



**City of Seattle**  
Edward B. Murray, Mayor

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

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

**Application Number:** 3015183  
**Applicant Name:** Radim Blajez with Caron Architecture  
**Address of Proposal:** 1622 East Yesler Way

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow seven, four-story live/work units (totaling 16,468 sq. ft.) with parking for seven vehicles located on the site.

The following approvals are required:

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

1. Vehicular Driveway Width – To allow a driveway for two way traffic and serving a non-residential use to be less than the minimum required width. (SMC 23.54.030.D.2.a.2)
2. Curb Cut Width – To allow a curb cut for two way traffic serving a non-residential use be less than the required minimum width. (SMC 23.54.030.F.2.b.2)
3. Screening of Surface Parking Areas – To allow surface parking abutting a lot in a residential zone not meet required screening and landscaping standards. (SMC 23.47A.016.D.1.c.2)
4. Structural Building Overhangs - To allow increased dimensions for a structural building overhang (bay window). (SMC 23.53.035.A.4.c)
5. Parking Space Requirements – To allow parking not meeting required parking space size combination standards. (SMC 23.54.030.B.2.a)
6. Parking Aisles (SMC 23.54.030.E.1 & 2) – To allow the parking aisle width be less than the minimum required aisle width for the largest vehicle served by the aisle.

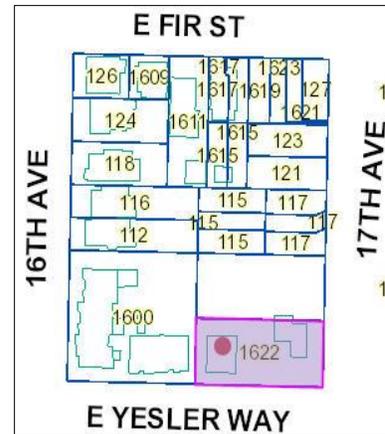
**SEPA - Environmental Determination** (SMC Chapter 25.05).

**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 8,024 square foot (sq. ft.) proposal site is located in the Central Area neighborhood of Seattle bounded by 17<sup>th</sup> Avenue to the east, East Yesler Way to the south and residentially-zoned property to the west and north. This corner lot project site is zoned Neighborhood Commercial 1 (NC1-40) in the 23rd & Union-Jackson Urban Village. The site is currently vacant.



Vehicular access to the site is via curb cuts abutting 17<sup>th</sup> Avenue and East Yesler Way. East Yesler Way is classified as a Minor Arterial, pursuant to SMC Chapter 23.53 and 17<sup>th</sup> Avenue is classified as a non-arterial street. Both streets are improved with sidewalks, curbs, street trees and gutters.

The property topography is characterized with grades descending gradually approximately 10' from northeast to southwest. The subject site is not located within any identified or designated Environmentally Critical Areas (ECAs).

A mix of lawn, shrubs and mature trees (7) are located throughout the property. None of the seven trees have been determined by an arborist (Ryan Ringe, Certified Arborist and Certified Tree Risk Assessor, Arbor Options LLC) as meeting the "Exceptional Tree" designation per Director's Rule (DR) 16-2008. The DPD Tree Expert has reviewed the Arborist's report with addendum dated September 27, 2013 and concurred with these findings.

Surrounding property south and east are also zoned NC1-40. The property west and north of the project site is zoned Lowrise 3 (LR3). Surrounding development includes a mix of townhouse units and apartment buildings east, west and north of the site. A two-story assisted living facility (Keiro Garden) is south of the subject property. The Langston Hughes Cultural Arts Center/Theater (designated Landmark building) and associated surface parking area are located southeast and east of the project property respectively. A townhouse residential development is proposed under separate permit (#3015756) at the adjacent vacant lot to the north. A King County Metro Bus Transit stop is adjacent to the site along East Yesler Way.

### **Proposal Description**

The proposed project is for the design and construction of a four-story building consisting of seven non-residential live-work units (16,468 square feet (sq. ft.)). Parking for seven vehicles is proposed within six of the seven proposed live-work units and one stall located at a surface parking area onsite. Access to the parking is proposed from 17<sup>th</sup> Avenue.

