City of Seattle

Department of Planning and Development
D. M. Sugimura, Director

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

Application Number: 3013307

Applicant Name: Scott Jefferies of Caron Architects LLC for 3835 California Ave LLC

Address of Proposal: 3829 California Ave SW

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a three-story structure containing 29 residential units. Parking for 29 vehicles to be provided at and below grade. Existing structures to be demolished.

The following Master Use Permit components are required:

Design Review (SMC Chapter 23.41) with Development Standard Departures:

Driveway Standards (SMC 23.47A.008.B.2)

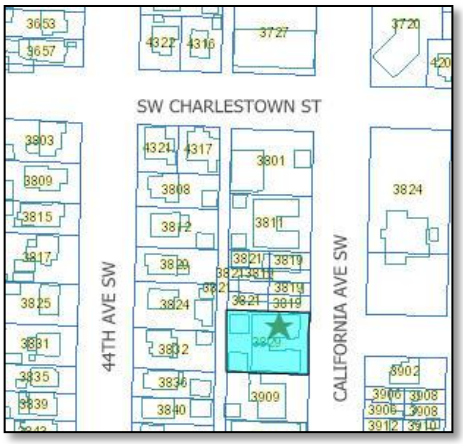
SEPA-Environmental Determination (Chapter 25.05 SMC)

DPD SEPA DETERMINATION:

Determination of Non-significance

☐ No mitigating conditions of approval are imposed.

☒ Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts



Site Zone: LR3/RC

Nearby Zones: Along California Ave SW; LR3/RC to the south and NC1-30 to the north. To the west and east of the parcels fronting California Ave SW, the zoning is SF 5000.

Lot Area: 10,554 square feet.

Project Description: The proposal is for a three story apartment building with 29 residential units. 20 parking spaces will be below grade and 9 parking spaces will be at grade. Access to parking is from the alley.

Current Development: The site is currently occupied by a single story residential development with four units.

Access: The site fronts on California Ave SW and a paved alley.

Surrounding Development: The site abuts properties with townhouses to the north and a single family house to the south with an office use. Across California Ave SW is a single story commercial building last used as a restaurant, a single family residence with a retail use and townhouses. Across the alley are single family residences built in the 1920's and 30's.

ECA's: None

Neighborhood Character: This section of California Ave SW is a busy arterial with a mixture of one to three story residential structures and lower scale commercial uses, that lack a consistent character due to the wide range of architectural styles and time of construction. In contrast, the grid of single family zoned blocks east and west of California Ave provide a strong residential neighborhood character.

DESIGN REVIEW

EARLY DESIGN GUIDANCE MEETING: June 28, 2012

The EDG packet includes materials presented at the EDG meeting, and is available online by entering the project number 3013307 at this website:
http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/SearchPastReviews/default.asp

The EDG packet is also available to view in the DPD file, by contacting the Public Resource Center at DPD:

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

Three alternative design schemes were presented by the design team with most attention directed to the applicants' preferred scheme. All of the options were said to embrace the main project goal which was to create an urban infill apartment building with parking mostly tucked under the structure. The ground level would offer a residential lobby as well as apartment units, with two levels of apartment units above. The roof of the building would provide amenity spaces for the tenants, with five of the ground floor units provided with small outdoor private amenity spaces. Option A broadly filled the site with a notch at the ground level in the northeast corner. Option B mimicked the existing footprint of the structure already located on site, but with two additional stories above. The preferred option set a rectangular three story bar with slightly more than half of the proposed units along the south edge of the site with a shorter sided square box attached to the north. The entry off California Avenue SW was set almost at center of the street-facing façade. Parking in all three schemes was taken off the alley at the rear.

