



City of Seattle
Edward B. Murray, Mayor

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

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

Application Number: 3014846
Applicant Name: Chie Yokoyama with Nicholson Kovalchick Architects
Address of Proposal: 4535 44th Avenue Southwest

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a four-story with basement, 36 unit residential structure with two live-work units located at grade (1,185 sq. ft.). Existing structure to be demolished. No parking proposed.*

*Note – The project description has been revised from the original notice of application: “Land Use Application to allow a five story, 36 unit residential structures with two live-work units located at grade (1,116 sq. ft.). Existing structure to be demolished. No parking proposed”.

The following approvals are required:

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

1. Street-Level Development Residential Use Standards – To allow the floor of a residential dwelling unit located along the street-level street-facing façade be less than 4’ below sidewalk grade and not be set back at least 10’ from the sidewalk. (SMC 23.47A.008.D.2)
2. Street-Level Development Nonresidential Use Standards – To allow in a new structure the nonresidential uses at street level have a floor-to-floor height of less than 13’. (SMC 23.47A.008.B.3.b)
3. Structural Building Overhangs Standards – To allow increased dimensions for a structural building overhang (balconies). (SMC 23.53.035.A.4.c)

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.

BACKGROUND INFORMATION

Site and Vicinity Description

This approximately 3,770 square foot (sq. ft.) proposal site is located in the West Seattle Junction neighborhood of West Seattle bounded by 44th Avenue Southwest to the east, Glenn Way Southwest to the west and commercially-zoned property to the north and south. This through lot project site is zoned Neighborhood Commercial 2 (NC2-40) in the West Seattle Junction Hub Urban Village. Existing development on the site consists of a one-story office building.



- Commented that the mural on the south façade seems to be unusual and a not well thought through design concept.
- Requested that the applicant clarify the quantity of units and if the units will be owner-occupied or rentals at the next design review meeting.
- Clarified the proposed building floor area ratio (FAR), whether units will each have their own kitchen, and asked if onsite parking was included with the proposal.
- Very concerned that no onsite parking was included with the design options.
- Commented that the architect's design goal to create simple forms and to emulate the brick buildings in the neighborhood is appropriate and should be support by the Board.
- Commented positively on the mural design concept and considered it an opportunity to give back to the community.
- Emphasized the importance of the landscaping along 44th Avenue Southwest and stated the future landscaping design should complement the future commercial uses.
- Questioned the proximity of the future building to south line and the distance between the subject building and the existing neighboring office building to the south.
- Inquired who would be the appropriate person to discuss parking requirements, noise, construction impacts and public meetings (non-design review).
- Observed that the presented character sketches are deceptive and do not correctly illustrate the proposed building massing relative to the existing neighboring buildings to the north and south.
- Inquired about proposed construction methods that will allow the structure to be built at the property line.
- Questioned the street-level design perspective for a pedestrian at Glenn Way Southwest-asked what would be visible.
- Questioned the width of the planting strip along Glenn Way Southwest.

Many members of the public attended the Final Recommendation (REC) meeting held on December 5, 2013. The following comments were offered:

- Stated support of the Board's comments and guidance offered at the past EDG meeting.
- Commented positively on the building's simplistic design and the inclusion of durable materials (brick, metal), colored windows and rooftop deck orientation.
- Commented positively on the proposed artwork and encouraged support from the Board.
- Stated support for the three proposed departures.
- Questioned if there was precedence for the "warehouse style" windows in context with the surrounding neighborhood and asked if the purpose of installing this style of window was to provide more natural light into the units.
- Questioned if the design would include privacy glazing for those residential units that are located at grade along Glenn Way Southwest.

The SEPA public comment period for this project ended August 14, 2013. During and after the public comment period, DPD received several comment letters and emails from neighbors mainly in opposition to the proposal. Concerns about parking impacts in the immediate neighborhood and throughout the Junction, vehicular traffic impacts and construction noise impacts were expressed.

A neighbor submitted a signed petition with over 100 signatures to DPD requesting a public meeting. An evening meeting, organized by DPD, was held on November 19, 2013 at the Hope Lutheran Church. Two DPD staff members facilitated the meeting. Approximately 44 attendees

were present. The agenda items discussed focused on the proposal description and overview of the SEPA process and project milestones. During the public comment segment of the meeting, seventeen members of the public signed up to speak and several other meeting attendees offered comments. The public verbally reiterated the concerns/comments noted above. Additional written public comments were submitted to the DPD Land Use Planner at the conclusion of this meeting. Written comments and responses are noted in the project file.