### **Public Comments**

Several members of the public attended the Early Design Guidance (EDG) meeting held on October 2, 2013. The following comments, issues and concerns were raised:

- Encouraged future design that would allow a singular proposed access drive to accommodate vehicular access for the project and the proposed residential development planned at the adjacent property to the north. Stated that on-street parking is limited in the neighborhood and explained that, in recent past, zone parking has been implemented. Concerned that multiple curb cuts accessing the project site and neighboring development would greatly minimize parking opportunities along 17th Avenue and increase traffic congestion in the immediate vicinity.

- Desired vehicular access to parking via East Yesler Way be explored if existing trees (Lombardy Poplars) are allowed to be removed from the project site.
- Concerned that future design in conjunction with the proposed development to the north will create a greater shadowing impact than presented.
- Voiced frustration that applicant's materials did not illustrate proposed residential development at the adjacent property, north of the project site.
- Concerned that future commercial uses will not be suitable with the existing neighborhood residential character and nearby uses (Keiro Garden).
- Requested clarification regarding the term "live-work" and inquired about the limitations associated with that type of use.
- Encouraged future streetscape design along East Yesler Way to be more commercial in character.
- A representative of the Central Area Land Use Review Committee:
  - Thanked the design team for its presentation of the proposal in advance of the EDG meeting.
  - Expressed committee support of the proposal in general.
  - Very concerned about the small size of the "work" portion of the live-work units and its similarity in size to the existing live-work development two blocks east of the project site (@ 1818 East Yesler Way) which has small "work" spaces that have been vacant for several years.
  - Advised that the success of the project from both the developer and neighbors' point of view perhaps might be improved by designing in flexibility to enable, in the future, for those commercial spaces to be combined. Also suggested that removal of some of the enclosed parking spaces would assist in enlarging some of the "work" areas and, as a result, to make the commercial spaces more useful and attractive to future owners.

One member of the public attended the Initial Recommendation (REC) meeting held on May 7, 2014. The following comments were offered:

- A representative of the Central Area Land Use Review Committee:
  - Commended the design team on the execution of the architecture.
  - Expressed committee support of the proposal and the proposed code departures.
  - Identified an inconsistency pertaining to the application of materials to the building's ground-level east façade at the residential entrance fronting on 17th Avenue. Confirmed that the proposed horizontal wood cedar siding material would more substantially wrap the building's end unit's corner residential entry as illustrated on the east elevation plan (pg. 27) instead of the east elevation perspectives (pgs. 30-35) reflected in applicant's design materials.
  - Reiterated concern about the small size of the "work" portion of the live-work units and its similarity in size to the existing live-work development two blocks east of the project site at 1818 East Yesler Way) which has small "work" spaces and has been vacant for several years and lacks activation to the streetscape.
  - Continued to encourage a design that would be flexible to allow the commercial spaces to be combined in the future.

No members of the public attended the Final Recommendation (REC) meeting held on July 9, 2014. Therefore no public comments were offered at that meeting.

The SEPA public comment period for this project ended January 29, 2014. DPD received no written comments from the public during this comment period.

Additional Information

The applicant obtained a permit (#6363781) to demolish the existing commercial structures: a former gas station and auto repair shop. It is anticipated by the applicant that future development activity at the subject site will include the creation of individual platted lots (Short Subdivision).

**DESIGN REVIEW ANALYSIS**

**EARLY DESIGN GUIDANCE MEETING: October 2, 2013**

Three alternative design schemes were presented to the Board. The project team's development goals were to create a commercial building design that strengthens the corner; incorporates elements to clearly distinguish between the commercial ("work") space and the upper residential ("live") space; and relates to the surrounding neighborhood context. All three options presented included a four-story non-residential buildings equating to approximately seven live-work units with each unit having one parking stall within its unit. Vehicular access to the seven enclosed parking stalls and two surface parking spaces was proposed to occur from 17th Avenue. The three massing options showed proposed entrances to the ground-related commercial ("work") entrances oriented along East Yesler Way and secondary entrances leading to the upper residential ("live") floors at the rear of the structure to the north. The alternative massing diagrams are distinguished by the alignment of the live-work units and orientation of the upper-levels.

The first and applicant preferred scheme (Option A) was a code-compliant massing option with recessed angled commercial entries below second floor balcony projections.

The second scheme (Option B) emphasized a more vertical modulation form inclusive of projected bay windows. The applicant explained this scheme would necessitate a code departure for structural building overhangs at the right-of-way.

