



City of Seattle
Edward B. Murray, Mayor

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

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

Application Number: 3015371
Applicant Name: Jodi Patterson-O'Hare – Permit Consultants NW
Address of Proposal: 3824 California Ave SW

SUMMARY OF PROPOSED ACTION

Land Use Application to allow three, 3-story live-work structures (13 units total) and three, 3-story townhouse structures (14 units total). Surface parking for 26 vehicles to be provided. Project includes 2,414 cu. yds. of grading. Existing structure to be demolished.

The following approvals are required:

Design Review pursuant to Chapter 23.41, Seattle Municipal Code, with Departures:

Development Standard Departure from residential uses at street-level.*
(SMC 23.47A.105.C.1.e)

Development Standard Departure from parking standards.
(SMC 23.54.030.B.2.a)

SEPA – Environmental Determination – Chapter 25.05, Seattle Municipal Code.

* Departure amended and MUP decision revised 12/17/15

SEPA DETERMINATION:

Determination of Non-Significance

No mitigating conditions of approval are imposed.

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

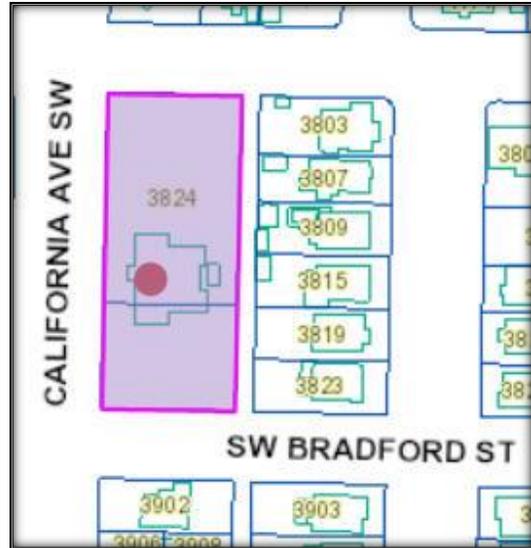
Site Zone: Neighborhood Commercial 1-30 (NC1-30)

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

Lot Area: 31,500 square feet.

Environmentally Critical Areas: None

Access: The site has street frontage along California Ave SW, SW Bradford St., SW Charleston St. and the unimproved alley. There are currently three curb cuts along California Ave SW and one curb cut off of SW Bradford St.



Current Development: The site is currently occupied by a single story commercial building and surface parking.

Surrounding Development: Across SW Bradford St. to the south is a single family structure with a commercial use. East, across the alley are six single family residences built between 1914 and 1927. To the north across SW Charleston St. is a single story commercial structure built in 1995 and two single family residences. Across California Ave SW is a gas station with a convenience store, a brick single-story four-plex built in 1927, and townhouses built in the last decade. To the northwest of the site in the small NC1 zone is a two-story commercial building constructed in 2008.

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

Project Description: The proposed project is to construct six 3-story structures on the site. The three structures that face California Ave SW will contain live/work units. The live/work units will have an entry of California Ave SW into the 'work' portion of the unit. The interior structure and two structures that face SW Bradford St and SW Charleston St will contain townhouse. A courtyard off of California Ave SW separates two of the live/work structures. This courtyard is a main pedestrian entry into the site and provides the potential for commercial spill out from the abutting live/work units. The live/work and residential structures are separated by a strip of open space that will provide circulation and landscaping, that runs the width of the block and connects to the courtyard. The units in the interior townhouse structure and the live/work units will have entries off this open space. The townhouse units will have roof decks.

Twenty six parking spaces will be located off the alley which is to be improved. Two solid waste storage areas will be located at both ends of the alley. Given the topography of the site the parking will be approx. 10 to 14 feet above the level of the open space between the structures.

Two sets of stairs will provide access to the parking and alley. The SEPA checklist indicates that that cut and fill for the project will both be approx. 1,200 cubic yards of soil.

The project is planned to have an associated LBA (lot boundary adjustment) and future short platting.

REVISION – Since the issuance of the MUP the subject site has had land use applications for a LBA (lot boundary adjustment) and three short-plat land use applications. The LBA, #3019448, was issued on October 15, 2015. The three short plats are currently under review. Two of the Short Plat's #3021139 and #3021189 require the revision to this decision before they can be approved.

MUP #3021139 is for the Land Use Application to subdivide one parcel into seven parcels of land. Proposed parcel sizes are: T) 4,131 sq. ft., U) 900 sq. ft., V) 703 sq. ft., W) 703 sq. ft., X) 703 sq. ft., Y) 1,453 sq. ft., and Z) 1,454 sq. ft. Project includes the subdivision of Parcel T into three unit lots. The construction of the residential units is under Project 6428903. The subdivision of Parcel T is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to Parcel T as a whole and not to each of the unit lots.

MUP #3021189 is for the Land Use Application to subdivide one development site into eight parcels of land. Proposed parcel sizes are: S) 2,833 sq. ft., T) 922 sq. ft., U) 703 sq. ft., V) 703 sq. ft., W) 1,116 sq. ft., X) 1,116 sq. ft., Y) 703 sq. ft., and Z) 703 sq. ft. Project includes the subdivision of Parcel S into two unit lots. The construction of residential units is under Project #6428899. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel S and not to each of the new unit lots.

For Parcel T and Parcel S to meet required zoning standards two departures that were granted require clarification, as described in the Development Standards Departures on pages 20 and 21.

