



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

Project Number: 3012787
Applicant Name: Diana Wellenbrink, Diagonald Arch. & Structural Design
for Alan Neely, FL200 Investments LLC
Address of Proposal: 9051 20th Ave SW

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a three to four-story structure containing 2,095 sq. ft. of commercial, four live/work units and 35 residential units above. Parking for 37 vehicles to be provided within attached garage. Project includes 950 cu. yds. of grading. Existing structures to be demolished.

The following approvals are required:

Design Review - Seattle Municipal Code (SMC) Chapter [23.41](#).

Development Standard Departures:

- 1) **Street-Level Development Standards** (SMC 23.47A.008 B.3.a.)
- 2) **Street-Level Development Standards** (SMC 23.47A.008 B.3.b.)
- 3) **Access to Off-Street Parking from Alley** (SMC 23.47A.032.A.3.)
- 4) **Structural Building Overhangs** (SMC 23.53.035 A.4.c.)
- 5) **Parking Space Standards** (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.

SITE & VICINITY

Site Zone: NC1-40'

Nearby Zones:
(North) NC1-40'
(South) NC1-40'
(East) NC1-40'
(West) ST 7200

Lot Area: 16,543 square feet

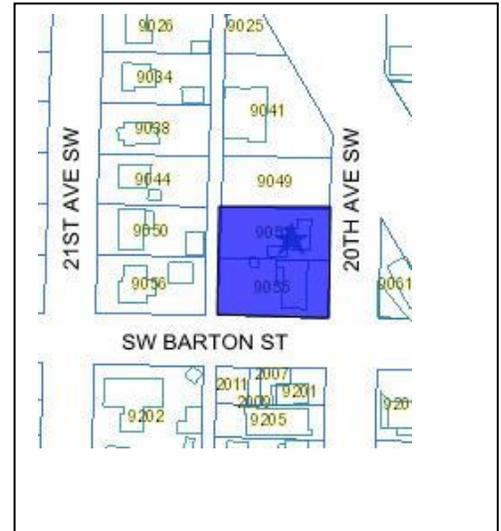
Current Development: Vacant multifamily structures.

Access: Vehicle access from 20th Ave SW. Pedestrian access from 20th Ave SW and SW Barton St.

Surrounding Development: Single family residences, multifamily residences, and commercial structures.

ECAs: None

Neighborhood Character: The proposal is situated in the Westwood Highland Park Residential Urban Village of West Seattle. The area is predominantly occupied by single family houses built in the middle of the previous century and some scattered commercial properties. It is an area in transition, moving forward to increased density and an improved pedestrian experience.



Public Comments

Public comments were invited at the two Design Review public meetings and the Master Use Permit application. Comments from the Design Review meetings are noted within the Analysis — Design Review section below.

Master Use Permit Application

The applicant revised the design and applied for a Master Use Permit with a design review component on July 26, 2012. The public comment period ended on August 22, 2012. The Land Use Application information is available at the Public Resource Center located at 700 Fifth Ave, Suite 2000¹.

¹ <http://www.seattle.gov/dpd/PRC/LocationHours/default.asp>

ANALYSIS — DESIGN REVIEW

Architect's Presentation:

(Early Design Guidance on June 14, 2012 and the Design Review Recommendation meeting on October 25, 2012)

Three alternative design schemes were presented. The first scheme (Option 1) showed two buildings allowing for phased construction on the site. This option has a north building and a south building, with a driveway from SW Barton St that connects to a U-shape parkade below the structures.

The second scheme (Option 2) showed two buildings allowing for phased construction on the site. This option has an east building and a west building, with a driveway from 20th Ave SW that connects to a U-shape parkade below the structures.

The third scheme (Option 3) showed an L-shaped building with a driveway at the North side of the site to L-shaped parkade below the structure.

At the time of the **Early Design Guidance** meeting, the following departures were requested:

- 1. Street-level development standards (SMC 23.47A.008):** The Code requires that the floor of a dwelling unit located along the street-level street-facing façade shall be at least 4 feet above or 4 feet below sidewalk grade or be set back at least 10 feet from the sidewalk. The applicant proposes reducing the required 10 feet setback by 2'-4" for the length of 12'-6".

The Board indicated they are inclined to consider the departure based on the future design details.

- 2. Street-level development standards. (SMC 23.47A.008):** The Code requires that Non-residential uses at street level shall have a floor-to-floor height of at least 13 feet. The applicant proposes a 12'-10".