The third scheme (Option C) emphasized a more horizontal modulation form by staggering each unit along East Yesler Way. That option was code compliant also.

**Meeting Materials:**

The design packets submitted to the DPD Land Use Planner prior to each Design Review meeting included materials presented at the EDG, Initial Recommendation and Final Recommendation meetings. They are available online by entering the project number (3015183) at this website: [http://www.seattle.gov/dpd/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp) or by contacting the Public Resource Center at DPD:

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

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

**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: October 2, 2013**

1. **Design Concept and Massing:** The design and siting pattern of the new live-work non-residential development should respond to specific site conditions, be oriented to the corner, exhibit form and features identifying the interior functions, be compatible with the anticipated scale of development, and complement the architectural character of neighboring residential buildings. (A-2, A-10, B-1, C-1, C-2)
  - a. The Board suggested the preferred design scheme Option 1 should move forward to Master Use Permit (MUP) submittal with the following guidance:
    - i. The Board agreed that Option 1 is a good concept and supported the basic direction of a two-part massing diagram with commercial at the street. However the Board voiced disappointment that the schemes offered for the Board's review did not illustrate enough differentiation in massing and height. The Board felt that the massing presented worked against the applicant's commercial design concept and did not relate well with the established neighborhood architectural context (Langston Hughes, adjacent residential uses and commercial buildings). It is imperative that the Board understands more clearly how the design is cohesive as building form and relates to the established context. At the Recommendation meeting, the Board expects to review a design that: incorporates design cues from the neighboring commercial developments which seem to be more rectilinear in character; creates a strong commercial presence at the corner that should not be treated as a side of a building; allows for flexibility in the commercial ("work") spaces; and, rational changes in scale.
  - b. At the Recommendation meeting, the Board expects to review in both plan and elevation views the proposal, existing residential property to the west and the new residential proposal to the north. The applicant should also provide similar information to demonstrate how the adjacent facades and proposed fenestration lines up with existing/proposed residential unit windows to the west and to the north of the subject site. (C-1, C-2)
  - c. The Board recognized that the configuration and size of "work" area of the live-work units adds to the viability of the development. The Board stated that they would support a design that would reduce onsite parking by eliminating some of the enclosed parking (preferably from the corner volume) to create larger enhanced "work" spaces. The Board expects to review a design that incorporates this concept and would consider a smaller scale of "work" space as the units move to the west. (A-2, A-5, C-1, C-2)
2. **Vehicular Parking and Access:** The design of the vehicular access and parking should be sited appropriately and well screened. (A-8, D-4, D-5)
  - a. The Board acknowledged that the siting of vehicular access via 17<sup>th</sup> Avenue versus East Yesler Way was appropriate due to the bus stop/zone abutting the property at East Yesler Way.
  - b. The Board stated the proposal should mitigate parking both visually and spatially. Also, the Board felt that there was an opportunity to treat the driveway as a forecourt to assist in creating a more residential environment enhanced with screening and landscaping.
    - i. The Board commented that it would support a future code departure request that would reduce the two-way curb cut width requirement (22' to

25') to a narrower curb cut width that is appropriate, can accommodate vehicular access in a safe manner and meets the intent of this design guidance. (A-5, A-7, A-8, D-4)