DESIGN REVIEW ANALYSIS

EARLY DESIGN GUIDANCE MEETING: May 9, 2013

Three alternative design schemes were presented to the Board, including a design packet supplement (character perspective sketches) that was not included in the EDG design packets initially provided to the Board. The project team's design development goals were to create a cohesive simplified form with large windows, brick siding and a loft feeling. All three options presented included a four-story mixed-use commercial/residential structure with residential units surrounding live-work units at grade. No onsite parking was proposed for any of the proposed design schemes.

The first scheme (Option 1) was the code-compliant option that maximized the allowable buildable envelope. It showed one solid building mass along Glenn Way Southwest and two building masses along 44th Avenue Southwest separated by two external stair corridors. This option included 30 residential units, two live-work units at grade along Glenn Way Southwest, and one live-work unit at grade along 44th Avenue Southwest. This option illustrated the main residential lobby entrance primarily accessed from 44th Avenue Southwest, but also with a secondary exit/entrance situated at Glenn Way Southwest.

The second scheme (Option 2) showed a modulated building mass with upper portions of the massing extending into the Glenn Way Southwest public right-of-way (structural building overhang) and an external stair corridor; with a more unified building mass abutting 44th Avenue Southwest. This scheme included 32 residential units; a live-work unit at grade and main residential entrance all located along 44th Avenue Southwest.

The third and applicant preferred scheme (Option 3) included a solid building mass along Glenn Way Southwest and a second-level central courtyard between two building masses along 44th Avenue Southwest. This option showed 27 residential units, three live-work units at grade-level along Glenn Way Southwest and three live-work units at grade along 44th Avenue Southwest. The primary residential entrance was proposed at Glenn Way Southwest and two secondary external stair corridor exits at and visible from 44th Avenue Southwest. Two levels of roof decks providing outdoor landscaped amenity space for the residents and clearstory windows at the rooftop were also identified with this scheme.

FINAL RECOMMENDATION MEETING: December 5, 2013

The applicant submitted a Master Use Permit (MUP) application to DPD on July 23, 2013. The design massing scheme offered by the applicant at the EDG phase and presented to the Board at the Recommendation meeting was modified in response to past Board comments. The relocation of the amenity space to the roof (rather than at a lower level along the west façade); the creation of a strong building wall plane on the east façade; and the alignment of the floor plates to minimize internal adjustments resulted in a different building form. The proposed design showed ground-level residential units along Glenn Way Southwest and two live-work units at

grade along 44th Avenue Southwest. The primary residential entrance was now located at 44th Avenue Southwest and a secondary entrance along Glenn Way Southwest. The preferred massing design had further evolved to include colors, materials, fenestration, architectural detailing and landscaping. Feedback pertaining to coordination efforts by the applicant concerning proposed improvements within the right-of-ways from Seattle Department of Transportation (SDOT) was offered to the Board.

The applicant's presentation included three code departures from street-level residential standards, street-level nonresidential standards and structural building overhangs. A design packet supplement regarding one of the requested departures was provided at the Recommendation meeting that was not included in the design packets initially provided to the Board.

Meeting Materials:

The design packets submitted to the DPD Land Use Planner prior to each Design Review meeting included materials presented at the EDG and Final Recommendation meetings. They are available online by entering the project number (3014846) at this website: http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp or by contacting the Public Resource Center at DPD:

Mailing Public Resource Center
Address: 700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019
Email: PRC@seattle.gov

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance.

EARLY DESIGN GUIDANCE: May 9, 2013

1. **Design Concept and Massing:** The design of the new building should be compatible with the anticipated scale of development, respectful of adjacent properties and complement the architectural character and siting pattern of neighboring buildings.
 - a. The Board suggested the preferred design scheme Option 3 should move forward to Master Use Permit (MUP) submittal with the following guidance:
 - i. The Board agreed that Option 3 is a strong concept and supported the basic direction of the design development. However, the Board was disappointed that a design scheme that illustrated a reversed version of the preferred scheme was not offered for the Board's review. The Board felt that the long wall façade abutting Glenn Way Southwest would be better suited along 44th Avenue Southwest relating to the commercial/residential developments located in the West Seattle Junction; and the break in massing would be better received on Glenn Way Southwest due to its transition to nearby residential uses. The Board directed that this design concept be explored and presented at the Recommendation meeting. (B-1, C-1)

- ii. It is imperative that the Board understands more clearly how the design is cohesive as one element. At the Recommendation meeting, the Board expects to review a design that addresses the following concerns:
 - Creates higher spaces (ceiling heights) in general to exemplify the loft design concept.
 - Meets the maximum unit count with the least amount of transition between the eastern and western elevations to allow for better interaction and minimize the quantity of internal adjustments.