The Board indicated they are inclined to consider the departure based on the future design details.

- 3. Access to off-street parking from alley. (SMC 23.47A.032.A.):** The Code requires access to parking from the alley if the lot abuts an alley improved to the standards of SMC 23.53.030.C. or if the Director determines that the alley access is feasible and desirable to mitigate parking access impacts. The applicant proposes access from 20th Ave SW.

The Board indicated they are inclined to consider the departure based on the future design details.

- 4. Structural building overhangs.(SMC 23.53.035):** The maximum length of each bay window or balcony shall be 15 feet at the line establishing the required open area, and shall be reduced in proportion to the distance from such line by means of 45 degree angles drawn inward from the ends of such 15 foot dimension, reaching a maximum of 9 feet along a line parallel to and at a distance of 3 feet from the line establishing the open area. The applicant proposes the length of the bay is reduced to 0 along a line parallel to and at a distance of 3 feet by means of a 78 degree and a 12 degree angles drawn inward.

The Board indicated they are inclined to consider the departure based on the future design details.

Design Presentation: *(at the Recommendation meeting)*

The scope and scale of the Option 3 project has not changed much from what was proposed at the design guidance phase of review. The northeast ground level residential portion of the building has been changed to commercial space. The southwest ground level residential portion has been changed to live/work units. There will be two roof deck amenity areas. See the Design Guideline Priorities section for more details.

Boards Discussion *(at Early Design Guidance)*
guidelines

- The proposed massing with 4 floors along 20th Ave SW and 3 floors along Barton is appropriate and a step to better massing with respect to the future development of the areas. *(Sections A. Site Planning, and B. Height, Bulk, and Scale Compatibility)*
- The access to the garage from 20th Ave SW is acceptable and a better solution than having an open driveway visible from the street. *(Section D. Pedestrian Environment)*
- The architectural language creates visual interests. More details shall be presented on the DRB meeting. Use of contrasting cementitious boards and wood plank is appropriate for residential use. *(Section C. Architectural Elements and Materials)*
- The location of the common space over the 3-level portion of the building is appropriate. More details shall be presented on the DRB meeting. *(Section E. Landscaping)*
- The corner space at street level is a good place for commercial space as well. *(Sections A, C, and D)*

Applicant's Response to the Board *(at the Recommendation meeting)*
guidance/response

- *The proposed massing with 4 floors along 20th Ave SW and 3 floors along Barton is appropriate and a step to more appropriate massing with respect to the future development of the areas compared to the previous option of 3-story building.*

The proposal retains the building height and number of stories shown at the design guidance meetings. Due to the unique site topography the applicant explored the most beneficial height measurement option provided.

- *The access to the garage from 20th Ave SW is acceptable and a better solution than having an open driveway visible from the street.*

The proposal kept this arrangement.

- *The architectural language creates visual interests. More details were presented at the recommendation meeting. Use of contrasting cementitious boards and wood plank siding is appropriate for the proposal.*

The initial selection of materials is maintained and further developed as illustrated throughout the recommendation packet. The architectural language and modulation improved through some

simplification as discussed by the Design Review Board which contributed to the better arrangement and visual perception.

- *The location of the common space over the 3-level portion of the building is appropriate. More details shall be presented on the recommendation meeting.*

The applicant worked toward further development of that area and is presented in the packet.

- *The corner space at street level is a good place for commercial space as well.*

The applicant further developed that concept and now that space is the largest and most attractive commercial space.

- *Study the opportunity to have commercial space along 20th Ave SW at the NE corner of the building as it will be visible from Delridge Way SW. The Board is willing to consider departures of the 13' height rule and 30' depth rule for commercial space in order to accommodate such space at this location.*

The applicant embraced the idea and incorporated commercial spaces at the NE corner of the building. In order to keep the economics of the building new residential layouts were developed to keep the number of units. The height of the commercial space is less than 13 feet (11'-1") due to the slight slope along 20th Ave SW. If the height of the street level is increased the residential floors will have a height less than the current 9'-4" which will jeopardize their vitality. The applicant is requesting departure.

- *The proposed Live / Work units along SW Barton St. on the first meeting were more appropriate for the area than having a commercial space. If apartment units are proposed along Barton the Committee is willing to consider departures from the 10' setback for residential use from sidewalk.*

The applicant agreed with the Board's discussion and now the proposal contains 3 Live / Work units along SW Barton St.