- ii. The Board commented that it was also in support of a future code departure request for deviations from parking aisle widths. The applicant must demonstrate that it meets the intent of the design guidance to create a “park-like experience at the back” and demonstrate that vehicular backing and maneuvering can be safely executed on the site. (A-5, A-7, A-8, D-4)
  - c. The applicant explained that onsite parking is not required for this non-residential proposal. The Board liked that the proposal included onsite parking and encouraged the applicant to continue to include onsite parking as the project evolves in design with the guidance provided. (A-8)
  - d. The Board stated that, in order to complete the composition, the live-work parking spaces in the structure should have garage doors and the open parking spaces should be screened from the street and adjacent properties. (D-5)
3. **Streetscape Continuity and Pedestrian Environment:** The design of the new building should incorporate architectural features, elements and details to enhance pedestrian comfort, discourage blank walls, are respectful of adjacent properties and reinforce the spatial characteristics of both East Yesler Way and 17<sup>th</sup> Avenue. (A-2, A-4, A-5, A-10, C-3, C-4, D-2, D-6, D-9, D-10, D-11, E-1, E-2)
- a. The Board felt it was important that the design reinforces desired streetscape characteristics which is commercial at the street-level and incorporates elements that achieve good human scale. At the Recommendation meeting, the Board expects to review renderings showing how the live-work building, details, landscaping and design relate to the spatial characteristics of the street. Character sketches and/or sections that illustrate design elements (fencing, landscaping, walls, ramps, stairs, etc.) that would be visible by pedestrians from the sidewalk should also be offered. (A-1, A-2, A-6, D-1, D-2, E-2)
  - b. The Board acknowledged that all visible blank walls (east and west facades) will need to be addressed. The Board expects to review details pertaining to any landscaping and/or design treatments proposed to address this concern at the Recommendation phase. (D-2, E-2)
  - c. The Board encouraged the use of durable quality materials (specifically commercial materials) that reinforce the design concept and respond to the permanence of the Langston Hughes building. The Board expects to review physical materials and color hues in keeping with the neighborhood context at the Recommendation meeting. (A-10, C-4)
  - d. At the Recommendation meeting, the Board expects to review details/feedback from Seattle Public Utilities (SPU)-Solid Waste division and trash collector concerning waste/recycling collection program and screening. (D-6, E-2)
  - e. Conceptual commercial lighting and signage designs proposed for the building’s façades should be presented at the Recommendation meeting. (D-9, D-10)
4. **Exceptional Trees:**
- a. A special site condition is the presence of three Exceptional Trees, (34.8”, 54.5” and 53” Lombardy Poplars) all located along the site’s westernmost property line. The applicant’s proposal includes the removal of these trees. Prior to the EDG meeting, the Board was briefed by DPD staff to expect to review an additional design concept that would include the retention of the abovementioned trees and

receive supplementary materials regarding the trees. At the EDG meeting, the Board inquired about the status of the Exceptional Tree concern, as well as the exclusion of promised supplementary materials/design concept. DPD staff explained that the applicant had submitted an additional arborist report (prepared by Ryan Ringe, dated September 27, 2013) just prior to the meeting indicating that the three trees should be deemed hazard based on his risk assessment. It was realized, after preliminary review of the latest arborist report by the DPD Tree Expert that the identified trees may be deemed hazard but further review of additional requested material from the arborist was necessary. The Board confirmed the location of the identified trees and determined that the trees of concern would not affect their deliberations at the EDG phase; however, the Board's expectation is that applicant will provide feedback from DPD concerning the Exceptional trees status determination at the next meeting. (E-3)

5. **Landscaping:** The future landscape design should reinforce design continuity with adjacent sites and enhance the project. (E-1, E-2)
  - a. The Board noted that future landscaping within the right-of-ways should relate to the commercial (structured, plantings, hardscape) character along East Yesler Way and around the corner on 17<sup>th</sup> Avenue, transition to a residential character when appropriate along 17<sup>th</sup> Avenue, acknowledge the bus zone and be designed. The Board reviewed and commented on the landscaping images presented (pg. 20 in the design packet) and stated that they were supportive of the direction of the images shown. 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 additional design feedback. Therefore, the Board requested the applicant 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-1)
  - b. The Board noted that pedestrians and surrounding residential properties will have direct views to the drive aisle/parking area. The Board felt that the suggested forecourt should be designed residential in character, appropriate for vehicular maneuvering/access and be well landscaped. The Board expects to review access (paths, drive aisle) and landscaping elements pertaining to this space, as well as, at the site's edges, at the Recommendation meeting. (A-5, A-7, D-7, E-2)

#### **INITIAL RECOMMENDATION MEETING: May 7, 2014**

The design massing scheme presented to the Board was based on the preferred scheme (Option A) offered at the EDG phase. The preferred massing design had further evolved to include colors, materials, fenestration, architectural detailing and landscaping.