PUBLIC COMMENT

Comments solicited from the public included the following:

- Concerned that additional cars moving along the alley would create congestion, speed and safety issues; expressed a special concern that vehicles utilizing head-in parking along the alley could possibly back into and damage the fence along the backyard of the single family residence directly across the alley.
- Concerned about privacy and overlook issues from the west façade of the proposal.
- Concerned about privacy and project windows opposite existing residential units adjacent to north, and the office adjacent to south.
- Concerned about the adequate number and sizes of parking spaces.
- Strongly concerned that the proposed retaining wall along the south property line is too tall, is stark and blank, and perhaps unnecessary.
- Appreciated the structure has adequate setbacks and that there are no anticipated departures, but concerned that the structure uses full height envelope and sits too high on the site, substantially higher than the existing berm of approximately 18 inches.

INITIAL RECOMMENDATION MEETING: April 11, 2013

The Initial Recommendation packet includes materials presented at the Recommendation meeting, and is available online by entering the project number 3013307 at this website: http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/SearchPastReviews/default.asp

The Recommendation packet is also available to view in the DPD file, by contacting the Public Resource Center at DPD:

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

Email: PRC@seattle.gov

The project that was presented at the Recommendation Meeting was a further developed "preferred option", which was presented at the EDG meeting. The proposed development showed a three story apartment structure, the number of residential units had dropped to 29 from 30. Parking for 20 vehicles would be provided below grade and 9 at grade. Access to parking is from the alley. A roof garden for residents is proposed. Two inaccessible "green roofs" would be provided to help meet the required Green Factor.

During the zoning and Land Use reviews of the submitted MUP drawings it was determined that two departures would be needed for the proposal. One for driveway slope and the second for allowed façade length within 15' of a side lot line.

During the project presentation, the applicant noted that in response to the EDG guidance the lobby had been redesigned and the accessible ramp relocated. Structure height had been lowered by one foot.

PUBLIC COMMENT

The following comments, issues and concerns were raised at this meeting:

- Commented that the facade along California Ave SW is stark and encouraged increased scoring/detailing of the exterior materials or provide greater vegetation.
- Encouraged greater sensitivity to the alley and providing landscaping out to the alley.
- Stated that the project is better than what was presented at the EDG Meeting.
- Commented that the 1st floor section of California Ave SW façade was the weakest part of the design and encouraged adding windows to the SE corner to provide "eyes on the street".
- Stated that the landscaping needs improvement and should be higher quality.
- Concerned that the roof top garden for the residents will create noise and would like some visual abatement such as a buffer along the north edge.
- Questioned who will maintain the roof gardens. [The applicant responded that residents or management will provide maintenance.]

FINAL RECOMMENDATION MEETING: June 13, 2013

The Final Recommendation packet includes materials presented at the Recommendation meeting, and is available online by entering the project number 3013307 at this website: http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/SearchPastReviews/default.asp

The Recommendation packet is also available to view in the DPD file, by contacting the Public Resource Center at DPD:

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

Email: PRC@seattle.gov

The project that was presented at the 2nd Recommendation Meeting incorporated changes in response to the Boards direction given at the Initial Recommendation Meeting. The proposed development showed a three story apartment structure, with 29 units. Parking for 29 vehicles will be provided, 20 vehicles stalls will be provided below grade and 9 at grade. Access to parking is from the alley. A roof garden for residents will be provided. A portion of the roof will be an inaccessible "green roof" to help meet the required Green Factor. The smaller green roof presented at the first Recommendation Meeting has been removed.

The building has been reconfigured so that the many of the directions given by the Board were incorporated into the design. During the Initial Recommendation Meeting two departures were requested. One for driveway slope and the second for allowed façade length within 15' of a side lot line. The façade length departure had generated much discussion amongst the Board members. At the 2nd Recommendation Meeting the latter departure was no long needed.

During the project presentation, the applicant noted that in responsive to the Board guidance the east California Ave SW elevation had been redesigned, a landscaping plan had been generated

by a professional to address the landscaping issues and the bulk along the alley elevation had been lowered and pushed in toward the structure.

PUBLIC COMMENT

The following comments, issues and concerns were raised at this meeting:

- Appreciated the changes made from the last meeting.
- Encouraged more landscaping at the alley.
- Suggested window over lower mechanical space be enlarged.
- Concerned about design of landscaping along California Ave SW, it should be at grade not in raised beds.
- Liked the changes that were made to the street facing east elevation.
- Liked the landscaping along California Ave SW.