- *The architectural language should express better the distinction between commercial spaces and the residential portion of the building.*

The applicant proposes a combination of large storefront openings and solid wall with finished aluminum panels. This combination contrasts both as material and color to the upper residential floors. The use of composite aluminum panels impacts the perception of the floor as commercial, while still reflects the general color scheme. Some areas as the residential entry and the driveway entry incorporate the wood siding as link to the upper floors.

- *The Board wants to see proposal for future signage on the commercial space.*

The building renderings incorporate the proposed signage.

- *The roof area over the parking at the NW corner of the building needs to have special attention so it does not turn into a large concrete space.*

The applicant created private terraces and a common terrace of smaller size designated for quiet activities. This concept will vitalized the area and craft an attractive space while respecting the privacy of the units situated at that side of the building and adjacent properties.

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. The Board identified the 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.*

The project site includes two parcels located at 9051 and 9055 20th Ave SW, on the northwestern corner of 20th Ave SW and SW Barton St. The overall site has approximately equal frontage of about 130 feet along both streets. The topography is very unique with its immediate drop of about 10 feet starting at the edge of the sidewalk. The applicant explored different options to accommodate taller building adequate with the intent of NC1-40 zone and comply with the measurement instruments designated by the Zoning Code.

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

The project is situated in up-and-coming area and the goal is to set new standards for pedestrian experience in the immediate area. The project will enhance the pedestrian experience through amenities such as landscape, lighting, large storefront windows, street furniture.

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

The main entries to the building as well as to the commercial spaces are developed as accented vertical line, which turns into a horizontal canopy. The residential entry is distinguished by the use of wood siding vs. the aluminum panel cladding along the rest of the street level facade.

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

The project includes commercial spaces along the eastern and southeastern facades; with live/work on the western portion of the southern façade — as recommended by the Design Review Board. The commercial spaces are not large and their most probable tenants will be in the sphere of business services to small retailer.

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 Building is adjacent only to the property on the north side. The building is staggered in relation to the existing building on the property, thus not throwing shade on the residential floors and most of the first office floor. Appropriate vegetation is proposed to separate the building along its north and west side where it abuts single family properties across from an alley.

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

The main residential open space is located at the 4th level where there are nice territorial views and some glimpse of Puget Sound. The roof terrace is designed to have areas for gathering and entertainment. The lower terrace is of a smaller size designated for more solitary relaxing.

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.*

The parking provided is within the buildings. The parkade is below street level grade with access from 20 Ave SW. This provides minimum impact to the street scape and surrounding properties.

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

Special attention is given to the treatment of the SE street corner and SW building corner which is across from the Alley, creating an interesting urban edge. The street corner is angled with the direction used throughout the building layout giving some extra landscape space for visual interest and sense of direction.

The long elevations along SW Barton St and 20th Ave SW are modulated to avoid a monolithic presence.

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.*

The scale of the development is consistent with the existing multi-family buildings in close proximity. The selected architectural vocabulary will visually break the mass to proportions closer to those of the single family structures west of the property, and the low-rise structures to the South.

C. *Architectural Elements and Materials*

C-1 Architectural Context. *New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.*

The project is designed to stand with its individual identity yet without domination over the neighboring single family and low-rise residential structures.

The project will exploit contemporary, as well as traditional Northwest materials in a modern application, providing a unique addition to the architecturally eclectic neighborhood with its new style and architectural forms.

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.*

The design was developed with a strong emphasis on architectural expression of the building as a whole.

Blank walls are avoided by designing openings and rustication in the concrete walls as part of the overall facade diagram. The repetitiveness of details such as balcony railings and opening screens contribute to the broad perception of the building.

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

With the purpose of reducing the perceived massing the design uses recesses and projecting segments in the facades, bay windows, terraces and canopies.

- 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.*

Building materials have been selected to complement the quality of the neighborhood in a contemporary way.

The texture of the building is developed on the principle of abstract composition of lines, shapes and color.

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.*

The project provides canopies above the commercial spaces and live/work units. The walkway is compliant with the City and SDOT requirements for slope and width.

- 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 parking structure is visible only from the alley and partly from SW Barton St. There are bioretention planters in front of the parking walls which contribute to the enhanced perception.

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

Doors, windows, balconies and terraces will encourage natural surveillance. The access of service spaces in both buildings is inside the buildings. The parking access will be provided with mirrors to navigate traffic.