The Board commented that it could support a future code departure request that resolves the building's perceived misalignment and meets the intent of this design guidance. (B-1, C-1, C-2)
 - b. The Board stated support for a design that incorporates a simplified cohesive form built with brick material and encouraged the future design to continue to incorporate transparency and more verticality of the fenestration for the proposed commercial uses. (C-2, C-4)
2. **44th Avenue Southwest Frontage:** The design of the new building should incorporate architectural features, elements and details to achieve a good human scale, encourage human activity, and reinforce the spatial characteristic of 44th Avenue Southwest. (A-2, A-4, C-3, D-1)
- a. The Board discussed the merits between the locating the main residential lobby at 44th Avenue Southwest versus as proposed (Glenn Way Southwest). The Board felt that the multiple entrances and exits illustrated with the preferred design may be confusing to future pedestrians and future tenant visitors. The Board acknowledged that this needs to be further clarified and refined. At the Recommendation meeting, the Board expects to review details related to proposed main residential entrances (signage), live-work entrances (signage), pedestrian safety (lighting) and maneuverability within the site (building stairwell entrances and exits).
 - b. The Board understood that due to the height of existing overhead power lines (42') and current alignment of the sidewalk, reinforcement of the character of the abutting streetscape would require placement of the street trees and landscaped buffer behind the sidewalk. However, the Board noted that due to the proposal being the first new development on this block, future landscaping within the right-of-way should be designed for the long-term. Consequently, the Board stated that a landscaping design that includes the placement of street trees at the front of sidewalk is desirable. The Board did acknowledge that further consultation between the applicant's landscape architect and the Seattle Department of Transportation (SDOT) is necessary before the Board could offer any design feedback. Therefore, the Board requested the applicant to address this requirement directly with SDOT during the initial MUP review process and provide street improvement landscaping design specifics at the Recommendation meeting. (A-1, A-2, E-3)
 - c. The Board stated that overhead weather protection should be provided at the building's east-facing façade and should be designed with appropriate proportions and character. Future landscaping should be designed to accommodate this architectural element. (C-3, E-2)
3. **Glenn Way Southwest Frontage:** The design of the new building should incorporate architectural features, elements and details to enhance pedestrian comfort, discourage blank walls, and reinforce the existing spatial characteristic of Glenn Way Southwest. (A-2, A-4, C-3, D-1, D-2)

- a. The Board acknowledged that the visible blank walls (north wall façade, south wall façade, street-level northwest corner (utility area façade walls)) will need to be addressed. The Board expects to review details pertaining to any landscaping and/or design treatments (murals, green screening, etc.) proposed to address this concern at the Recommendation meeting. (D-2, E-2)
- b. The Board stated that overhead weather protection should be provided at the building's west-facing façade and should be designed with appropriate proportions and character. Future landscaping should be designed to accommodate this architectural element. (C-3, E-2)
- c. Conceptual commercial lighting and signage designs proposed for the building's west-facing façade should be presented at the Recommendation meeting (see also 2. a.). (D-9, D-10)

4. Residential Open Spaces:

- a. The Board felt that a design that includes upper level amenity spaces situated at the west building façade that would allow better solar access and provide potential west-facing water views for all of the residential tenants should be explored and presented at the Recommendation meeting. (A-7, B-1, C-1)

FINAL RECOMMENDATIONS: December 5, 2013

1. Design Concept and Massing:

- a. The Board reviewed the final building design and stated that the design did respond to most of the Board's guidance offered at the past EDG meeting concerning massing, architectural context, concept and consistency. Conversely, the Board did have outstanding concerns related to the break in massing at the wall façade abutting 44th Avenue Southwest. Detailed Board discussion and recommendations concerning this subject are offered in item #2. (B-1, C-1, C-2)
- b. The Board reviewed the conceptual lighting design for the entire project. The Board appreciated its simplistic design; and agreed it would promote visual interest and pedestrian/resident security. (D-1, D-7, D-10, D-12)

2. 44th Avenue Southwest Frontage:

