



**City of Seattle**

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**Department of Planning & Development**

D. M. Sugimura, Director

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

**Application Number:** 3014750

**Applicant Name:** Jodi Patterson-O'Hare for MacFarlane Partners

**Address of Proposal:** 201 Westlake Avenue North

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a 7-story, 78 unit residential building with 3,714 sq. ft. of retail on ground level. Parking for 32 vehicles will be located at and below grade. Review includes demolition of 13,000 sq. ft. structure.

The following approvals are required:

**Design Review** – Chapter 23.41 Seattle Municipal Code (SMC)

Design Departure Granted:

SMC 23.54.030.D.3—required, driveway not to exceed 15% slope; requested, 18% slope

**SEPA Determination:**  Exempt  DNS  MDNS  EIS

DNS with conditions

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

## **BACKGROUND INFORMATION:**

The rectangular site contains approximately 12,960 sq. ft. of land, with 120 feet of frontage on Westlake Avenue N. and 106 feet of frontage on John Street. It abuts an alley on the west. There are no identified environmentally critical areas on or adjacent the site. The site slopes about 4 feet up from a low point at the northeast corner of the site to the southwest corner. The zoning of the site is SM 160/85-240.



The site is currently occupied by a one-story, 13,000 sq. ft. commercial building that will be demolished. There are no trees on site, but there are five existing street trees adjacent the site on both John Street and along Westlake Avenue N. Directly to the north of the site is an older single-story brick building that has been retained and is functionally attached to a newer, medium height office building to its north. The alley directly west of the site is proposed as vehicular access to the site. Directly across John Street is a playfield. Denny Park, Seattle's first and oldest park, lies directly south and west of the site across John Street. Denny Avenue, separating the South Lake Union Urban Center from Downtown proper, lies one block to the south of the site.

The Westlake neighborhood within the larger Lake Union area is characterized by a mixture of older commercial buildings, surface parking lots, and newer office and residential developments. The site lies along the central spine of the South Lake Union neighborhood, just to the north of the gateway intersection of Denny Way and Westlake Avenue N.

Newer mixed-use buildings, with commercial/retail space at the sidewalk level and office or residential units above, are gradually displacing an older pattern of development, still intermittently in place, one of low commercial buildings with surface parking lots at their sides. A series of improvements along Westlake Avenue N, a Class 1 Pedestrian Street, include a new trolley and dedicated bicycle pathways. An emphasis on projects making the area between Denny Way and the edge of the lake friendly and attractive has enhanced the livability of the area and its desirability not only as a place to work but a place to reside as well. The subject site is in an area that has a published "Walkscore" of 97—"walker's paradise," a "Transitscore" of 100—"rider's paradise," and a "Bikescore" of 86—"very bikeable."

## **PROJECT DESCRIPTION**

The goal is to construct a 7-story residential building, containing approximately 78 residential units and 3,714 square feet of retail space at the sidewalk level. Parking for 32 vehicles will be located at and below grade within the building, with access from the alley. The existing 13,000 single-story commercial building on site will be demolished.

## **PUBLIC COMMENT**

The official public comment period for this proposal ended on May 29, 2013. The City received no written comments regarding the project; public comments were also elicited at each of the Design Review meetings. Specific comments from those meetings are included under the Design Review analysis discussed below.

## **ANALYSIS – DESIGN REVIEW**

### **Early Design Guidance Meeting –March 20, 2013**

#### **Architects’ Presentation**

Steve Jones of Ankrom Moisan Architects introduced the project on behalf of the design team to the Board members and those members of the public attending the meeting. After explaining opportunities offered and constraints of the site and the general objectives of the intended program, he identified individual design guidelines which the design team thought of special importance for the proposal: A-1, A-2, B-1, C-1, D-1, and E-1.

Three different massing schemes were then presented by the applicant team. The first was described as a design that “maximizes the site’s development potential” and one that would create a “strong corner presence” at the intersection of Westlake Avenue N. and John Street. The scheme built out the site completely with a limited and slight recess of the first two floors adjacent the intersection.

A second scheme showed the corner notch of scheme one, some slight modulation along Westlake Avenue N., a notch midway along the north façade and an even greater notch taken out of the upper floors at the southwest corner of the proposed structure. The latter move allowed for a large, shared outdoor amenity area at the third level with a strong visual connection from there to Denny Park. As with the first scheme, this scheme was thought to negatively impact the solar access to the neighboring building to the north.