- 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.*

Signage area is specially designated into the north blank facade, where no openings are permitted. The area is part of the overall abstract composition of the wall and it will be also well seen from Delridge Way. There are details included in the packet of proposed signage over the commercial spaces.

- 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.*

Lighting will be used to increase site safety and to highlight features such as canopies, planting, and art.

D-11 Commercial Transparency. *Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.*

The sizes if the commercial openings are pushed to its limit in regards of the structural integrity of a conventional wood construction. The amount of openings is adequate to the overall feet of the immediate neighborhood.

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.*

There are landscape strips on both sides with a special attention the scale to be appropriate for being in front of a commercial space.

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 neighboring properties and abutting streetscape.*

This neighborhood of West Seattle is comprised of mostly single family homes along with some scattered commercial lots. Those existing lots have a mixture of minimalist landscaping that shows no great consistency or continuity within the neighborhood. There are a few street trees along SW Barton and 20th Ave SW, but they are a mixture of species and sizes.

The landscaping for the proposal is looking to set the design tone for the neighborhood and abutting streetscape by adding SDOT approved alley Elm trees along SW Barton St and SDOT approved Norwegian Sunset Maples along 20th Ave SW. We are also proposing colorful, low growing, shrubs and groundcovers in the planting strip between the curb and sidewalk to buffer pedestrians from the street and to add year round color & interest to the front of the building.

The applicant is hoping this will be an example that other lots will follow as they are improved over time to help create a more uniform and inviting landscape for the neighborhood.

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.*

A significant amount of landscaping elements and features has been proposed as enhancements to the building, as well as the recreational areas to be used by the residents of the building.

Along with the improved streetscape landscaping, consisting of new SDOT approved street trees, and green factor plantings along in the planting strip and along the front of the building, two open common areas have been designed for the building.

The first open common area is located on the main floor of the building facing west. The surface of the space is a scored concrete patio with panels that will be stained brown to match accents on the building. The space divides private residential unit patios from the common space areas with lightweight metal planters filled with colorful plantings to provide privacy for the residential units and color and interest to the common area. The common area also has a large, colorful, green roof component that residents look down on from above. The common area also has benches for seating, tables and chairs for dining, along with a couple outdoor barbecue grills for entertaining and cooking.

The second common area space is located on the 3rd floor roof terrace and also faces west. This common area has no private residential patios, but lightweight metal planters have been use to break the larger space up into smaller sections, for sun bathing, dining and seating. Two large green roof planters also help break up the space into smaller area. Benches, tables, chairs, and barbecue grills have again been placed for residents to use for entertaining and dining. Small planters have also been used to add additional green elements and color to the space.

We have also added bioretention planters along the back side of the building to help filter and detain rainwater, while also giving us a place to grow colorful, water loving plants. These planters help beautify the back, alley-facing side of the building. There is also a porous paved walkway that leads along side of the planters for residents to use for access to the alley and sidewalks in front of the building.

Overall, these two common area spaces, the bioretention planters, along with the street front landscape improvements, greatly enhance the building and site.

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.*

There are not many special on-site conditions that needed to be addressed with landscaping. There are no significant trees onsite, nor are there any greenbelts, ravines, natural areas, or boulevards that abut the property.

There is a bit of a high-banked slope leading from the alley up to SW Barton St. The applicant has added a concrete stairway for residents to use to get up to SW Barton St from the lower area of the building. They have also planted that space with low shrubs and groundcovers to stabilize the slope and beautify the alley.

The common area terrace on the roof of the third floor takes advantage of the views to the west towards the water.

DEVELOPMENT STANDARD DEPARTURES

At the time of the **Recommendation meeting**, the following departures were requested:

- 1. Street-Level Development Standards (SMC 23.47A.008 B.3.a.):** Non residential uses shall extend an average of at least 30 feet and a minimum of 15 feet in depth from the street-level street-facing facade. If the combination of the street-facing facade requirement of subsection 23.47A.008.D.1 and this depth requirement would result in a requirement that an area greater than 50 percent of the structure's footprint be dedicated to nonresidential use, the director may modify the street-facing facade or depth requirements, or both, so that no more than 50 percent of the structure's footprint is required to be nonresidential.

Proposed

Commercial spaces 2 and 3 have a depth of 27'-11".