The building design included massing that was distributed into two elements to emphasize the corner. The commercial ("work") space on the ground-level of the easternmost unit had been expanded due to the relocation of the enclosed parking stall to an onsite surface area west of the building. Plan and elevation views of the proposal, existing residential property to the west and the residential proposal to the north were offered for the Board's review. The presentation included proposed landscaping as well as design details at the structure's upper-level decks; and within the public and private realm. Feedback pertaining to coordination efforts by the applicant concerning Exceptional Tree status determination and proposed improvements within the rights-of-ways from DPD, Seattle Department of Transportation (SDOT) and King County Metro was

offered to the Board. The applicant's presentation included four code departures for vehicular driveway width, curb cut width, surface parking area screening and structural building overhangs.

**INITIAL RECOMMENDATIONS: May 7, 2014**

The Board discussion of the proposed departures (if applicable) and conditions are at the end of this section.

1. **Design Concept and Massing:** The design and siting pattern of the new live-work non-residential development should respond to specific site conditions, be oriented to the corner, exhibit form and features identifying the interior functions, be compatible with the anticipated scale of development, and complement the architectural character of neighboring residential buildings. (A-2, A-10, B-1, C-1, C-2)
  - a. The Board was very impressed with the final building design and appreciated how the final design responds to the anticipated scale of development as well as the architectural character of the neighboring residential and historical landmark building (Langston Hughes Cultural Arts Center/Theater). (A-2, A-10, B-1, C-1, C-2)
  - b. The Board discussed the proportion and composition of the corner mass. The Board agreed that the overall design meets the desired intent previously stated at the past EDG meeting.
  - c. At the Recommendation meeting, the Board was pleased that the design had been revised to create a larger enhanced "work" space in the corner volume and smaller scale "work" space as the units move to the west. (A-2, A-5, C-1, C-2)
2. **Vehicular Parking and Access:** The design of the vehicular access and parking should be sited appropriately and well screened. (A-8, D-4, D-5)
  - a. The Board was pleased that the driveway had been designed and enhanced with screening and landscaping to appear more residential in nature. (A-5, A-7, A-8, D-4, E-2)
  - b. At the Recommendation meeting, the Board was pleased with the inclusion of garage doors for the enclosed live-work parking spaces and recognized that the garage doors aid in enhancing personal safety and security in the environment. (D-1, D-5, D-7)
3. **Streetscape Continuity and Pedestrian Environment:** The design of the new building should incorporate architectural features, elements and details to enhance pedestrian comfort, discourage blank walls, be respectful of adjacent properties and reinforce the spatial characteristics of both East Yesler Way and 17<sup>th</sup> Avenue. (A-2, A-4, A-5, A-10, C-3, C-4, D-2, D-6, D-9, D-10, D-11, E-1, E-2)
  - a. At the Recommendation meeting, the Board reviewed the site plan and questioned if the proposal included any distinction between the sidewalk treatment and the entry material for those entrances abutting the street fronts. The applicant verbally confirmed that the paver material proposed for the residential walkway at the forecourt (see page 20, item #16) would also be installed at each entrance abutting the streets. The Board was very supportive of this response and felt that this design element would further assist in achieving good human scale. (A-4, B-1, C-3, C-4, E-1, E-2)
  - b. The Board acknowledged the proposed landscaping treatment (vertical screen wall) to the east façade and commented that it was an adequate solution to address the visible blank wall condition facing 17<sup>th</sup> Avenue. (D-2, E-2)

- c. The Board reviewed the proposed material and color palette and commented that it was elegant, as well as complementary to the neighborhood context and the Langston Hughes building. (A-10, C-4)
  - d. The Board reviewed a conceptual signage design that included commercial signage for the “work” entrances abutting East Yesler Way and address signage for the “live” entrances at the north façade and east façade abutting 17<sup>th</sup> Avenue. The Board voiced support for the signage design and stated that it responds very well with the overall aesthetics of the building. (D-9)
  - e. The Board reviewed the conceptual lighting design and recognized that the lighting design didn’t completely address potential pedestrian/occupant security issues at the corner. The Board stated that this corner location, which has no street lighting, should be well-lit. Therefore, the Board recommended a condition that the lighting plan for the site should be enhanced to provide additional illumination on the building that will assist in illuminating the corner at the intersection of 17<sup>th</sup> Avenue and East Yesler Way. (D-1, D-10)
- 4. Exceptional Trees:**
- a. The applicant’s materials included the DPD Tree Expert’s (Seth Amrhein) feedback pertaining to the condition of the three Exceptional Trees, (34.8”, 54.5” and 53” Lombardy Poplars) located along the site’s westernmost property line. His determination stated that the abovementioned trees do not require protection as Exceptional Trees. Consequently, no further comments regarding this concern were offered from the Board at the Recommendation meeting. (E-3)
- 5. Landscaping:** The future landscape design should reinforce design continuity with adjacent sites and enhance the project. (E-1, E-2)
- a. At the Recommendation meeting, the Board did not have extensive discussion regarding the proposed landscape plan.