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. 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.

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.

At the Early Design Guidance Meeting the Board took note of the earthen berm on the street side of the site that raised the existing building approximately 18-20 inches above the sidewalk level. The Board was concerned, however, that raising the new structure significantly higher and creating a heightened berm, seemingly to accommodate parking ramp slopes at the alley, created an awkward sequence of entry on California Avenue SW, especially as the integration of an accessible ramp was quite unsuccessful as shown on these preliminary plans. The ramp almost appeared to be something retrofitted onto an existing structure. The design team needed to "push the building down" as far as possible.

At the Initial Recommendation Meeting the Board commented that the proposed layout and location of the entry lobby and pedestrian accessible ramp had been resolved well.

The Board suggested terracing the landscaping along California Ave SW instead of the proposed berm. They were concerned a newly planted berm has the potential for soil washing onto the sidewalk.

At the Final Recommendation Meeting The Board debated the merits of further terracing the landscaping along California Ave SW instead of the proposed berm. Terracing will

involve more concrete than a berm. The Board stated they wanted the landscaping either broken into two terraced sections or in a berm with no more than a slope of five over one.

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

At the Early Design Guidance Meeting the Board noted that the placement of the accessible ramp had not been successfully thought out, that the choreography of pedestrian movements needed more exploration and attention, as did the integration of entry and ramp with the location of other elements of the structure.

At the Initial Recommendation Meeting the Board commented that the proposed layout and location of the entry lobby and pedestrian accessible ramp has been resolved well.

The Board thought that the proposed east facade facing California Ave SW was not responding well to the streetscape. They suggested bringing the proposed south facing patios, around the corner and along the southeast portion of the façade. Other suggestions made by the Board were treating the street facing façade to appear more as townhouses, and omitting the setbacks at the first floor level. See Guideline A-1.

At the Final Recommendation Meeting the Board was pleased with the proposed patio along California Ave SW.

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

At the Early Design Guidance Meeting the Board thought that this guideline and principle had not been adequately addressed. This guideline ought to be engaged in conjunction with guideline C-2, creating a building that exhibits form and features identifying functions within the building. The location of the entry point and residential lobby are areas clearly in need of revisiting, a revisit that should seriously ask whether the entry stairs, entry, lobby and accessible ramp could not be more integrally located and apportioned. See Guidelines A-1 and A-2.

At the Final Recommendation Meeting the Board expressed support for the location, access and treatment of the entry.

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.

At the Early Design Guidance Meeting the Board thought this was a major issue for the success of the project. It related to the location of windows on the north façade, the blank wall along the south property edge, the open stairwell and balcony overlooks that faced the single family neighbors to the west.

At the Initial Recommendation Meeting the Board indicated their concern that the proposed solution of planters along the south retaining wall, and west facing open stairwell, will most likely not work and the vegetation will die. The Board suggested providing a green wall or screening with ground based landscaping at the edge of the south facing patios. This would provide privacy. The Board also suggested removing a surface parking stall to provide trees and landscaping along the alley. See Guideline A-7.

Treatment of the north façade was not discussed.

At the Final Recommendation Meeting the Board indicated they were satisfied with the proposed treatment of the south concrete retaining wall. The applicant had determined that the fence along the south property line is actually on the adjacent property. The Board wanted to know how that wall will be treated if the fence goes away. The applicant responded that the planting on the patios would grow down the wall. See Guideline C-2.

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

At the Early Design Guidance Meeting the Board discussed this guideline briefly, noting that the blank wall along the south property line was functionally related to this and of a piece with the choice of size and configuration of open spaces provided for the ground floor units along that edge.

At the Initial Recommendation Meeting the Board suggested bringing the patio proposed along the south elevation, around the corner along the southeast portion of the California Ave SW facing façade. The Board suggested the patios be designed to act as an "outdoor room" for the units and to provide more privacy for both project residents and current and future users of development to the south. See Guideline A-5.

At the Final Recommendation Meeting the Board stated they were pleased with the patio wrapping around to California Ave SW.