The third, “preferred,” scheme presented a strong corner element at the street intersection, set the upper levels back along both John Street and Westlake Avenue N., and provided for setback along John Street between the alley and the corner element while establishing a “residential scale” along that street front. A shared outdoor amenity space facing to the west and onto the alley would be accessed at the third level in a sizeable notch cut out of the northwest corner of the proposed structure. This would lessen the shadow impacts on the neighboring building to the north

For design details, see the presentation packet at:

<http://www.seattle.gov/dpd/aboutus/news/event/DesignReview/SearchPastReviews/default.asp>

The applicant noted that the preferred scheme would not require the granting of any departures from the Land Use Code.

## **PUBLIC COMMENT**

After asking some clarifying questions of the applicant, the Board elicited comments from members of the public. Only one had signed in to become a party of record. He represented the interests of the office building to the north of the site and noted that the preferred scheme would be the kindest to them in terms of light/shadows and requested that something interesting be done with the north façade since that would be the blank wall, or nearly blank wall that would be facing them for a long time.

## **DEVELOPMENT STANDARD DEPARTURES**

It was noted that the Board's recommendation regarding any requested departure(s) would be based upon the departure's potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departure(s). The Board's recommendations regarding any requested departures will be reserved until the recommendation meeting.

*At the time of the Early Design Guidance meeting, the design team indicated that no departures from development standards were being requested*

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 identified the Citywide Design Guidelines (as applicable) of highest priority for this project (see below) and provided the following guidance relating to the proposal.

The following Guidelines from *Design Review: Guidelines for Multifamily and Commercial Buildings* were identified as being of highest priority for developing a successful MUP application and well-designed building: A-1, A-2, A-3, A-4, A-5, A-7, A-10, B-1, C-1, C-2, D-1, D-2, D-11, E-2 and E-3. In identify each of these specific guidelines to be of highest priority for the success of the project, the Board pointed out that, unless physically not applicable to the actual proposal, all of the design guidelines contained in the two documents are pertinent to a successful design. In addition, particular guidance from the neighborhood-specific *South Lake Union Design Guidelines* augments where applicable the general guidelines.

**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 corner of the building at Westlake and John needs to be prominent and the treatment of that corner as a gateway, as shown in the preferred scheme, was championed and encouraged. The board further encouraged the "greening" or other striking treatment of the north façade in keeping with the public comment in that regard. The South Lake Union neighborhood guidelines encourage the reinforcement of community gateways and providing for "outlooks & overlooks."*

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

*The project appears to respect the relationship with the two street fronts well and the Board encouraged development of the two facades along these street keeping with the differing tonalities (John Street being the quieter) of the two streets.*

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

*Location of the residential entrance on John Street was discussed as being more in keeping with the differentiation of the two streets. Its exact location and treatment would be of special importance to the success of the project.*

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

*The applicants had not chosen this to be a priority, but the board would like to make sure that there was a thoughtful division of street level uses and spaces to differentiate the two streets.*

**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.**

*In choosing this to be of high priority in guiding the design, the Board had briefly discussed the opportunity to provide something truly creative on the north façade that would respond to the concerns expressed by the neighbor who attended the meeting.*

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

*The treatment of the private ledge open spaces above John Street was important to convey the relationship to Denny Park. The treatment and appointments of the common amenity space at the northwest corner, how it related functionally to the whole building, was vital for its success, and the Board would be waiting to see how the details of these areas were worked out in the design since they would be key elements for the refinement of the proposal.*

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

*The Board felt that the applicants were on the right path concerning the tower element gateway presence at the corner. At the ground level, activating the actual corner with a retail use was more important than thinking of that as a residential entry spot. This would mean carefully addressing questions regarding “wrapping” the corner and activating the corner with appropriate interior uses and division of commercial spaces in order to encourage human activities and provide a better transition between the building and the street.*

**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 Board was agreed that the best scheme was that of the preferred design, but members would be expecting some creative thinking regarding the exact relationships worked out between the north face in terms of treatment—modulation, fenestration, blank walls, wall materials, etc.*

- 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.**

*At the Early Design Guidance Meeting, the Board noted that there might be a lack of any “well-defined and desirable character” strictly speaking, especially since it was a neighborhood in transition; nevertheless, there was a richly various context and ample opportunities for a tip of the hat here or there and there might even be some elements from newer structures which might be taken into consideration in the design.*

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

*At the Early Design Guidance Meeting the Board encouraged a variety of unit types that could be integrated into the building they were proposing. Additionally, the South Lake Union Guidelines call for designing the “fifth elevation,” or rooftop of the proposed building.*