- a. The Board discussed at length concerns pertaining to certain elements of the 44th Avenue Southwest building façade-specifically the exposed elevator core, exterior stairwell landings/balconies and elevator core/stairwell roof cap. The Board felt that the aforementioned design elements as a whole created a prominent architectural element which wasn't in agreement with the simplified cohesive form design concept depicted on the west, north and south facades. The Board stated that the centrally located circulation core of the building's mass needed to be deemphasized as an architectural element in order to allow the primary façade of brick and metal become more prominent and the circulation core less prominent. The Board recommended the following conditions to assist in addressing this concern. (A-2, A-4, B-1, C-1, C-2, C-3)
 - i. The exterior enlarged balcony landings extending beyond the property boundary into the public right-of-way (structural building overhangs) should be minimized by receding back to the wall façade. Consequently, the Board did not support the requested departure for structural building overhangs. (See Departure #3) (A-2, C-2, C-3)

- ii. The roof (cap) above the elevator core/stairwell that extend beyond the building façade and property line should be pulled back to align with the building's wall façade. (A-2, C-2, C-3)
- b. The Board recognized that the design included one centrally located primary residential entrance and stated that past concerns associated with multiple entrances and exits had been addressed. (A-2, A-4, C-3, D-1, D-12)
- c. The Board was pleased with the signage design provided for the commercial (live-work) entries and main residential lobby entrance. The Board acknowledged that the signage was appropriate for the scale, character and use of the project and surrounding residential/commercial neighborhood. (C-3, D-9)
- d. The Board reviewed the materials and landscaping design in the 44th Avenue Southwest right-of-way (ROW) and appreciated the response to the Board's request for feedback from SDOT. The Board appreciated the design and encouraged more differentiation texture be applied to the hardscape (concrete or pavers). The Board acknowledged that the design of the materials within the right-of-ways (ROWs) is within the purview of SDOT. (D-1, E-2)

3. Glenn Way Southwest Frontage:

- a. The Board reviewed the materials and landscaping design in the Glenn Way Southwest ROW. The Board supported the design and encouraged a continuation of the paving pattern (2'x2') at that portion of 6' wide sidewalk abutting the enclosed recycling area entrance in order to emphasize the pedestrian realm and deemphasize the vehicular realm. The Board acknowledged that the design of the materials within the right-of-ways (ROWs) is within the purview of SDOT. (D-1, E-2)
- b. The Board agreed that the planting beds along the base of the building's west façade would provide a soft edge buffer between the sidewalk and the building; and provide privacy to the residential units abutting the sidewalk. The Board was concerned that that the type of grass species (fountaingrass) proposed wouldn't provide screening on long-term basis throughout the year. Therefore, the Board recommended a condition that the landscape designs specify grasses that are hardy and evergreen. (See Departure #1) (A-1, A-2, A-4, E-2, E-3)

4. Pedestrian and Residential Open Spaces:

- a. The Board reviewed the proposed residential open space design (rooftop deck area) and stated past concerns regarding the location, solar orientation and configuration (to accommodate enhanced views for the residential tenants) of that area had been resolved. (A-7, B-1, C-1)
- b. The Board discussed the visible blank walls (north and south facades); reviewed the proposed design treatment (mural) options; and offered specific feedback concerning the south and north facades. (D-2, E-2)
 - i. The Board supported the mural design treatment on the south façade and recommended a condition that the mural be maintained in the proportion and scale as shown in the REC DRB materials. (D-2)
 - ii. The Board acknowledged the upper section of blank wall along the north façade. The Board agreed that the proposed ornamental screening surrounding the live-work private patio would provide sufficient visual interest, particularly at the pedestrian level. (See Departure #2) (D-2, E-2)

5. Materials:

- a. The Board was very satisfied with the proposed material palette (concrete, brick, metal, aluminum storefront and colored vinyl windows) and acknowledged the durability of the higher quality materials presented. (C-2, C-4)

DESIGN REVIEW GUIDELINES

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

A. Site Planning

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

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

West Seattle Junction - specific supplemental guidance:

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

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

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

West Seattle Junction - specific supplemental guidance:

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

A-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.

A-6 Transition Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

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.

West Seattle Junction - specific supplemental guidance:

Current zoning in the Junction has created abrupt edges in some areas between intensive, mixed-use development potential and less-intensive, multifamily development potential. In addition, the Code-complying building envelope of NC-65' (and higher) zoning designations permitted within the Commercial Core would result in development that exceeds the scale of existing commercial/mixed-use development. More refined transitions in height, bulk and scale-in terms of relationship to surrounding context and within the proposed structure itself-must be considered.