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.

At the Early Design Guidance Meeting this guideline was included since providing for the maximum allowable driveway slope into the basement parking garage appeared to have been determinative for setting the height of the ground floor of the building as it had been seated on the site. This in turn affected the level of the entry and level of the lobby vis-à-vis the sidewalk as well as the height and length of the accessible pathway structure in the front setback. The Board would like to see a more felicitous interplay of these elements and a better design solution than had been offered at the EDG meeting.

At the Initial Recommendation Meeting the Board the Board suggested removing a surface parking stall to provide landscaping along the alley. See Guideline A-5.

At the Final Recommendation Meeting the Board did not specifically address this guideline. As the unit count went from 30 to 29 a parking space was not available for removal. Landscaping was added closer to the rear of the structure.

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.

C. Architectural Elements and Materials

C-2 <u>Architectural Concept and Consistency</u>. 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.

<u>At the Early Design Guidance Meeting</u> The Board noted that this guideline was of high priority in conjunction with their remarks about conveying functions through various articulations of the facades.

<u>At the Initial Recommendation Meeting</u> the Board suggested consistency in materials along the facades, especially the south and west elevations. They also suggested changing the lighter color of the elevator penthouse to blend in with the lower roof penthouse structure, and providing landscaping along the blank wall of the west facing facade at the proposed second level green roof.

<u>At the Final Recommendation Meeting</u> the Board was pleased with the color change of the elevator penthouse to blend in with the darker colored lower roof penthouse structure.

There was Board disagreement about the color of the protruding two-story mass at the southwest portion of the structure. Some Board members preferred the darker color siding to blend in with the rest of the west elevation. Others preferred the lighter colored siding as it created a point of interest to an elevation otherwise, uniform in color.

Some members suggested incorporating the copper color at the parapet or in some other way at the rear west elevation. Other Board members disagreed arguing the street facing east entry elevation and the more visible south elevation should read differently than the alley facing facade.

The Board ultimately agreed to recommend a condition that DPD would work with the applicant to ensure the final west elevation design ultimately reaches the goal, using materials and color, to create an elevation that respects the interest of the single family zone to the west.

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

<u>At the Early Design Guidance Meeting</u> The Board noted that they liked the overall composition and massing of the preferred structure. They liked what they had seen in these preliminary renderings of an attempt break down the mass of the structure and modulate the facades through a variety of techniques. The Board encouraged the design team to continue in these directions as design development proceeded.

<u>At the Initial Recommendation Meeting</u> the Board suggested that the design activate the street facing east façade with a better human scale, including using smaller cementious panels than the proposed 4’ x 8’ size.

At the Final Recommendation Meeting the Board expressed their support for the proposed panel jointing and added fenestration along the ground level east facing street elevation.

The Board stated that they thought the door out to the patio of the corner unit would work on either the east or south elevation.

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.

At the Early Design Guidance Meeting The Board noted that this guideline was of high importance for any successful design and affirmed their interest in learning particulars about attachments, detailing and the interface of materials when the project was returned for a Recommendation Meeting. Of special interest would be the materiality and detailing of the accessibility ramp.

At the Initial Recommendation Meeting the Board suggested using higher quality materials at grade and the street facing corners. The Board would like to see the proposed Juliette balconies in more detail to understand how they will work. They also suggested changing the lighter color of the elevator penthouse to blend in with the lower roof penthouse structure.

At the Final Recommendation Meeting the Board spent time discussing the proposed fiber cement board 'fence' to screen the parking stalls along the alley. The Board did not like this solution and recommended a condition that a wood fence either stained or painted would be preferable. See Guideline C-2.

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.

At the Early Design Guidance Meeting The Board reiterated the importance of addressing the relocation of the entry and lobby. They also discussed the importance of providing a comfortable pedestrian connection to that entry, one unencumbered by an accessible ramp that appeared to be an add-on to a pre-existing structure.

At the Initial Recommendation Meeting: See Guidelines A-1, A-2.