Rationale

Following the recommendation of the design review board from the second early design guidance meeting the project incorporates commercial space at the NW corner of the building rather than the originally proposed residential units. Any further depth will result in an inadequate depth for the design of the spaces on the other side of the corridor which will lead to elimination of additional residential units. The area is in a stage of development and keeping the flexibility to convert the spaces into residential unit is desirable.

- 2. Street-Level Development Standards (SMC 23.47A.008 B.3.b.)** Nonresidential uses at street level shall have a floor-to-floor height of at least 13 feet.

Proposed

The floor-to-floor height proposed is 12'-4" feet. The floor-to-floor height at commercial space 3 and 4 would be 11'-1".

Rationale

Following the recommendation of the design review board from the second early design guidance meeting the project incorporates live/work units along SW Barton Street and commercial space at the NW corner of the building. The design review board also recommended at the first meeting a taller than 3 level building as it was proposed to achieve better the intent and long term development goals of the existing zone - NC1-40. The proposed street level height is consistent with the feel of the immediate neighborhood. It is appropriate with the intention to fit into the scale of the adjacent single family houses and low-rise residential structures. The live/work units and the commercial spaces are relatively small and do not need as high ceilings as merchants or larger service providers.

3. Access to Off-Street Parking from Alley (SMC 23.47A.032.A.3.): “In C1 and C2 zones, access to off-street parking may be from a street, alley, or both when the lot abuts an alley. However, structures in C zones with residential uses and structures in C zones across the street from residential zones shall meet the requirements for parking access for NC zones as provided in subsection 23.47A.032.A.1. If two or more structures are located on a single site, then a single curb cut shall be provided according to the standards in Sections 23.47A.032.A.1, .2, and 23.54.030.F.2.”

SMC 23.47A.032.A.1.a. “Access to parking shall be from the alley if the lot abuts an alley improved to the standards of Section 23.53.030.C, or if the Director determines that alley access is feasible and desirable to mitigate parking access impacts.”

Proposed

The access to the garage (parkade) will be from 20th Ave SW.

Rationale

The alley where the lots are located, do not connect to the street (SW Barton Street) because of the steep slope, although there is a curb cut. Any correction of the slope will interfere with the adjacent single-family lots which have garages with access from the Alley.

Those problems justify the exception for alley improvement per:

SMC 23.53.030.G.3. “Widening and/or improving the right-of-way would eliminate alley access to an existing lot.”

SMC 23.53.030.G 4. “Widening and/or improving the right-of-way is impractical because topography precludes the use of the alley for vehicular access to the lot”.

The Land Use Code has provisions allowing the access to the parking to be from the street for C zones per:

SMC 23.47A.032.A.1.b. “If access is not provided from an alley and the lot abuts only one street, access is permitted from the street, and limited to one two-way curb cut.”

SMC 23.47A.032.D 1. “Access to off-street parking may be from a street if, due to the relationship of an alley to the street system, use of the alley for parking access would create a significant safety hazard as determined by the Director.”

4. Structural Building Overhangs (SMC 23.53.035 A.4.c.): The maximum length of each bay window or balcony shall be 15 feet at the line establishing the required open area, and shall be reduced in proportion to the distance from such line by means of 45 degree angles drawn inward from the ends of such 15 foot dimension, reaching a maximum of 9 feet along a line parallel to and at a distance of 3 feet from the line establishing the open area.

Proposed

The length of the proposed bay window is 15 feet and is reduced to 0 along a line parallel to and at a distance of 3 feet by means of 78 degree and 12 degree angles drawn inward.

Rationale

The proposed configuration of the bay window does not increase the area otherwise permitted by the Code. It better responds to the design concept and avoids repetition of one and the same layout throughout similar buildings.

5. Parking Space Standards (SMC 23.54.030 D.3.) No portion of the driveway, whether located on the lot or on the right-of-way, shall exceed a slope of 15 percent.

Proposed

The slope of the driveway is 16%.

Rationale

This is an interior ramp of the parkade designated for the residents of the building only, who will be familiar with the route. The ends of the driveway are designed accommodate an appropriate crest and sag.

BOARD RECOMMENDATIONS

The recommendation summarized below was based on the design review packet and the presentation by the applicant at the Design Review meetings. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, three (all those present) of the Design Review Board recommended APPROVAL of the subject design.