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.

West Seattle Junction - specific supplemental guidance:

Facade Articulation: To make new, larger development compatible with the surrounding architectural context, facade articulation and architectural embellishment are important considerations in mixed-use and multifamily residential buildings. When larger buildings replace several small buildings, facade articulation should reflect the original platting pattern and reinforce the architectural rhythm established in the commercial core.

Architectural Cues: New mixed-use development should respond to several architectural features common in the Junction's best storefront buildings to preserve and enhance pedestrian orientation and maintain an acceptable level of consistency with the existing architecture. To create cohesiveness in the Junction, identifiable and exemplary architectural patterns should be reinforced. New elements can be introduced - provided they are accompanied by strong design linkages.

- C-2 Architectural Concept and Consistency.** Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.

West Seattle Junction - specific supplemental guidance:

New multi-story developments are encouraged to consider methods to integrate a building's upper and lower levels. This is especially critical in areas zoned NC-65' and greater, where more recent buildings in the Junction lack coherency and exhibit

a disconnect between the commercial base and upper residential levels as a result of disparate proportions, features and materials. The base of new mixed-use buildings – especially those zoned 65 ft. in height and higher - should reflect the scale of the overall building. New mixed-use buildings are encouraged to build the commercial level, as well as one to two levels above, out to the front and side property lines to create a more substantial base.

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

D. Pedestrian Environment

- D-1 **Pedestrian Open Spaces and Entrances.** Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

West Seattle Junction - specific supplemental guidance:

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

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

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

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

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

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

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.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departures was 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 departures.

- 1. Street-Level Development Residential Use Standards (SMC 23.47A.008.D.2):** The Code requires the floor of a residential dwelling unit located along the street-level street-facing façade be at least 4' above or 4' below sidewalk grade or be set back at least 10' from the sidewalk. The applicant proposes four residential units along Glenn Way Southwest to have floors located between 9" to 35" below sidewalk grade. The applicant proposed this departure to promote activity along the sidewalk and provide additional "eyes on the street".

This departure would result in an overall design that would better meet the intent of Design Review Guidelines A-1, A-2, A-4, E-2 and E-3 by responding to the sloping sidewalk grade condition along Glenn Way Southwest in conjunction with site's unusual configuration and sloping topography.

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

The landscaping for the planting beds at the base of the building's west façade along Glenn Way Southwest must be hardy and evergreen-grass plantings are strongly preferred-to provide a soft edge buffer between the sidewalk and the building and provide privacy to the residential units abutting the sidewalk.

- 2. Street-Level Development Nonresidential Use Standards (SMC 23.47A.008.B.3.b):** The Code states that, in new structures, nonresidential uses at street level shall have a floor-to-floor height of at least 13'. The applicant proposes the northernmost live-work located on 44th Avenue Southwest have a floor-to-floor height of 12'-5" to allow its entrance to be located on and directly accessed from the sidewalk. This would also allow the design to include a patio. Due to the existing sidewalk grade's upward sloping condition from south to north, the northern live-work unit's entrance would not be accessed directly from the sidewalk. Consequently, the northern live-work entry would require being located on the north side of the building to accommodate both a ramp and steps.

This departure would result in an overall design that would better meet the intent of Design Review Guidelines A-1, A-2, A-3, A-4 and D-2 by providing a visible entrance for the live-work unit and creating visual interest at the pedestrian level.

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

The private patio adjacent to the live-work unit at the building's northeasterly corner should include artwork (ornamental screen) similar to the color, height and texture as shown in the REC DRB materials to provide visual interest and activate the pedestrian experience.

3. **Structural Building Overhangs Standards (SMC 23.53.035.A.4.c):** The Code states that the maximum length of each balcony shall be 15' 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' dimension, reaching a maximum of 9' along a line parallel to and at a distance of 3' from the line establishing the open area. The applicant proposes rectangular-shaped upper level balconies (floors 3-5) having a maximum length of 17' and extending 2' from the building within the 44th Avenue Southwest right-of-way.

The Board stated that this departure would not result in an overall design that would better meet the intent of deemphasizing the exterior walkways in terms of the façade consistency. Therefore, the Board unanimously recommended that DPD not grant the requested departure.

