owner(s) and/or responsible party(s) shall comply with the Construction Transportation Management Plan. A copy of that plan must be kept onsite.

**DESIGN REVIEW CONDITIONS**

During Construction

5. Any changes to the design, building exterior or landscape plan shall be submitted to DPD for review and approval.

Prior to Certificate of Occupancy

6. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown in the Master Use Plan (MUP) set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Tami Garrett 206-233-7182 or [tami.garrett@seattle.gov](mailto:tami.garrett@seattle.gov)).
7. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Tami Garrett 206-233-7182 or [tami.garrett@seattle.gov](mailto:tami.garrett@seattle.gov)).

For the Life of the Project

8. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Tami Garrett 206-233-7182 or [tami.garrett@seattle.gov](mailto:tami.garrett@seattle.gov)).

Signature: (signature on file) Date: December 12, 2013  
Tami Garrett, Senior Land Use Planner  
Department of Planning and Development