DESIGN REVIEW

FIRST EARLY DESIGN GUIDANCE MEETING: January 30, 2014

The packet includes materials presented at the meeting, and is available online by entering the project number (3015371) at this website:
<http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/SearchPastReviews/default.asp>

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

Mailing Public Resource Center
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PUBLIC COMMENT

The following comments, issues and concerns were raised during the public comment portion of the First Early Design Guidance meeting:

- Not opposed to development but stated the project should not diminish the livability of the existing neighborhood.
- Concerned about the proximity to the single family residences across the alley and the possibility of structures looming into the backyards.
- Stated that trees were planted on the project site with the permission of the previous property owner, and would like the trees preserved.
- Expressed concern about preserving the solar access into adjacent yards.
- Stated that they were glad the project was not a mixed use structure.
- Encouraged a thoughtful design that will relate to the neighborhood.
- Encouraged improvement of the alley but was concerned about a paved alley being hard to use given the grade changes.
- Concerned about potential noise from mechanical equipment.
- Concerned about the proposed location of the solid waste collection given the topography of the alley.
- Concerned about loss of privacy from east facing fenestration of the townhomes.
- Encouraged roof decks to face west.
- Concerned about the height and location of the stair penthouses.
- Concerned about head light from cars using the alley to park.
- Would like to see shadow studies from later in the day.
- Encouraged a design that respects the neighborhood character.
- Encouraged screening of alley uses.
- Encouraged a more craftsman style of architecture, and discouraged flat concrete like materials or metal siding.
- Stated the proposed development feels crammed into the site and suggested creating a central open space.
- Preferred the parking access be provided on the site via a central access drive verses the “suburban” surface parking off the alley.
- Stated the solid waste collection location is unimaginative and hostile and out of the scale with the proposed development.
- Stated the applicant did not submit three different massing options.
- Concerned the project is not following the intent of the commercial zoning designation and is instead proposing essentially a residential development.
- Concerned the proposed development is missing an opportunity to p
- Provide a true commercial use and is not developing the site to its full potential.

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.

FIRST EARLY DESIGN GUIDANCE: January 30, 2014

1. **Massing and Design:** The Board felt that three different massing options were not presented and directed the applicant to return for a second EDG showing massing options that follow the guidance below. (A-5, A-6, A-7, A-10, B-1, C-1, C-4)
 - a. Provide an option that transitions at the corner of California Ave SW and SW Charleston St. from a massing and design that compliments the existing commercial development to the northwest to a less “commercial” design along California Ave SW and SW Charleston St. (A-6, A-10, B-1, C-2)
 - b. Design the live/work units so that they may easily be converted to retail use in the future. (C-1)
 - c. The Board is not supportive of the proposed location of solid waste collection and wants to see other options. (A-5, D- 6)
 - d. Provide a design that represents the current neighborhood character and uses materials consistent with the neighborhood. (C-1, C-4)
 - e. Consider using brick along the street front and more traditional materials at the corners. (A-10, C-1, C-4)
 - f. Provide design concepts that are not so repetitive and that have movement and a variation of scale along California Ave SW. Consider a variation in the size of the units and massing of the buildings. (C-1)
 - g. Lay out the structures to allow for setbacks and create useable open space. (A-6,
 - h. The Board would like the applicant to consider an option providing residential uses over retail use at the street level. [*Note: the Board can make suggestions about uses and/or use locations to the applicant, but has no authority to dictate project uses.*]
2. **Height, Bulk & Scale:** The site is across the alley from single family residences. (B-1)
 - a. The Board encouraged lowering the height of, or grouping the stair penthouses on the townhouses to make them minimally intrusive. (A-5, B-1)
3. **Parking:** Parking was shown being located either off of and accessed by an improved alley or located with the townhouses and accessed by curb cuts and a parking aisle/driveway on site between the live/work structures and townhouses. (A-8)
 - a. Provide an option that shows the parking partially underground by taking advantage of the grade change at the back of the site. Ideally access would not extend through the length of the site. (A-8)
 - b. Provide screening of surface parking. (A-8, D-5)
4. **Open Space and Trees:** The Board felt the site was crammed and the proposed open space and landscaping at grade was not adequate. (A-6, A-7, D-12, E-2)
 - a. Provide quality open space on the site that includes variety. (E-2)
 - b. Lay out the structures to allow for setbacks and create useable open space. (A-7, D-12)
 - c. Try to maintain the existing trees on site. (E-3)
 - d. Provide access through the site that transitions from the public to the private realm. (A-6, A-7, D-12)

The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

Site Planning

- 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.
- A-7 **Residential Open Space.** Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.
- 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-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.
- 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-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-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-8 Treatment of Alleys. The design of alley entrances should enhance the pedestrian street front.

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.

E-3 Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

SECOND EARLY DESIGN GUIDANCE MEETING: April 17, 2015

The packet includes materials presented at the meeting, and is available online by entering the project number (3015371) at this website:

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

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

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PRESENTATION

During the presentation the applicant stated that the live/work units will be sized for retail and will have knock out panels between the units. The intent is to design the units on the northwest corner to appear commercial.

Solid waste storage locations were proposed in two areas and will be in a covered space. The areas will help screen the parking from the street. SPU has indicated preliminary approval of the proposed locations.

The applicant investigated preserving existing trees but determined that saving them will decrease the open space as the proposed resulting configuration of the structures will be crowded together.

PUBLIC COMMENT

The following comments, issues and concerns were raised during the public comment portion of the Second Early Design Guidance meeting:

- Supported the live/work units along the street as they will promote activity.
- Stated that the live/work use is not suitable for the site.
- Concerned that no real common open space is being provided.
- Preferred Option A as the parking is internally located and there is a common amenity area.
- Stated that locating parking off the alley will not prevent crime.
- Encouraged the use of brick along California Ave SW.
- Preferred Option B as it appeared to propose more open space.
- Encouraged the design to repeat the rhythm of older classic urban neighborhoods.
- Encouraged the project to promote interesting design, not the sameness and lack of originality of other recent projects.
- Supports parking located in the alley as a buffer between the single family zone and the proposed structures.
- Supports Option C as development will be located away from the alley.
- Encouraged the “M” shaped stair penthouses.
- Encouraged greater setbacks along SW Charleston St. and SW Bradford St.
- Encouraged less density.
- Discouraged providing tandem parking.
- Encouraged providing parking for potential future commercial uses on the site.