**FINAL RECOMMENDATION MEETING: July 9, 2014**

The East Design Review Board (DRB) members recommended approval of the subject design with a condition and several code departures at the May 7, 2014 Initial Recommendation meeting. After the meeting, it was realized that additional code departures related to parking space size and vehicular aisle width weren’t requested at the aforementioned meeting. Therefore, an additional Recommendation meeting was required to present the code departures to the DRB for recommendation.

The applicant’s presentation focused solely on the development standard departures noted above. The applicant also presented a partial alternative site plan illustrating only the west portion of the site. The purpose of the alternative site plan was to illustrate a revised parking stall, landscape buffer and walkway design that the applicant will pursue if it is determined, during the Building Code review of the proposal, that a barrier-free parking stall is not required. A design packet supplement regarding this concern was provided at the Recommendation meeting that was not included in the design packets initially provided to the Board. The proposal design did not change.

**FINAL RECOMMENDATIONS: July 9, 2014**

The Board discussed the proposed departures and recommended the departures and conditions, as described, following the Design Review Guidelines section.

## DESIGN REVIEW GUIDELINES

The Board identified the following Citywide Design Guidelines of highest priority for this project. For the full text please visit the [Design Review website](#).

### Site Planning

- A-2 **Streetscape Compatibility.** The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.
- A-4 **Human Activity.** New development should be sited and designed to encourage human activity on the street.
- 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-8 **Parking and Vehicle Access.** Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.
- A-10 **Corner Lots.** Building on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

### 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-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.
- 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.
- C-3 **Human Scale.** The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.
- 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-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-4 Design of Parking Lots Near Sidewalks.** Parking lots near sidewalks should provide adequate security and lighting, avoid encroachment of vehicles onto the sidewalk, and minimize the visual clutter of parking lot signs and equipment.
- 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.
- D-6 Screening of Dumpsters, Utilities, and Service Areas.** Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.
- D-7 Personal Safety and Security.** Project design should consider opportunities for enhancing personal safety and security in the environment under review.
- D-9 Commercial Signage.** Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.
- D-10 Commercial Lighting.** Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.
- D-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.

## **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. Vehicular Driveway Width (SMC 23.54.030.D.2.a.2):** The Code states that a driveway for two way traffic and serving a non-residential use shall be shall be 22' to 25' maximum in width. The applicant proposes a two-way driveway with a width ranging from 14' minimum to 21'-2" maximum. The applicant proposed this departure in response to Board guidance. The applicant acknowledged that this driveway is planned to also serve as vehicular access (via an ingress/egress easement) to future parking stalls accessory to the residential townhouse development being constructed under separate permit at the neighboring property to the north (111 17<sup>th</sup> Avenue).

This departure would result in an overall design that would better meet the intent of Design Review Guidelines A-5, A-7, A-8 and D-4 by minimizing the impact of vehicular parking and driveways on the pedestrian environment and adjacent properties. The Board was pleased with the landscape and hardscape improvements and supportive of a design that would provide future vehicular access to neighboring property to the north (111 17<sup>th</sup> Avenue). The Board recognized that this code departure was in response to Board feedback provided at the EDG meeting.

The Board unanimously recommended that DPD grant the requested departure.

- 2. Curb Cut Width (SMC 23.54.030.F.2.b.2):** The Code requires that the minimum width of a curb cut for two way traffic serving a non-residential use (live-work) shall be 22' and a maximum width of 25'. The applicant proposes a 10' wide curb cut abutting 17<sup>th</sup> Avenue.

This departure would result in an overall design that would better meet the intent of Design Review Guidelines A-4, A-8, and D-7 by allowing for more curb for street parking, minimizing the impact of vehicular access on the pedestrian environment and nearby properties. The Board also recognized that this code departure was in response to Board feedback provided at the EDG meeting.

The Board unanimously recommended that DPD grant the requested departure.