- 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.**

*This was one of the applicant’s priority guidelines and Board members commented that while the applicants were proposing the main residential entry on Westlake Avenue N., they would like to see a more thorough investigation into the location and distribution of retail spaces and an examination of locating the residential entry on John Street, the more obvious residential street.*

- 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.**

*The Board considered this to be particularly applicable to the design of the north-facing façade.*

- 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.**

*This was directed by the Board to the “storefronts” proposed, their locations relative to the division of commercial space and to the preferred residential entry location.*

- 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.**

*There appear to be plenty of opportunities for landscaping not only at the street level but as part of the amenity spaces above ground. The applicant is encouraged to work with SDOT regarding the health of the existing street trees and to make a determination of the distinctive characters of landscaping to be provided on Westlake Avenue N. and on John Street.*

- E-3 Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special onsite 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.**

*This guideline was chosen by the Board to be of highest priority since they believed the presence of the adjacent street trees and their integration within an overall landscape design posed special challenges for landscaping design both off and on site.*

### **Board's Deliberations and Directives**

At the conclusion of the EDG meeting, the four Board members present recommended that the project should move forward to a Master Use Permit application, with design development responsive to the Guidelines identified above and in accord with the Board's guidance. Specifically, the Board noted that they would expect to see much more developed and detailed renderings, especially of the street-level pedestrian experience of the building along its east and south facades.

### **Recommendation Meeting –July 31, 2013**

At the EDG meeting the Board had given strong direction to move the residential entry to John Street and to activate both Westlake Avenue N. the actual corner where Westlake met John Street with a wrap-around commercial space (A-2, A-3, A-4, D-1). It was also agreed that this corner site just north of Denny Way called for a strong gateway gesture (A-1). The team of MacFarlane Partners, Ankrom Moisan Architects, Inc, and Fazio Associates, Landscape Architects, presented a refined design that built upon the preferred massing presented at the EDG meeting, but one that set a strong corner at the intersection of Westlake and John, set back the top two levels along Westlake and five stories along John Street. In response to guidance given at the EDG meeting, a continuous retail front was situated on Westlake, wrapping around the corner at John more than half the façade width toward the alley. The residential entry and lobby, as the Board had advised at the EDG meeting was located on John Street, closer to the alley, where the entry embraced the quieter tone of John Street and the pedestrian oriented atmosphere linked with the neighborhood park across the street.

The Board members were pleased with how the design development had progressed, with the design team clearly responding to the Guidelines that had been chosen to be of highest applicability to the project and to the guidance given by the Board and following up what had been a rather lean EDG packet with one of ample substance and detail. The Board

complemented the design team on their presentation and presentation packet which set forth the “themes” from the EDG meeting, related each to the guidelines and then linked them to the actual design elements and treatments, first in summary form and then in detail as applied to enumerating the themes: “1. SE Corner,” “2. Street Personalities,” “3. Residential Entrance,” “4. North Façade,” “5. Landscape,” and “6. Precedents and Materials.”

The design team had the two street frontages just right, the Board was agreed, with the retail continuous along Westlake and wrapping the corner on John, and with the retail lobby moved to the western half of the John Street façade. The entry was slightly recessed and marked with a change in materials. The wood paneling at the entry, also used at the second residential level above the ground-floor retail space, was championed by the Board members as “irreplaceable.” One Board member called for the wood on the east side of the recessed entry to “wrap the corner, even if slightly”, to give it a sense of depth. That suggested fillip was agreed to by the other Board members who saw it as a small gesture but one that would add to an already elegant use of the material. The wood, all agreed was a vital part of the composition.

For design details, see the presentation packet at:

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Except for the corner element, the window frames were shown in black, another detail admired by the Board members as the right gesture, with the Board, recognizing that between the MUP plans and the built product often falls the shadow. They urged keeping the black if at all possible. “If not black, then gray as a fall back.” All white windows would not be a proper choice, except at the corner, and the developer was complimented on the choices of materials and products made to date.

There was some discussion toward the end of the Board’s deliberations about the north façade which had been the subject of some discussion at the EDG meeting. (See the notes from that meeting under Guidelines A-5 and D-2). “Did it need greening?” “Did it need art work?” “Was it kind enough to the neighbor to the north?” The question before the Board was whether the treatment of the north façade (see p.20 in the packet) met the guidance given “to provide something truly creative on the north façade that would respond to the concerns expressed by the neighbor who attended the meeting.” (Unfortunately, the neighbor to the north did not attend the Recommendation meeting and was unable to weigh in on the Board’s question as well.) When all was said and done, it was agreed that the simplicity of the design worked, *provided that the bricks wrapped to the stairwell and that the materials of the stairwell stood distinctly “proud” of the brick on one side and the Hardie panels on the other.* The change in planes, in the Board’s view, was crucial to making it work, as was the contrast between the two grays in the panels west of the stair tower. Since this was considered such a critical part of the design and formed the basis upon which the request for a departure was granted, this Decision is so conditioned.