SECOND EARLY DESIGN GUIDANCE on April 17, 2014

1. **Massing and Design:** The Board expressed that the massing options presented had not responded to the guidance provided at the first EDG meeting and directed the applicant to return for a third EDG showing massing options that follow the guidance below as well as the initial guidance. The Board encouraged the applicant to let the topography and trees on the site inform the design of a quality project that will enhance the neighborhood. The Board directed the applicant to continue to respect the transition to a single family zone. (CS1.C.1, CS2.D, DC2.A.1, DC2.E.1)

- a. The massing options need more variation and variability. Avoid a design that is repetitive in form and materials. (CS2.A.2, DC2.B.1)
 - b. Provide setbacks on the side streets to differentiate the units from those facing California Ave SW and facilitate the transition to the single family zone. (CS2.B.2, CS2.D.4)
 - c. Design the structures to have vertical variation in their height from one another with greater height at the two corners. The townhouse units should be lower than the live/work units. (DC2.C.3)
 - d. Investigate options that show variations in the way the structures are set back from the street along California Ave SW. (CS2.C.3, PL3.A.4, DC2.B.1)
 - e. Consider canopies on the live/work units at the corners that is different than the overhead weather protection at the center units along California Ave SW. (PL2.C.1&2)
 - f. The Board encouraged the project to provide eyes on the ‘interior street’ of the site with ample glazing. (PL2.B.1)
 - g. The Board strongly encouraged the use of brick as the exterior building material. (DC4.A.1.)
2. **Parking, Solid Waste Storage and Use of the Alley:** The Board was concerned about the visibility of the proposed surface parking along the length of the alley and the access to solid waste storage areas in the alley. As well, the Board was concerned that an accessible route for residents and users would require walking out to the sidewalk and up the side streets to access the proposed solid waste storage areas to avoid the use of stairs. They expressed that the solid waste storage location needed further study and encouraged providing better access. (DC1.B.1, DC1.C.1)
- a. The Board encouraged the applicant to use the topography of the site to inform the design and location of parking and the solid waste storage. (CS1.C.1, DC1.C.)
 - b. The Board preferred one solid waste storage area that is easily accessible to the users. Given the topography change, the Board encouraged consideration of a lift to an enclosed trash area if located off the alley. (DC1.C.4)
 - c. Provide screening of the parking off the alley. (DC1.C.2)
 - d. Provide lighting in the alley. (PL2.B.2, DC4.C.1&2)
3. **Open Space and Trees:** The Board expressed that the applicant had not responded to the concerns expressed at the first EDG that the site was overly cramped and providing quality open space was a critical consideration. They noted that the gap along California Ave SW in Option B was heading in the right direction. (DC3.A.1, DC3.B.4)
- a. Use the site to inform the design. (CS1.C.1)
 - b. Provide better usable open space. (DC3.A.1)
 - c. Preserve and design around the existing trees on SW Charlestown St. and SW Bradford St. (CS1.D.1.)
 - d. Design the open space between the structures to be usable and provide interaction on the site. (DC3.B.4)

THIRD EARLY DESIGN GUIDANCE MEETING: July 10, 2015

The packet includes materials presented at the meeting, and is available online by entering the project number (3015371) at this website:

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A new project architect had been brought on by the development team after the Second EDG meeting. The new team presented a project that had been slightly modified. All three schemes presented a combination of 28 townhouse and live/work units, instead of the 30 units presented at the earlier EDG meetings. The number of proposed parking spaces had decreased from 30 to 26.

The applicant presented three schemes that addressed the guidance given by the Board at the Second EDG meeting. Existing site trees are to be retained along SW Charlestown St. and possibly SW Bradford St. In the applicants preferred option the site is divided into three zones, with the live/work units located along California Ave SW, parking is accessed off the alley, and the townhomes are in between. A common 'mews' and courtyard separate the live/work and townhouse units. This location of uses severs as a buffer and transition to the single family zone east of the alley. The floor plans of the live/work units vary in configuration and are grouped into three structures. A courtyard separates two of the structures and will allow for spill out of the two flanking live/work units.

PRESENTATION

During the presentation the applicant stated that the live/work units will have separate entries to the work and live areas. The front street entry will open into the work portion of the unit. The back entry will lead up to the live portion of the unit. The corner live/work units could have bi-fold windows on the side street as grade changes.

Brick is being considered for the base of the live/work units and possibly the first 2 stories of the street facing townhouses. The upper level could be cedar or a similar material.

Smaller sized trees, possibly vine maples will be planted in the central courtyard space with larger trees towards the alley.

PUBLIC COMMENT

The following comments, issues and concerns were raised during the public comment portion of the Third Early Design Guidance meeting:

- Supported the preferred scheme C.

- Concerned about the proposed live/work units and suggested the applicant study successful coffee shops in West Seattle and design a similar space.
- Concerned that the 15' between structures is too tight.
- Encouraged the live/work units to provide "eyes on the street".
- Questioned if the existing on-site Linden trees to be retained are healthy enough to withstand construction nearby.
- Supported the parking in the alley as presented.
- Stated appreciation for the developers interaction with the surrounding neighbors and supports the preferred option.
- Supported the departure to allow townhouses along SW Charleston and SW Bradford Streets on the eastern portion of the site.
- Encouraged the center courtyard and transparency at the ground level of the live/work units.
- Encouraged retail uses such as a market or restaurant instead of live/work units.
- Concerned that the corner of California Ave SW and SW Charleston St is not anchoring the design as it should.
- Concerned about the size of the live/work units.
- Does not support Scheme A, preferred scheme C.
- Encouraged the parking be located off the alley as a buffer to the buildings.
- Appreciated the grouping of units along California Ave SW in the preferred scheme.
- Concerned the live/work units will not activate California Ave SW
- Praised the DR Board for their strong encouragement to the applicant to design a project that meets their guidance and praised the development team for changing design direction.