- 3. Screening of Surface Parking Areas (SMC 23.47A.016.D.1.c.2):** The Code states that surface parking abutting a lot in a residential zone must have 6' high screening along the abutting lot line and a 5' deep landscaped area inside the screening. The applicant proposes the installation of a green screen affixed to the 6' high fence in lieu of the required 5' wide landscape area. The applicant explained that the parking stall would not be visible to the affected neighboring property to the west (1600 East Yesler Way).

This departure would result in an overall design that would better meet the intent of Design Review Guideline E-2 by incorporating into the design an appropriate landscaping element that will enhance the development and also accommodate the proposed barrier-free ADA (American Disabilities Act) parking stall. A majority (five) of the six Board members recommended that DPD grant the requested departure.

One Board member did not support this departure. The Board member stated that the green wall design is not an appropriate response that would enhance the development or provide a benefit to the neighborhood. It was also voiced that the applicant's justification for the code departure didn't adequately achieve the guideline priorities.

- 4. Structural Building Overhangs (SMC 23.53.035.A.4.c):** The Code requires that the maximum length of each bay window 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° 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 to not taper the bay 15' structural building overhang length which results in 90° angles at the overhang edges. The applicant explains that the use of 90° angles maintains a unified building form that is consistent with the design.

This departure would result in an overall design that would better meet the intent of Design Review Guideline C-2 by allowing a bay design that is well-proportioned and in keeping with the corner building mass design.

The Board unanimously recommended that DPD grant the requested departure.

5. **Parking Space Requirements (SMC 23.54.030.B.2.a):** The Code requires that, when ten or fewer parking spaces are provided, a maximum of 25% of the parking spaces shall be striped for small vehicles and a minimum of 75% of the spaces shall be striped for large vehicles. The applicant requests to provide seven parking spaces of which six will be for small vehicles (86%) and one will be for a medium (as shown on the alternative site plan) or large vehicle (pg. 23) meeting barrier-free parking space standards (14%). The applicant states that the small stalls within the garages reduce the impact of the driveway and allows for a more residential quality which is characteristic of the neighborhood. Additionally, the majority of parking spaces to be for small vehicles permit for more floor area to be dedicated to the ground floor “work” areas. This code departure was in response to Board feedback at the EDG meeting.

This departure would result in an overall design that would better meet the intent of Design Review Guidelines A-5, A-7, A-8 and D-4 by minimizing the impact of vehicular parking and driveways on the pedestrian environment and adjacent properties. The Board reviewed the alternative site design that illustrated the installation of a medium parking space and was pleased with the landscape and hardscape improvements and supportive of that design.

The Board unanimously recommended that DPD grant the requested departure.

6. **Parking Aisles (SMC 23.54.030.E.1 & 2):** The Code states that the required aisle width for large vehicles is 24' and that the minimum aisle width shall be provided for the largest vehicle served by the aisle. The applicant proposes a portion of the aisle width serving all stall sizes (small and large) range from 17'2" minimum to 21'2" maximum. The applicant explains that the majority of vehicles served by the driveway will be small-sized and the dimensions of the driveway being provided can still accommodate a large-sized vehicle while allowing safe vehicular maneuvering onsite. The required backing distance for the proposed large stall (24') is provided.

This departure would result in an overall design that would better meet the intent of Design Review Guidelines A-5, A-7, A-8 and D-4 by minimizing the impact of vehicular access on the pedestrian environment and adjacent properties. This departure is connected with the abovementioned departure for vehicular driveway width.

The Board unanimously recommended that DPD grant the requested departure.

## **BOARD RECOMMENDATION**

The recommendation summarized below was based on the design review packets dated July 9, 2014, and the material shown and verbally described by the applicant at the July 9, 2014 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, with the following condition:

1. The lighting plan for the site should be enhanced to provide additional illumination on building that will assist in illuminating the corner area at the intersection of 17<sup>th</sup> Avenue and East Yesler Way to ensure comfort and security for pedestrians and live-work occupants. (D-1, D-10)

Subsequent to the July 9, 2014 meeting, the applicant has worked with DPD staff to respond to the Design Review Board Recommended Conditions as follows:

1. The plans have been updated to show the inclusion of additional illumination affixed to the building's east wall façade near the corner at the intersection of 17<sup>th</sup> Avenue and East Yesler Way. This design response, to address recommended condition #1, 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. 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 condition, 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. The Design Review Board agreed that the proposed design, along with the condition 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 six requested departures (Vehicular Driveway Width, Curb Cut Width, Surface Parking Area Screening, Structural Building Overhangs and Parking Space Requirements) with the condition summarized at the end of this Decision.