The Board stated the following areas need to be worked on further in conjunction with DPD staff:

1. The Board directed the applicant to work with DPD on creating a visual separation between the commercial base and the upper residential portion of the building on the eastern façade.
2. The Board directed the applicant to work with DPD on the architectural language between the live/work spaces and residential portion of the building on the southern façade.
3. The Board directed the applicant to work with DPD on the residential entry on the southern façade — “... *needs to be well defined.*”
4. The Board directed the applicant to work with DPD on the rooftop open railing on the southern and eastern facades — “... *does not appear to be the right treatment.*”

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed recommendations, 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 members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multi-family and Commercial Buildings, and is consistent with SEPA requirements or state and federal laws. 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.

The Director of DPD has reviewed the recommendations of the Design Board members present at the final Design Review recommendation meeting and finds that the Board acted within its authority and the Board’s recommendations are consistent with the guideline’s and do not conflict with regulatory requirements.

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed recommendations, 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 members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multi-family and Commercial Buildings, and is consistent with SEPA requirements or state and federal laws. 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.

The Director of DPD has reviewed the recommendations of the Design Board members present at the final Design Review recommendation meeting and finds that the Board acted within its authority and the Board’s recommendations are consistent with the guideline’s and do not conflict with regulatory requirements.

CONDITIONS

Design Review conditions are listed at the end of this report.

ANALYSIS – SEPA

This analysis relies on the *Environmental (SEPA) Checklist* for the proposed development submitted by the applicant which discloses the potential impacts from this project. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Seattle SEPA ordinance provides substantive authority to require mitigation of adverse impacts resulting from a project (SMC 25.05.655 and 25.05.660). Mitigation, when required, must be related to specific adverse environmental impacts identified in an environmental document and may be imposed only to the extent that an impact is attributable to the proposal. Additionally, mitigation may be required only when based on policies, plans, and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675, inclusive, (SEPA Overview Policy, SEPA Cumulative Impacts Policy, and SEPA Specific Environmental Policies). In some instances, local, state, or federal requirements will provide sufficient mitigation of a significant impact and the decision maker is required to consider the applicable requirement(s) and their effect on the impacts of the proposal.

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, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: “*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,*” subject to some limitations. Under specific circumstances (SMC 25.05.665 D 1-7) mitigation can be required.

The policies for specific elements of the environment (SMC 25.05.675) describe the relationship with the Overview Policy and indicate when the Overview Policy is applicable. Not all elements of the environment are subject to the Overview Policy (e.g., Traffic and Transportation). A detailed discussion of some of the specific elements of the environment and potential impacts is appropriate.

Short -Term Impacts

The following temporary construction-related impacts are expected: temporary soils erosion; temporarily decreased air quality due to dust and other suspended air particulates during construction and demolition; 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; and consumption of renewable and nonrenewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section [25.05.794](#)). Although not significant, these impacts may be adverse, and in some cases, mitigation is warranted.

City codes and/or ordinances apply to the proposal and will provide adequate mitigation for the identified impacts. Specifically these are: 1) Grading and Drainage Control Ordinance, SMC [22.800](#) (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). Other agencies will provide adequate mitigation for the identified impacts, such as the Puget Sound Clean Air Agency (dust/air impacts during construction and demolition).

Earth

The project will require excavation and DPD anticipates further study and design associated with the grading and construction permits. DPD geotechnical staff indicates that existing Codes (Grading and Drainage Control Ordinance, SMC [22.800](#)) provide authority to require appropriate mitigation for this project, and that no specific conditioning is warranted in this regard.

Air Quality

The on-site structures will be demolished. Characterization of on-site building for lead paint and asbestos will be required prior to demolition. The project will be required to obtain a permit from the Puget Sound Clean Air Agency prior to a demolition permit being issued. Such additional study and the PSCAA permit will provide adequate mitigation of any potential SEPA impacts.

Environmental Health

State law provides for the cleanup and appropriate disposal of hazardous substances. The Model Toxics Control Act (WAC [173-340](#)) is administered by the Washington Department of Ecology (DOE) and establishes processes and standards to identify, investigate, and clean up facilities where hazardous substances have come to be located. DPD alerts the applicant to this law and provides a contact: Joe Hickey, DOE, (425) 649-7202.

Discharge of contaminated groundwater to the sewage system is regulated by the King County Department of Natural Resources under Public Rule [PUT 8-14](#). A [factsheet](#) and permit application is available online or by calling (206) 263-3000.

Disposal of contaminated fill is regulated by the City/County Health Department, contact: Jill Trohimovich, (206) 263-8496.