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated December 5, 2013, and the materials shown and verbally described by the applicant at the December 5, 2013 Final Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the five Design Review Board members recommended APPROVAL of the subject design and departures, with the following conditions:

1. The exterior enlarged balcony landings extending beyond the property boundary into the public right-of-way (structural building overhangs) should be minimized by receding back to the wall façade. (A-2, C-2, C-3)
2. The roof (cap) above the elevator core/stairwell that extend beyond the building façade and property line should be pulled back to align with the building's wall façade.(A-2, C-2, C-3)
3. The mural design treatment to the south façade shall be maintained in proportion and scale as shown in the REC DRB materials. (D-2)
4. The landscaping for the planting beds at the base of the building's west façade along Glenn Way Southwest must be hardy and evergreen-grass plantings are strongly preferred-to provide a soft edge buffer between the sidewalk and the building and provide privacy to the residential units abutting the sidewalk. (A-1, A-2, A-4, E-2, E-3)
5. The private patio adjacent to the live-work unit at the building's northeasterly corner shall include artwork (ornamental screen) similar to the color, height and texture as shown in the REC DRB materials to provide visual interest and activate the pedestrian experience. (A-1, A-2, A-3, A-4, D-2)

Subsequent to the December 5, 2013 meeting, the applicant has worked with DPD staff to respond to the Design Review Board Recommended Conditions as follows:

1. The applicant's plans and supplemental materials illustrate exterior balcony landings pulled back to no longer extend beyond the building façade. This recommended design review condition in response to condition #1 has been satisfied.
2. The applicant's plans and supplemental materials illustrate a revised design of the roof above the elevator core/stairwell in response to recommended design review condition #2. This recommended design review condition has been satisfied.
3. The applicant documents on plan an area on the south façade wall that will be a dedicated area for the future mural design treatment. This design response, to address recommended condition #3, has been satisfied.
4. The applicant has modified the landscape drawings in response to condition #4. This recommended design review condition has been satisfied.
5. The applicant commits on plan to the installation of the artwork (ornamental screen) above the concrete planter around the live-work patio at the building's northeasterly corner. This is in response to condition #5. This recommended condition has been satisfied.

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

ANALYSIS & DECISION – DESIGN REVIEW

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

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

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

Director's Analysis:

Five members of the Southwest Design Review Board were in attendance and provided recommendations to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F.3). The Director agrees with and accepts the conditions recommended by the Board that further augment the selected Guidelines.

Following the Recommendation meetings, 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 meetings and finds that they are consistent with the Citywide Design Guidelines and City of Seattle Design Review Guidelines for West Seattle Junction Urban Village. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board. The Director is satisfied that all of the recommendations imposed by the Design Review Board have been met.

Director's Decision:

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the five members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for West Seattle Junction Urban Village. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and two of the three requested departures (Street-Level Development Nonresidential Use Standards and Street-Level Development Nonresidential Use Standards) with the conditions summarized at the end of this Decision. The Director accepts the Design Review Board's recommendation to deny one of the three requested departures (Structural Building Overhangs Standards). (See pages 12-13)

SEPA ANALYSIS

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated July 23, 2013. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file and any pertinent comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature or limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between the City's codes, policies and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part: "*Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations.

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

Short – term Impacts

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

Noise

The site abuts two streets (Glenn Way Southwest and 44th Avenue Southwest). Residential properties are situated northeast, north and west of the project site; locating outside (LR3 RC) and within the same zone as the project site (NC2-40). Commercial properties (surface parking lot and medical office), also zoned NC2-40, are directly east and north of the site. Vehicular traffic on adjacent and nearby arterial streets is identified as an existing noise source. The applicant asserts on the SEPA checklist that construction activity will be confined to limited construction hours. The applicant further specified the estimated construction hours as follows: 7:00 a.m. to 5:00 p.m., Monday thru Friday; and 9:00 a.m. to 5:00 p.m. on Saturday.

Short-term noise and vibration from construction equipment and construction activity (e.g., backhoes, trucks, concrete mixers, generators, pneumatic hand tools, engine noise, back-up alarms, etc.); demolition of the existing structures; and construction vehicles entering and exiting the site would occur as a result of construction and construction-related traffic. Compliance with the Noise Ordinance (SMC 25.08) is required.

The Noise Ordinance states construction activities within 100' of occupied Lowrise and Neighborhood Commercial zones shall be limited to non-legal holiday weekdays from 7:00 a.m. to 7:00 p.m. and 9:00 a.m. to 7:00 p.m. on weekends and legal holidays. Impact construction work (pile driving, jackhammers, vactor trucks, etc.) is further limited (8:00 a.m. – 5:00 p.m. weekdays and 9:00 a.m. - 5:00 p.m. weekends and legal holidays). It is the Department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance is not justified for this project on this specific site. No further conditioning or mitigation is warranted.