### **SEPA ANALYSIS**

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated December 12, 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.

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 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 (East Yesler Way and 17<sup>th</sup> Avenue). Residential properties are situated north and west of the project site; locating outside (LR3) the project site's zoning (NC1-40). Commercial properties, an assisted living facility, the Langston Hughes Cultural Arts Center/Theater and associated surface parking area, also zoned NC1-40, are located south and east of the site. Vehicular traffic on the nearby arterial street (East Yesler Way) is identified as an existing noise source. The applicant asserts on the SEPA checklist that construction activity will be confined to construction hours permitted within City of Seattle. The applicant further specified the estimated construction hours as follows: 7:00 a.m. to 6:00 p.m., Monday thru Friday; and 9:00 a.m. to 6:00 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.); 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, vibrator 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.

Environmental Health

As previously noted in this report, the past development on the project site consisted of a gas station and auto repair shop. The environmental checklist identified contaminated soils on site. Documentation was provided by the applicant identifying the presence of "*gasoline, diesel and oil range petroleum hydrocarbons, ethylbenzene, total xylenes, cadmium and lead.*" If not properly handled, existing soil contamination could have an adverse impact on environmental health.

Mitigation of soil contamination and remediation is the jurisdiction of Washington State Department of Ecology ("Ecology") Model Toxics Control Act (MTCA). The Voluntary Cleanup Program mitigates risks associated with removal and transport of hazardous and toxic materials, and the agency's regulations provide sufficient impact mitigation for these materials. DPD has consulted with the Department of Ecology, and determined that Ecology's jurisdiction and requirements for soil remediation will mitigate impacts associated with contamination.

The applicant has provided DPD with evidence of entering the Voluntary Cleanup Program through Ecology. Pursuant to The City's SEPA Overview Policy SMC 25.05.665.E Ecology's review of the proposed cleanup activities at this site are assumed to be sufficient impact mitigation.

Construction-Related Streets Parking and Pedestrian Circulation

Minor grading of approximately 220 cubic yards (cu. yds.) of material is proposed. This material would be trucked from the site. The applicant explains that construction vehicular access points will occur from 17<sup>th</sup> Avenue and East Yesler Way.

Construction of the project is proposed to last for several months. The demand for parking by construction workers during construction is not anticipated to reduce the supply of parking in the vicinity. Per the applicant, parking demand for a maximum of six construction workers will be accommodated and managed onsite. The applicant explains, “*Workers will generally park on site on the north side of the [proposed] building.*”

Construction activities may necessitate occasional closures of adjacent roadways and sidewalks. Also, the submitted plans illustrate an existing bus stop sign along East Yesler Way abutting the site. Temporary closures of sidewalks and/or traffic lane(s) are typically addressed through Seattle Department of Transportation permits. King County Metro is the responsible agency concerning impacts to bus transportation facilities.

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 adequately controlled with a street use permit through the Seattle Department of Transportation (SDOT.). The City Planner has verified that King County Metro has been notified about the future impacts to the bus facilities and confirmed that this impact can be facilitated through coordination between the building contractor and their agency. Parking demand for construction personnel has been adequately addressed. Therefore, no further mitigation will be required.

#### 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.

#### 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**

None.

**DESIGN REVIEW CONDITIONS**

During Construction

1. Any changes to the design, building exterior or landscape plan shall be submitted to DPD for review and 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 in the Master Use Plan (MUP) set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Tami Garrett 206-233-7182 or [tami.garrett@seattle.gov](mailto:tami.garrett@seattle.gov)).
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 (Tami Garrett 206-233-7182 or [tami.garrett@seattle.gov](mailto:tami.garrett@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 (Tami Garrett 206-233-7182 or [tami.garrett@seattle.gov](mailto:tami.garrett@seattle.gov)).

Signature: (signature on file) Date: August 7, 2014  
Tami Garrett, Senior Land Use Planner  
Department of Planning and Development