THIRD EARLY DESIGN GUIDANCE on July 10, 2014

1. **Concept and Site Design:** The Board expressed that the applicants preferred option and the design was heading in the right direction. There was concern about the narrow dimensions of the open space and the viability of the live/work units. The following guidance was given. (CS1, CS2, PL1, PL2.B, DC1, DC2, DC3)
 - a. Maintain the asymmetrical breakup of the massing along California Ave SW. (CS2.C.3)
 - b. The courtyard should be a well-proportioned space. (DC3.A.1)
 - c. Increase the width of the open spaces to allow solar access and avoid shadows. (CS1.B.2, DC3.C.2)
 - d. Keep the proposed townhouse setbacks on the two side streets. (CS1.D.1, CS2.D.3&4)
 - e. Study the townhouses relationship to the alley to maximize solar access. (CS1.B.2, CS1.C.1)
 - f. Size the access stairs to the parking and solid waste storage with the change of topography. (CS1.C.1&2)
 - g. Good sight lines and adequate lighting to and in the parking areas off the alley are critical to ensure safety. (PL2.B.1&2)
 - h. Continue to work on the solid waste storage structures. (DC1.C.4)
 - i. Bike racks for public use should be located on California Ave SW. (PL4.B.1)

2. **Live/Work Units:** The Board spent considerable time discussing the live/work units that are proposed along California Ave SW. (CS2, PL1, PL2, PL3, DC1, DC2, DC4)
 - a. Separate entries for the live and work portions of the units are a positive design element. The back entry should have an area for outside seating. (PL3.A.1&3, DC3.B.1)
 - b. Provide generous glazing in the corners of the units at street level. (PL3.B.3, DC1.A.4)
 - c. The glazed façade treatment of the two corner units should wrap the corner. (DC2.B.1)
 - d. Employ design strategies that discourage interior window coverage. (PL3.B.3)
 - e. Keep the variation in the unit size and configuration. (CS2.C.3)
 - f. Design the units to be flexible and constructed so that they may be converted to retail in the future. (PL3.B.3, DC1.A.3, DC2.E.1)
 - g. Flip the entry location of unit #6 to the south to be near the courtyard. (PL3.A.1)

3. **Corner Treatment:** The Board expressed that the two corners of the California Ave SW blockface should be the anchor of the design concept. (CS2, CS3, PL2, PL3, DC2, DC4)
 - a. Define the corners from the rest of the California Ave SW facing façade as much as possible. This could be by added height, materials, weather protection treatment and glazing. (CS2.A.1, DC2.C.1)
 - b. The corner design treatment should turn the corner and continue along SW Charleston and SW Bradford Streets. (DC2.B.1)

RECOMMENDATION MEETING: November 20, 2014

The proposed project's final configuration was presented with 13 three-story live/work units and 14 three-story townhouses located behind the live/work units. Twenty six parking spaces are being provided.

DESIGN PRESENTATION

The Recommendation packet includes materials presented at the meeting, and is available online by entering the project number 3015371 at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The EDG packet is also available to view in the project file (project # 3015371), by contacting the Public Resource Center at DPD:

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PUBLIC COMMENTS

The following comments, issues and concerns were raised during the public comment portion of the Recommendation meeting:

- Supported the design and layout of the live/work units.
- Supported the design and the parking off the alley.
- Concerned about the size of the windows in the east façade facing the single family zone. Encouraged smaller window to provide privacy for the residents in the single family zone.
- Concerned that landscaping will not provide enough screening.
- Concerned about the location of the roof penthouses and encouraged locating them closer to California Ave SW.
- Encouraged brick and wood siding on the alley facing west façade.
- Encouraged live/work units that will be able to provide retail uses.
- Supported the piazza but concerned the space has too much going on for its size.
- Concerned that the improved alley will not work with the existing garages in the single family zone.

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.

Recommendation Meeting on November 20, 2014

- 1. Design Concept: The Board was pleased with the design and layouts of the live/work units, but expressed disappointment in the overall site plan, landscaping, and the lack of variation in the buildings. The following guidance was given: (CS2.C.3, PL3.B.3)**
 - a. Detail the windows to have depth to avoid a flat facade. (DC2.C.1, DC2.D.1)
 - b. Design the townhouse entries to have a residential porch feel, especially along SW Bradford St. and SW Charleston St. (PL3.A.3)
 - c. Expand the decks of the townhouses. (PL3.A.3)
 - d. Add wall mounted lighting at the street-facing building corners, into the courtyard and the 10' building separation that will be controlled by a timer. (PL2.B.2, DC4.C.1)
- 2. Courtyard and Mews: The Board expressed concerns about the security of the courtyard, and wants to see a variation of materials and material treatment in the courtyard. (DC4.D.2)**
 - a. Design the courtyard and mews to include materials to compliment the raw concrete. Use a change of materials or color to designate the change from public to more private areas. The Board specifically recommended saw cutting and not tool cutting, the joints in the concrete. (DC4.D.2)
 - b. Maintain the water feature at the transition from the courtyard to the mews. (DC4.D.4)
 - c. Use the courtyard design elements to express the change between public and private areas. (DC3.B.1, DC3.C.2)
- 3. Open Space Between Buildings: The Board was concerned about the possible misuse of the 10' landscaped open space between the two northerly buildings facing**

California Ave SW. The following guidance was given: (PL2.B, CS2.B.2, PL1.A.2, DC4.C.1)

- a. Design usable space that will activate the building separation to discourage vagrant uses. Do not provide landscaping in the first 18 feet from the street. (PL2.B.1)
- b. Wrap the glazing on California Ave around the corners of the two structures. (PL2.B.1, PL2.B.3)
- c. Provide mounted sconce lighting for safety. (PL2.A.3, DC4.C.1)
- d. Locate bike racks or similar uses to activate the space. (PL1.A.2)

4. Building Materials: The Board supported the exterior building materials but wanted to see more warmth. (DC4.A.1)

- a. Wrap materials, lighting, canopies and detailing elements around the corners into the courtyard and the smaller 10' building separation. (DC2.B.1, DC2.B.2, DC2.D.1)
- b. Provide wood siding on the townhouse that are visible from the street through the courtyard. (DC4.A.1)
- c. Use more brick as a material. (DC4.A.1)
- d. Consider lightening the color of the siding along the mews. (DC4.A.1)
- e. Design signage to be the size that was presented at the Recommendation Meeting; no large signs. (DC4.B.1)