Air Quality

Demolition of the existing structure, grading and construction activities will result in localized short-term increases in air particulates and carbon monoxide which could temporarily affect the air quality in the vicinity. Demolition/construction activities that would contribute to these impacts include excavation, grading, soil compaction, and operation of heavy trucks and smaller

equipment (i.e., generators and compressors). Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliative, as necessary, to reduce airborne dust. In addition, compliance with the Puget Sound Clean Air Agency regulations requires activities which produce airborne materials or other pollutant elements to be contained with temporary enclosure. Regarding asbestos, Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency (“PSCAA”) prior to demolition. Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the construction area by vehicle frames and tires; this soil could be deposited on adjacent streets and become airborne.

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

Construction-Related Streets Parking and Pedestrian Circulation

Demolition of the existing structure and minor grading of approximately 766 cubic yards (cu. yds.) of material is proposed. This material would be trucked from the site. The applicant explains that construction vehicular access points haven’t been determined. The applicant states, *“Staging plans have not yet been developed, and will be determined during the building permitting process.”*

Construction of the project is proposed to last for several months. The applicant estimates that typically a maximum of 20 construction workers will be onsite throughout the construction process. The applicant explains, *“There is a public pay parking lot almost directly across 44th Ave SW from the site. There is an additional pay parking lot located on 44th Ave SW, one half block to the south of the project site. In addition to the nearby pay parking lots, there are a number of time-limited and unlimited time street parking spots in the vicinity. Workers will be encouraged to car pool as well.”* The amount of on-street parking available to construction workers appears limited due to time restrictions on several of the nearby block fronts and the King County Metro bus stop/layover across the street from the project site on 44th Avenue Southwest. Daytime usage of available spaces is likely to be limited due to the nearby commercial uses and existing construction activity in the immediate Alaska Junction neighborhood along California Avenue Southwest. The demand for parking by construction workers during construction is anticipated to further reduce the supply of parking in the vicinity.

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

It is the City's policy to minimize or prevent adverse traffic impacts which would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (25.05.675 R). 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 (SDOT). Due to construction related demand affected by construction worker parking, staging, and deliveries; additional mitigation is warranted pursuant to the Construction Impacts Policy (SMC 25.05.675.B). Pursuant to this

policy, a Construction Management Plan (CMP) addressing construction worker parking, street/sidewalk closures, truck haul routes and hours of truck traffic, will be required to mitigate identified impacts. This plan should include elements that will reduce construction worker parking demand on surrounding streets and will be required prior to issuance of any future demolition, grading and/or building permit.

Greenhouse Gas Emissions

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

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

Long - term Impacts

Long term or use-related impacts are also anticipated as a result of this proposal, including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased ambient noise associated with increased human activity and vehicular movement; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; increased airborne emissions resulting from additional traffic; increased energy consumption; and increased light and glare. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

Historic Preservation

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

SEPA provides authority to mitigate impacts to historic buildings (SMC 25.05.675.H.2.c). In this instance, the existing commercial building addressed as 4535 44th Avenue Southwest is not designated as a historical landmark. However, because this proposal involves the demolition of one building which is more than 50 years old, historical information concerning this property (prepared by the applicant) was referred to the Department of Neighborhoods (DON) for review. The DON Historic Preservation Staff reviewed the information and stated, "Based on the review of this information, as well as information from the City's Historic Resources Survey database, we have determined that it is unlikely that the subject building would meet the standards for designation as an individual landmark." Therefore, no further conditioning is warranted by SEPA.

Traffic and Transportation

Gibson Traffic Consultants (GTC) prepared a Traffic Impact Analysis report (dated October 2013) for the subject site referenced in the report as the “Lofts at the Junction development”. This report offers the expected trip generation for the site, estimates project-related changes to the local traffic, and evaluates potential parking impacts. The analysis in this report is based on the removal of an existing 1,176 sq. ft. office building and a development consisting of 36 multifamily units and two live-work units. It also considers no parking spaces will be provided onsite.