Existing regulations adequately address potential impacts to environmental health. In addition, there is no evidence of environmental health issues on the project site. No further conditioning of site cleanup or hazardous waste treatment is warranted pursuant to SEPA policies.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not significant, so mitigation is not required pursuant to SEPA.

Streets and Sidewalks

The proposed on-site demolition, excavation and construction are controlled by a demolition/building permit, separate from this Master Use 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 the site could adversely affect the surrounding residential/commercial uses. However, the limitations of the Noise Ordinance are found to be adequate 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](#)), no mitigation other than compliance with the Construction Noise Ordinance is warranted.

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. In addition, most of the commercial uses in the surrounding area include enough on-site parking such that street parking is not an issue. Construction parking impacts will be insignificant and therefore SEPA mitigation of parking impacts during construction is unwarranted.

Construction Traffic

Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. Traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated in part by enforcement of SMC [11.62](#). This immediate area is subject to some traffic congestion during the PM peak hours, and large trucks turning onto arterial streets would further exacerbate the flow of traffic. Pursuant to SMC [25.05.675 B](#) (Construction Impacts Policy) and SMC [25.05.675 R](#) (Traffic and Transportation) additional mitigation is warranted.

The construction activities will require the export/import of material from the site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other building materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which will not be mitigated by existing codes and regulations.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cause truck trips to cease during the hours between 4 PM and 6 PM on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC [11.62](#).

City code (SMC [11.74](#)) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

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).

The likely long-term impacts are typical of this scale of mixed use development, and DPD expects them to be mitigated by the City’s existing codes and/or ordinances (together with fulfillment of Seattle Department of Transportation requirements). Specifically these are: the Land Use Code (aesthetic impacts, height, light, traffic, setbacks, parking) the Seattle Energy Code (long-term energy consumption), and the Street Use Ordinance. However, more detailed discussion of some of these impacts is appropriate.

Several adopted City codes and/or ordinances provide mitigation for the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code which requires provisions for controlled 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 significant, so do not require mitigation pursuant to SEPA.

Height, Bulk, and Scale

SMC [25.05.675.G.2.c](#) states, “*The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project.*”

The site is surrounded by properties that are similarly zoned. The Design Review Board considered issues of height, bulk and scale in its review of this project and unanimously recommended approval of the project design. The proposed structure is located on an NC2-40

zoned site, and the structure conforms to zoning requirements, including height and bulk. No additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

Light and Glare

The checklist discusses the project's potential light and glare effects on the surrounding area. The proposed project exterior design emphasizes a sympathetic arrangement of glazing and materials on the facades. Lighting will be downshielded but will provide enough light in the evening to provide a safe environment. DPD therefore determines that light and glare impacts are not substantial and warrant no further mitigation per SMC 25.05.675.K.

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 not to have a significant adverse impact upon the environment. An EIS is not required under RCW [43.21C.030\(2\)\(C\)](#).

The proposed action is **APPROVED WITH CONDITIONS**.

CONDITIONS – SEPA

During Demolition, Excavation, and Construction

1. For the duration of the removal of the existing building, excavation of materials, and delivery of construction materials; the owner(s) and/or responsible party(ies) shall cause truck trips to and from the project site to cease during the hours between 4 PM and 6 PM on weekdays.
2. Debris and exposed areas shall be sprinkled as necessary to control dust; a truck wash and quarry spall areas shall be provided on-site prior to the construction vehicles exiting the site if scoop and dump excavation is not used; and truck loads and routes shall be monitored to minimize dust-related impacts.

CONDITIONS-DESIGN REVIEW

Prior to Issuance of the Master Use Permit

3. The applicant shall update the Plans to show a detailed drawing for the visual separation between the commercial base and the upper residential portion of the building on the eastern façade.
4. The applicant shall update the Plans to show that the south and west rooftop open railing has been modified to a parapet wall.
5. The applicant shall update the Plans to show that the color palette changes for the southern façade — the live/work spaces and residential portion of the building.

During Construction

6. Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval by the Land Use Planner assigned to the project.

Prior to Issuance of the Certificate of Occupancy

7. Compliance with all images and text on the MUP drawings, as modified by this decision and approved by the Land Use Planner, shall be verified by the Land Use Planner assigned to this project. An appointment with the assigned Land Use Planner must be made at least three working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that substantial compliance has been achieved.

Signature: _____ (signature on file) Date: December 27, 2012
Colin R. Vasquez, Senior Land Use Planner
Department of Planning and Development

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