5. Alley Façade and Landscaping: The Board gave guidance on the east elevation alley facades and the landscaping between those facades and the alley. They noted the design and layout of the parking was successful and had responded well to the neighbors' concerns. (CS2.D.4, CS2.D.5, DC2.B.1, DC4.D.3)

- a. Provide variation along the alley facade. On the elevation of the center building, use materials such as brick or wood siding, similar to the street facing facades. Cement fiberboard should make up no more than 50% of the façade. (CS2.D.5, DC2.B.1)
- b. Provide trees along and off the alley that are a minimum of 3 caliper inches when planted. (CS2.D.5, DC4.D.3)
- c. Provide brushes, shrubs and ground cover landscaping along and off the alley that are a minimum size of 3 gallons when planted. (CS2.D.5, DC4.D.3)
- d. Align the location of trees planted off the alley to align with the windows of the east facade. (CS2.D.5, DC4.D.3)
- e. Do not use asphalt as a paving material for the parking areas off the alley. (DC1.C.2, DC4.D.2)

DESIGN REVIEW GUIDELINES

The Board used the current Design Guidelines for the Second and Third EDG meetings and the Recommendation Meeting.

The Board carefully considered the design guidelines and determined the following guidelines should be considered in addition to the guidance listed above.

The Citywide guidelines are summarized below. For the full text please visit the [Design Review website](#).

CONTEXT & SITE

CS1 Natural Systems and Site Features: Use natural systems/features of the site and its surroundings as a starting point for project design.

CS1-B Sunlight and Natural Ventilation

CS1-B-2. Daylight and Shading: Maximize daylight for interior and exterior spaces and minimize shading on adjacent sites through the placement and/or design of structures on site.

CS1-C Topography

CS1-C-1. Land Form: Use natural topography and desirable landforms to inform project design.

CS1-C-2. Elevation Changes: Use the existing site topography when locating structures and open spaces on the site.

CS1-D Plants and Habitat

CS1-D-1. On-Site Features: Incorporate on-site natural habitats and landscape elements into project design and connect those features to existing networks of open spaces and natural habitats wherever possible. Consider relocating significant trees and vegetation if retention is not feasible.

CS1-E Water

CS1-E-2. Adding Interest with Project Drainage: Use project drainage systems as opportunities to add interest to the site through water-related design elements.

CS2 Urban Pattern and Form: Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

CS2-A Location in the City and Neighborhood

CS2-A-1. Sense of Place: Emphasize attributes that give a distinctive sense of place. Design the building and open spaces to enhance areas where a strong identity already exists, and create a sense of place where the physical context is less established.

CS2-A-2. Architectural Presence: Evaluate the degree of visibility or architectural presence that is appropriate or desired given the context, and design accordingly.

CS2-B Adjacent Sites, Streets, and Open Spaces
CS2-B-1. Site Characteristics: Allow characteristics of sites to inform the design, especially where the street grid and topography create unusually shaped lots that can add distinction to the building massing.

CS2-B-2. Connection to the Street: Identify opportunities for the project to make a strong connection to the street and public realm.

CS2-B-3. Character of Open Space: Contribute to the character and proportion of surrounding open spaces.

CS2-C Relationship to the Block

CS2-C-1. Corner Sites: Corner sites can serve as gateways or focal points; both require careful detailing at the first three floors due to their high visibility from two or more streets and long distances.

CS2-C-3. Full Block Sites: Break up long facades of full-block buildings to avoid a monolithic presence. Provide detail and human scale at street-level, and include repeating elements to add variety and rhythm to the façade and overall building design.

CS2-D Height, Bulk, and Scale

CS2-D-1. Existing Development and Zoning: Review the height, bulk, and scale of neighboring buildings as well as the scale of development anticipated by zoning for the area to determine an appropriate complement and/or transition.

CS2-D-2. Existing Site Features: Use changes in topography, site shape, and vegetation or structures to help make a successful fit with adjacent properties.

CS2-D-3. Zone Transitions: For projects located at the edge of different zones, provide an appropriate transition or complement to the adjacent zone(s). Projects should create a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zone and the proposed development.

CS2-D-4. Massing Choices: Strive for a successful transition between zones where a project abuts a less intense zone.

CS2-D-5. Respect for Adjacent Sites: Respect adjacent properties with design and site planning to minimize disrupting the privacy of residents in adjacent buildings.

CS3 Architectural Context and Character: Contribute to the architectural character of the neighborhood.

CS3-A Emphasizing Positive Neighborhood Attributes

CS3-A-2. Contemporary Design: Explore how contemporary designs can contribute to the development of attractive new forms and architectural styles; as expressed through use of new materials or other means.

CS3-A-4. Evolving Neighborhoods: In neighborhoods where architectural character is evolving or otherwise in transition, explore ways for new development to establish a positive and desirable context for others to build upon in the future.

CS3-B Local History and Culture

CS3-B-1. Placemaking: Explore the history of the site and neighborhood as a potential placemaking opportunity. Look for historical and cultural significance, using neighborhood groups and archives as resources.

PUBLIC LIFE

PL1 Connectivity: Complement and contribute to the network of open spaces around the site and the connections among them.

PL1-A Network of Open Spaces

PL1-A-1. Enhancing Open Space: Design the building and open spaces to positively contribute to a broader network of open spaces throughout the neighborhood.

PL1-A-2. Adding to Public Life: Seek opportunities to foster human interaction through an increase in the size and quality of project-related open space available for public life.

PL1-C Outdoor Uses and Activities

PL1-C-1. Selecting Activity Areas: Concentrate activity areas in places with sunny exposure, views across spaces, and in direct line with pedestrian routes.

PL1-C-2. Informal Community Uses: In addition to places for walking and sitting, consider including space for informal community use such as performances, farmer's markets, kiosks and community bulletin boards, cafes, or street vending.