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

At the Early Design Guidance Meeting the Board noted that, although not facing the street, the blank wall running along the south property line would be, at least for the near future, highly visible from the street (and from the property directly to the south). See after D-3.

At the Initial Recommendation Meeting the Board spent much time discussing the California Ave SW elevation. They indicated their desire to see more glazing along the street facing elevation to activate the façade (eyes on the street) and provide a better human scale. This could include more detailing, and incorporating quality materials at the façade corners and the first floor level, as well as an increased amount of glazing. See Guidelines A-1, A-2, C-4.

At the Final Recommendation Meeting: See Guidelines A-1, A-2, C-3.

D-3 Retaining Walls. Retaining walls near a public sidewalk that extend higher than eye level should be avoided where possible. Where higher retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscapes.

At the Early Design Guidance Meeting Guidelines D-2 and D-3 were chosen by the Board as of highest importance and, given public comments regarding the wall along the south property line, a key element of the design that would need to be successfully addressed in design development, whether it was a matter of treatment, or of setting back from the existing driveway, or other resolution.

At the Initial Recommendation Meeting the Board expressed their concerned that the planters proposed along the south retaining wall will most likely not work and the vegetation will die. The Board suggested providing a green wall or screening with ground based landscaping at the edge of the south facing patios. This could screen the retaining wall and provide privacy. See Guideline A-5.

At the Final Recommendation Meeting; See Guideline A-1.

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.

At the Early Design Guidance Meeting this was chosen by the Board as a guideline of highest priority, as it related to the "lift" of the building and the resulting inharmonious entry sequence, mal-alignment between entry and sidewalk and awkward interplay of entry and ramp.

At the Initial Recommendation Meeting the Board suggested removing a surface parking space and providing trees and landscaping to soften the impact of the parking.

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.

At the Early Design Guidance Meeting Although not in a commercial zone, the Board found this guideline most applicable to the proposal and its treatment of the space between the residential entry and the sidewalk and the challenge of manipulating

elements to create a pleasant and inviting transition between the sidewalk and the residential entry which in all likelihood would require a relocation of the physical entry and lobby, with special attention given to its relationship with the level of the sidewalk.

At the Initial Recommendation Meeting: See Guideline A-1.

E. Landscaping

E-2 Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.

At the Initial Recommendation Meeting the Board expressed their concern that the proposal lacked a viable and consistent landscape concept. They would like to see a readable complete landscape plan. Board suggestions, noted in many of the above design guidelines include:

- Terracing the landscaping along California Ave SW instead of a berm. They are concerned a newly planted berm has the potential for soil washing unto the sidewalk.
- Providing screening with ground based landscaping at the edge of the south facing patios.
- Landscaping along the blank wall of the west facing facade at the proposed green roof.
- Removal of a surface parking stall to provide landscaping at the alley.

At the Final Recommendation Meeting the Board was still concerned at the treatment of the landscaping along California Ave SW. There was discussion if it was better to have more concrete with a terraced landscaping solution or a single sloped planting area. The Board recommended and conditioned that the landscaping should either be broken into two terraced planting areas or have a slope of no more than 5 over one.

The Board suggested that the proposed landscaping should include low evergreens and more year round green wide laurels. The landscaping should not include any species that are listed on the City or King County noxious weed list.

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.

At the Early Design Guidance Meeting The Board selected this guideline as being of high priority for this proposal. In doing so the Board noted that 1) a major attempt should be made to soften the project along its southern property line, 2) the project should present a pleasant face to the single family residences across the alley, and 3) serious efforts should be made to integrate the open space areas of the front setback decorously with an inviting residential/pedestrian path and entry and the functional requirements of any needed accessible ramp.

At the Initial Recommendation Meeting: see Guideline E-2.

DEVELOPMENT STANDARD DEPARTURES

The following departures were requested at the Final Recommendation meeting:

1. **Driveways (SMC 23.54.030. D.3):** The Code requires that no portion of a driveway exceed a slope of 15%. The applicant is requesting a driveway with a maximum slope of 20%. The applicant presented their request for the departure that by having the greater slope the building can be lower in height as requested by the Board. (Guideline B-1)

   The Board unanimously recommended that DPD grant the departure as the greater slope will allow the overall height of the building to be lower.