Trip generation for the project was determined using the Institute of Transportation Engineers (ITE) Trip Generation Manual (9th edition) for the following categories: Mid-Rise Apartments (ITE Land Use Code 223) and General Office (ITE Land Use Code 710). Based on this information, the proposal is estimated to generate 146 new daily trips, 10 new AM peak hour trips and 13 new PM peak hour trips. This small increase in traffic volumes is not expected to adversely affect nearby roadways or intersections. The screenline analysis performed for the two applicable screenlines (those screenlines that have the highest number of directional trips assigned to them from the proposed project based on DR 5-2009)-Screenlines 3.11 and 9.11. The report states that, *“Both of these screenlines [3.11 and 9.11] will have acceptable v/c ratios with the Lofts at the Junction development.”*

Based on the traffic analysis provided and in consultation with the DPD Transportation Planner, no mitigation is warranted pursuant to SMC 25.05.675.R.

Parking

The proposal site is situated within a commercial zone (NC2-40), the West Seattle Junction Hub Urban Village, and near a frequent transit service corridor. No parking is required for the project per the Land Use Code (SMC 23.54). The submitted MUP plans indicate no parking spaces will be provided onsite.

Parking analysis was included with the Traffic Impact Analysis report (dated October 2013) and an addendum (dated January 2014) prepared by GTC to assess the expected parking demand and supply.

The parking utilization study was conducted within a specified proximity of the project site by GTC in January 2014 with the intent to determine the number of on-street parking spaces available on a weekday and provide a base to determine parking occupancy rates. A total of 352 parking spaces were identified within 800’ of the project site. The studies were conducted on three nights (January 14th through 16th) between 9:00 p.m. and 11:00 p.m. It was found that an average of 185 vehicles was parked on these spaces, resulting in an on-street parking utilization rate of 53%.

The DPD Transportation Planner has reviewed the parking analysis. Based on experience, the DPD Transportation Planner advised that the most suitable tool to estimate the parking demand for this project is the King County Right Size Parking Calculator. This method, which estimates parking demand taking number of units, project location and unit size into account, results in a parking demand rate of .80 vehicles per unit. Using this rate, the project is expected to generate a peak parking demand of 30 vehicles. Peak demand for residential projects typically occurs overnight. The addition of the 30 vehicles to the existing demand of 185 vehicles reported by

GTC results in a future with-project on-street demand of 215 vehicles during peak (overnight) hours. This would result in a parking utilization rate of 61% after the project is built and occupied.

Parking analysis of a mixed-use development proposal located near the project site at 4400 Southwest Alaska Street (DPD Project #3014486) was also taken into consideration in analyzing parking demand impacts. A development consisting of 36 residential units, four live-work units and onsite accessory parking (five parking spaces) is proposed. Assuming the same estimate of residential parking demand noted above (.80), the Southwest Alaska Street project would generate a peak parking demand of 32 vehicles. This quantity would be further reduced due to the five parking stalls proposed onsite, resulting in a spillover of 27 vehicles. Adding this on-street demand to the above estimates results in a cumulative on-street parking demand of 57 vehicles between the two projects; along with existing on-street parking volumes, a total of 242 vehicles would be expected to park on-street with completion of the two projects. This would result in a parking utilization rate of 69%. On-street parking is judged to be at effective capacity when utilization rates reach 85% or higher. Therefore, the cumulative impacts of these two developments are not expected to result in capacity conditions for the on-street parking supply, and no mitigation is warranted.

Greenhouse Gas Emissions

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

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

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

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

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

SEPA CONDITIONS

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

1. In order to address construction related transportation and parking impacts, the responsible party shall submit a Construction Management Plan (CMP) to be reviewed and approved by Seattle Department of Transportation (SDOT) in consultation with DPD. A construction transportation plan for workers and truck deliveries/routes shall be prepared to minimize

disruption to traffic flow on adjacent streets and roadways. This plan shall include a requirement that truck trips be scheduled to avoid peak periods of 7:00-9:00 a.m. and 4:00-6:00 p.m., Monday through Friday. The plan shall consider the need for special signage; flaggers; haul route definitions; street cleaning; and identification of potential street and/or sidewalk closures; vehicle, bicycle and pedestrian circulation and safety; and identification of construction worker parking. This plan should include elements that will reduce construction worker parking demand on surrounding streets.

During Construction

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

DESIGN REVIEW CONDITIONS

During Construction

3. Any changes to the design, building exterior or landscape plan shall be submitted to DPD for review and approval.
4. The Land Use Planner shall review the proposed mural design and installation details prior to it being applied to the building's south wall facade.

Prior to Certificate of Occupancy

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

For the Life of the Project

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

Signature: (signature on file) Date: May 19, 2014
Tami Garrett, Senior Land Use Planner
Department of Planning and Development