PL1-C-3. Year-Round Activity: Where possible, include features in open spaces for activities beyond daylight hours and throughout the seasons of the year, especially in neighborhood centers where active open space will contribute vibrancy, economic health, and public safety.

PL2 Walkability: Create a safe and comfortable walking environment that is easy to navigate and well-connected to existing pedestrian walkways and features.

PL2-B Safety and Security

PL2-B-1. Eyes on the Street: Create a safe environment by providing lines of sight and encouraging natural surveillance.

PL2-B-2. Lighting for Safety: Provide lighting at sufficient lumen intensities and scales, including pathway illumination, pedestrian and entry lighting, and/or security lights.

PL2-B-3. Street-Level Transparency: Ensure transparency of street-level uses (for uses such as nonresidential uses or residential lobbies), where appropriate, by keeping views open into spaces behind walls or plantings, at corners, or along narrow passageways.

PL2-C Weather Protection

PL2-C-1. Locations and Coverage: Overhead weather protection is encouraged and should be located at or near uses that generate pedestrian activity such as entries, retail uses, and transit stops.

PL2-C-2. Design Integration: Integrate weather protection, gutters and downspouts into the design of the structure as a whole, and ensure that it also relates well to neighboring buildings in design, coverage, or other features.

PL2-C-3. People-Friendly Spaces: Create an artful and people-friendly space beneath building.

PL3 Street-Level Interaction: Encourage human interaction and activity at the street-level with clear connections to building entries and edges.

PL3-A Entries

PL3-A-1. Design Objectives: Design primary entries to be obvious, identifiable, and distinctive with clear lines of sight and lobbies visually connected to the street.

PL3-A-3. Individual Entries: Ground-related housing should be scaled and detailed appropriately to provide for a more intimate type of entry.

PL3-A-4. Ensemble of Elements: Design the entry as a collection of coordinated elements including the door(s), overhead features, ground surface, landscaping, lighting, and other features.

PL3-B Residential Edges

PL3-B-1. Security and Privacy: Provide security and privacy for residential buildings through the use of a buffer or semi-private space between the development and the street or neighboring buildings.

PL3-B-2. Ground-level Residential: Privacy and security issues are particularly important in buildings with ground-level housing, both at entries and where windows are located overlooking the street.

PL3-B-3. Buildings with Live/Work Uses: Maintain active and transparent facades in the design of live/work residences. Design the first floor so it can be adapted to other commercial use as needed in the future.

PL3-B-4. Interaction: Provide opportunities for interaction among residents and neighbors.

PL3-C Retail Edges

PL3-C-1. Porous Edge: Engage passersby with opportunities to interact visually with the building interior using glazing and transparency. Create multiple entries where possible and make a physical and visual connection between people on the sidewalk and retail activities in the building.

PL3-C-2. Visibility: Maximize visibility into the building interior and merchandise displays. Consider fully operational glazed wall-sized doors that can be completely opened to the street, increased height in lobbies, and/or special lighting for displays.

PL3-C-3. Ancillary Activities: Allow space for activities such as sidewalk vending, seating, and restaurant dining to occur. Consider setting structures back from the street or incorporating space in the project design into which retail uses can extend.

DESIGN CONCEPT

DC1 Project Uses and Activities: Optimize the arrangement of uses and activities on site.

DC1-A Arrangement of Interior Uses

DC1-A-1. Visibility: Locate uses and services frequently used by the public in visible or prominent areas, such as at entries or along the street front.

DC1-A-2. Gathering Places: Maximize the use of any interior or exterior gathering spaces.

DC1-A-3. Flexibility: Build in flexibility so the building can adapt over time to evolving needs, such as the ability to change residential space to commercial space as needed.

DC1-B Vehicular Access and Circulation

DC1-B-1. Access Location and Design: Choose locations for vehicular access, service uses, and delivery areas that minimize conflict between vehicles and non-motorists wherever possible. Emphasize use of the sidewalk for pedestrians, and create safe and attractive conditions for pedestrians, bicyclists, and drivers.

DC1-C Parking and Service Uses

DC1-C-1. Below-Grade Parking: Locate parking below grade wherever possible. Where a surface parking lot is the only alternative, locate the parking in rear or side yards, or on lower or less visible portions of the site.

DC1-C-2. Visual Impacts: Reduce the visual impacts of parking lots, parking structures, entrances, and related signs and equipment as much as possible.

DC1-C-4. Service Uses: Locate and design service entries, loading docks, and trash receptacles away from pedestrian areas or to a less visible portion of the site to reduce possible impacts of these facilities on building aesthetics and pedestrian circulation.

DC2 Architectural Concept: Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

DC2-A Massing

DC2-A-1. Site Characteristics and Uses: Arrange the mass of the building taking into consideration the characteristics of the site and the proposed uses of the building and its open space.

DC2-A-2. Reducing Perceived Mass: Use secondary architectural elements to reduce the perceived mass of larger projects.

DC2-B Architectural and Facade Composition

DC2-B-1. Façade Composition: Design all building facades—including alleys and visible roofs—considering the composition and architectural expression of the building as a whole. Ensure that all facades are attractive and well-proportioned.

DC2-C Secondary Architectural Features

DC2-C-1. Visual Depth and Interest: Add depth to facades where appropriate by incorporating balconies, canopies, awnings, decks, or other secondary elements into the façade design. Add detailing at the street level in order to create interest for the pedestrian and encourage active street life and window shopping (in retail areas).

DC2-D Scale and Texture

DC2-D-1. Human Scale: Incorporate architectural features, elements, and details that are of human scale into the building facades, entries, retaining walls, courtyards, and exterior spaces in a manner that is consistent with the overall architectural concept

DC2-D-2. Texture: Design the character of the building, as expressed in the form, scale, and materials, to strive for a fine-grained scale, or “texture,” particularly at the street level and other areas where pedestrians predominate.