BOARD RECOMMENDATIONS

The recommendation summarized below was based on the design review packet dated June 13, 2013 and the materials shown and verbally described by the applicant at the June 13, 2013 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. The BOARD made the following conditions: (Authority referred in the letter and number in parenthesis):

1. DPD should work with the applicant to ensure the west elevation design ultimately reaches the goal, using materials and color, to create an elevation that respects the interest of the single family zone to the west. (Guidelines A-1,C-2)
2. The landscaping along California Ave SW should either be broken into two terraced sections or in a berm with a slope of no more than five over one. (Guidelines A-1, E-2)
3. The proposed cement board 'fence' to screen the parking stalls along the alley should be changed to a wood fence either stained or painted. (Guideline C-4)

Applicant response to Recommended Design Review Conditions subsequent to the Final Design Review Meeting:

1. The proposed west elevation has been modified as shown in the MUP plan set. The modification satisfies recommended design condition #1.
2. The proposed landscaping area along California Ave SW has been modified as shown in the MUP plan set with a berm with a slope of five over one. The modification satisfies recommended design condition #2.
3. The fence to screen parking has been changed to a wood fence, as shown in the MUP plan set. The modification satisfies recommended design condition #3.

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

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

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

d. Conflicts with the requirements of state or federal law.

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

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

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

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the five members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board. The Director is satisfied that all of the 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 Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departure with the conditions summarized at the end of this Decision.

SEPA ANALYSIS

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant on August 1, 2012. 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 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 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.

PUBLIC COMMENT:

The public comment period ended on October 3rd, 2012. Public comments were received.

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 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

There will be excavation required to prepare the building site and foundation. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the surrounding residential uses in the adjoining area. Due to the proximity of other residential zones, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted, see SEPA conditions at the end of this document.

Greenhouse gas emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

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 traffic in the area and increased demand for parking;

increased demand for public services and utilities; loss of plant and animal habitat; 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

The Department of Neighborhoods reviewed the existing structure and determined that it is unlikely to qualify as a historic landmark (Landmarks Preservation Board letters LPB 2100/13). Therefore, no mitigation is warranted for historic preservation.

Parking and Traffic

The project will add traffic to local streets. Based on rates from the Institute of Transportation Engineers' Trip Generation manual (8th edition), and adjusting for nearby transit opportunities, the project is expected to generate approximately 10-15 new vehicle trips occurring in each of the morning and afternoon peak hours. This amount of additional traffic is not expected to result in a noticeable impact on the local roadway system. The project would provide 29 parking stalls for the 29 residential units, which is expected to be sufficient parking to meet residents' needs even at peak times.

DPD's Transportation Planner has determined that the additional peak hour trips and parking demand do not contribute significant adverse impacts requiring mitigation. Accordingly, no mitigation of parking and traffic impacts is required.

Greenhouse Gas Emissions

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

DETERMINATION OF NONSIGNIFICANCE

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.

☒ 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 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

SEPA - CONDITIONS OF APPROVAL

During Construction

1. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, soil removal, backfill, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

   Construction activities outside of the above-stated restrictions may be authorized by the Land Use Planner when necessitated by unforeseen construction, safety or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the undersigned Land Use Planner at least 3 days in advance of the request in order to allow DPD to evaluate the request.

DESIGN REVIEW - CONDITIONS OF APPROVAL

Prior to Certificate of Occupancy

2. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the final design recommendation meeting on June, 13, 2013 and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Beth Hartwick 206 684-0814 or beth.hartwick@seattle.gov).

3. 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 (Beth Hartwick 206 684-0814 or beth.hartwick@seattle.gov).

For the Life of the Project

4. 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 (Beth Hartwick 206 684-0814 or beth.hartwick@seattle.gov).

Signature: (signature on file) Date: November 4, 2013
Beth Hartwick, Senior Land Use Planner
Department of Planning and Development

BH:rgc
I:\HartwiB\Decisions\3013307 decision.docx