There were two further directives from the Board for the success of the project. First, any potentially successful outcome of the proposed brick work in the facades would depend on following the bonding, textures and colors of the printed renderings contained in the presentation packets, rather than the sample suggested on the materials board, and the approval of this Decision is so conditioned.

Finally, there was the white support column that stood at the very corner of the corner element and supported the roof-top, roof deck covering. Acknowledging that “it could not be wished away,” the Board urged the design team to keep working at it in concert with the Land Use Planner, and to come up with a way “to reduce its obviousness.” This Decision is so further conditioned.

With the concerns, caveats, cajoleries and conditions noted above, the Board unanimously recommended approval of the project and its design and unanimously approved the requested Departure.

### **Public Comment**

There were no public comments regarding the proposal made at the Recommendation meeting held on July 31, 2013.

### **Departures**

Although no departures from development standards were identified or requested at the Early Design Guidance meeting, one departure from development standards was identified at the Recommendation meeting held on July 31, 2013. The applicants requested a departure from SMC 23.54.030.D.3, which states that no portion of a driveway shall exceed a 15 percent slope. The proposed slope is 18 percent.

During their deliberations the Board recommended approval of the increased driveway slope, agreeing that the increased slope allowed for the ground floor commercial spaces to have adequate depth and provided for greater human interaction and activity along the street front (Guideline A-4).

### **ANALYSIS & DECISION- DESIGN REVIEW**

The design review process prescribed in Section 23.41.014F of the Seattle Municipal Code and 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 recommendation:*

- a. Reflects inconsistent applications 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*
- e. Conflicts with the requirements of state or federal law.*

### **Director's Analysis and Decision**

Five members of the Design Review Board provided recommendations (listed above) to the Director and identified elements of the Design Guidelines that would be critical to the project's overall success. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made at the Recommendation meeting and finds that they are consistent with the City of Seattle *Design Review Guidelines for Multifamily and Commercial Buildings* as well as with the neighborhood-specific *South Lake Union Design Guidelines*. The Director agrees with the Design Review Board's conclusion that the proposed project as presented at the July 31, 2013 meeting, together with the Board's recommended Conditions for project improvements, would result in a design that best meets the intent of the applicable Design Guidelines. Therefore, the Director accepts the Design Review Board's recommendations of approval of the design, predicated upon the favorable implementation of the Board's recommendations for improvements in the design (as discussed above, and which are listed below) and **APPROVES the proposed design and the requested departure.**

### **Design Review Conditions**

#### **CONDITIONS DESIGN REVIEW**

##### *Prior to issuance of the MUP permit*

- 1. The MUP architectural plans shall be updated to include colored elevations and other plans that show the approved configuration and treatment of the north façade as shown to the Design Review Board at the Recommendation meeting held on July 31, 2013. These provide for the brick treatment on the east façade to be wrapped around the northeast corner of the structure and to extend as far as the vertical stairwell wrapping and for the materials of the stairwell to stand distinctly "proud" of the brick on one side and the Hardie panels on the other.*
- 2. The proposed brick work in the various facades should follow the bonding, textures and colors of the printed renderings contained in the presentation packets, rather than the sample suggested on the materials board; and remarks indicating the choice of brick, its size(s), type, color(s), proposed bonding, etc., shall be duly noted on the plan sheets.*
- 3. The design team shall work with the Land Use Planner to arrive at a solution "to reduce the obviousness" of the white support column that stands at the very top of the corner roof element at the southeast corner of the structure.*

Prior to Issuance of a Certificate of Occupancy

4. *The design, siting, and architectural details of the project shall remain substantially as presented at the Design Review recommendation meeting of July 15, 2013, except as may be modified in conformance with the above conditions. Compliance with the approved design features and elements, including exterior materials, architectural detail, facade colors, and landscaping, shall be verified by the DPD Planner assigned to this project. Inspection appointments with the Planner (Michael Dorcy, (206) 615-1393) shall be made at least five (5) working days in advance of the inspection.*

Signature: \_\_\_\_\_ (signature on file) Date: November 7, 2013  
Michael Dorcy, Senior Land Use Planner  
Department of Planning and Development

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