DC2-E Form and Function

DC2-E-1. Legibility and Flexibility: Strive for a balance between building use legibility and flexibility. Design buildings such that their primary functions and uses can be readily determined from the exterior, making the building easy to access and understand. At the same time, design flexibility into the building so that it may remain useful over time even as specific programmatic needs evolve.

DC3 Open Space Concept: Integrate open space design with the building design so that they complement each other.

DC3-A Building-Open Space Relationship

DC3-A-1. Interior/Exterior Fit: Develop an open space concept in conjunction with the architectural concept to ensure that interior and exterior spaces relate well to each other and support the functions of the development.

DC3-B Open Space Uses and Activities

DC3-B-1. Meeting User Needs: Plan the size, uses, activities, and features of each open space to meet the needs of expected users, ensuring each space has a purpose and function.

DC3-B-2. Matching Uses to Conditions: Respond to changing environmental conditions such as seasonal and daily light and weather shifts through open space design and/or programming of open space activities.

DC3-B-3. Connections to Other Open Space: Site and design project-related open spaces to connect with, or enhance, the uses and activities of other nearby public open space where appropriate.

DC3-C Design

DC3-C-1. Reinforce Existing Open Space: Where a strong open space concept exists in the neighborhood, reinforce existing character and patterns of street tree planting, buffers or treatment of topographic changes. Where no strong patterns exist, initiate a strong open space concept that other projects can build upon in the future.

DC3-C-2. Amenities/Features: Create attractive outdoor spaces suited to the uses envisioned for the project.

DC3-C-3. Support Natural Areas: Create an open space design that retains and enhances onsite natural areas and connects to natural areas that may exist off-site and may provide habitat for wildlife.

DC4 Exterior Elements and Finishes: Use appropriate and high quality elements and finishes for the building and its open spaces.

DC4-A Exterior Elements and Finishes

DC4-A-1. 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.

DC4-A-2. Climate Appropriateness: Select durable and attractive materials that will age well in Seattle's climate, taking special care to detail corners, edges, and transitions.

DC4-B Signage

DC4-B-1. Scale and Character: Add interest to the streetscape with exterior signs and attachments that are appropriate in scale and character to the project and its environs.

DC4-B-2. Coordination with Project Design: Develop a signage plan within the context of architectural and open space concepts, and coordinate the details with façade design, lighting, and other project features to complement the project as a whole, in addition to the surrounding context.

DC4-C Lighting

DC4-C-1. Functions: Use lighting both to increase site safety in all locations used by pedestrians and to highlight architectural or landscape details and features such as entries, signs, canopies, plantings, and art.

DC4-C-2. Avoiding Glare: Design project lighting based upon the uses on and off site, taking care to provide illumination to serve building needs while avoiding off-site night glare and light pollution.

DC4-D Trees, Landscape, and Hardscape Materials

DC4-D-1. Choice of Plant Materials: Reinforce the overall architectural and open space design concepts through the selection of landscape materials.

DC4-D-2. Hardscape Materials: Use exterior courtyards, plazas, and other hard surfaced areas as an opportunity to add color, texture, and/or pattern and enliven public areas through the use of distinctive and durable paving materials. Use permeable materials wherever possible.

DC4-D-3. Long Range Planning: Select plants that upon maturity will be of appropriate size, scale, and shape to contribute to the site as intended.

DC4-D-4. Place Making: Create a landscape design that helps define spaces with significant elements such as trees.

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 departure. At the Final Recommendation Meeting three departures was requested:

1. **Residential Uses at Street Level (SMC23.47A.0105.C.1.e):** The Code states that in a NC1 zone residential uses may occupy, in the aggregate, no more than 20% of the street-level, street-facing facade. The applicant is proposing two townhouse units along SW Charleston St. that would occupy 49.9% of the street-level facade.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines CS2.D.3, CS2.D.5, by providing a transition from the commercial uses along California Ave SW to the single family zone east of the site.

The Board voted unanimously to grant this departure.

2. **Residential Uses at Street Level (SMC23.47A.0105.C.1.e):** The Code states that in a NC1 zone residential uses may occupy, in the aggregate, no more than 20% of the street-level, street-facing facade. The applicant is proposing two townhouse units along SW Bradford St. that would occupy 49.6% of the street-level facade.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines CS2.D.3, CS2.D.5, by providing a transition from the commercial uses along California Ave SW to the single family zone east of the site.

The Board voted unanimously to grant this departure.

- 3. Residential Uses at Street Level (SMC23.54.030.B.2.a):** The Code states that for live/work units when 10 or fewer parking spaces are provided a minimum of 75% of the spaces shall be striped for large vehicles (8.5' x 19') and 25% for small vehicles (7.5' x 15'). Four of the live/work units are over 1,500 sq. ft. in size triggering one parking stall for each unit. Instead of providing 3 large stalls the applicant is proposing 3 medium sized stalls and one small stall for the live/work units.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines PL3.B.3, DC1.C.2 and DC4.D.4 by providing four larger live/work units that will provide better commercial space at the ground level, and allow for less area taken up by parking surfaces and more landscaped area.

The Board voted unanimously to grant this departure.

Decision modified to clarify departures approved through Design Review: Departures 1 and 2 require further clarification, following development standards that are affected by platting actions after the MUP was issued. The approved design and street level uses have not changed, but the platting action results in different application of the previously approved departures. The street level design impacts of these departures were previously considered in the design review process. DPD amends the MUP decision to update departures that were approved as part of the scope of that design review process:

- 1. Residential Uses at Street Level (SMC23.47A.0105.C.1.e):** The Code states that in a NC1 zone residential uses may occupy, in the aggregate, no more than 20% of the street-level, street-facing facade. The applicant is proposing two townhouse units along SW Charleston St. that would occupy 100% of the street-level facade on Parcel T of MUP short plat application #3021139.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines CS2.D.3, CS2.D.5, by providing a transition from the commercial uses along California Ave SW to the single family zone east of the site.

The Board voted unanimously to grant this departure for 49.9% of residential use at the November 14, 2014 Recommendation meeting. The packet the Board reviewed noted that a "departure will be for 100% residential frontage per platted townhouse lot", under the listed departures. DPD agrees that the intent of the granting of the departure by the Board was to allow the residential townhouse use as a buffer between the commercial uses along California Ave SW and the single family zone east of the alley; therefore allowing the noted 100% residential use is meeting the intent of the guidelines listed above.

- 2. Residential Uses at Street Level (SMC23.47A.0105.C.1.e):** The Code states that in a NC1 zone residential uses may occupy, in the aggregate, no more than 20% of the street-level, street-facing facade. The applicant is proposing two townhouse units along SW Charleston St. that would occupy 100% of the street-level facade on Parcel S of MUP short plat application #3021189.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines CS2.D.3, CS2.D.5, by providing a transition from the commercial uses along California Ave SW to the single family zone east of the site.

The Board voted unanimously to grant this departure for 49.9% of residential use at the November 14, 2014 Recommendation meeting. The packet the Board reviewed noted that a “departure will be for 100% residential frontage per platted townhouse lot”, under the listed departures. DPD agrees that the intent of the granting of the departure by the Board was to allow the residential townhouse use as a buffer between the commercial uses along California Ave SW and the single family zone east of the alley; therefore allowing the noted 100% residential use is meeting the intent of the guidelines listed above.

BOARD RECOMMENDATIONS

The recommendation summarized below was based on the design review packet dated November 20, 2014, and the materials shown and verbally described by the applicant at the November 20, 2014 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, four Design Review Board members recommended **APPROVAL** of the subject design and of departures with the following conditions:

1. Provide a minimum caliper of 3” for trees planted (16 as shown in the Recommendation packet) between the alley and the east building elevations. (CS2.D.5, DC4.D.3)
2. Locate the trees planted between the alley and east elevation to align with the windows in the east elevation. (CS2.D.5, DC4.D.3)
3. Provide a minimum size of 3 gallons for shrubs and ground cover plants, planted between the alley and the east building elevations. (CS2.D.5, DC4.D.3)
4. Provide a water feature located in the entry courtyard as shown in the Recommendation packet. (DC4.D.4)
5. Saw cut the joints in the concrete in the courtyard and mews. (DC4.D.2)
6. Provide wood siding on the townhouses visible through the courtyard from the street, similar to the street facing live/work units. (DC4.A.1)
7. Use materials such as brick or wood siding on the east elevation of the middle structure. Cement fiberboard should make up no more than 50% of the total facade. (DC4.A.1)
8. The surface of the parking areas off the alley shall not be paved with asphalt. (DC1.C.2, DC4.D.2)

Applicant response to Recommended Design Review Recommendations:

1. *The project MUP landscape plans note that trees to be planted along the alley will be a 3” size, therefore satisfying recommendation #1.*
2. *The project MUP plans show trees to be planted along the alley to be aligned with windows in the east elevation where ever possible, therefore satisfying recommendation #2.*
3. *The project MUP landscape plans note that plantings along the alley will be a 5 gallon size, therefore satisfying recommendation #3.*
4. *The project MUP plans indicate a water feature. The Land Use planner will verify compliance prior to approval of the Certificate of Occupancy, therefore satisfying recommendation #4. See Conditions below.*
5. *The project MUP plans note that the concrete joints in the courtyard and open space are to be saw cut, therefore satisfying recommendation #5.*
6. *The project MUP plans show wood siding added to the townhouses visible through the courtyard to the street, therefore satisfying recommendation #6.*

7. *The project MUP plans show wood siding as the major siding material on the east elevation of the middle townhouse structure, fiber cement board as an accent material, therefore satisfying recommendation #7.*
8. *The project MUP plans show the surface parking areas to be paved with concrete, therefore satisfying recommendation #8.*

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

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

Director’s Analysis

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

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 four members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board’s recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departures, subject to the conditions listed at the end of this decision.

SEPA ANALYSIS

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 8/14/2014 and 10/31/2014. 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 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations.

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

Additional discussion of short and long term impacts, and conditions to sufficiently mitigate impacts where necessary, is found below.

Public Comment:

The public comment period began on September 8, 2014 ended on September 21, 2014. Public comments were received.

Short Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: 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. The following analyzes construction-related noise, greenhouse gas, construction traffic and parking impacts, as well as mitigation.

Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include a single family zone east of the site. There will be excavation required to prepare the building site and foundation. The applicant has stated in the SEPA checklist that approx. 1,200 cubic yards of soil will be moved on the site. Additionally, as development

proceeds, noise associated with construction of the building could adversely affect the surrounding residential uses in the adjoining area. Due to the proximity of residential zones and amount of truck trips and machinery relating to grading activities, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted. To mitigate construction noise impacts the applicant shall submit a Construction Management Plan for approval by DPD, or shall be limited in the hours and days of construction, as conditioned below.

Greenhouse gas emissions

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

Construction Parking and Traffic

During construction, parking demand is expected to increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities (SMC 25.05.675. B and M). However given the smaller size of this project and the availability of street parking around the perimeter of the site, the impacts are expected to be minimal and mitigation is not warranted.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

To mitigate construction truck trip impacts, the applicant shall submit a Construction Haul Route for approval by Seattle Department of Transportation. This plan may include a restriction in the hours of truck trips to mitigate traffic impacts on nearby arterials and intersections. The plan shall be provided to DPD prior to the issuance of grading, and building permits. See SEPA conditions at the end of this document.

Long Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; parking; and possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, greenhouse gas emissions; height, bulk and scale; traffic and transportation; and parking impacts

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction 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, therefore, no further mitigation is warranted.

Height, Bulk & Scale

The project went through a Design Review process which addressed the issue of Height, Bulk & Scale; see the above Design Review Analysis for details of the process and design changes.

Pursuant to SEPA Policy 25.05.675.G.2.c: Height, Bulk and Scale, "the Citywide Design Guidelines (and any Council-approved, neighborhood Design Guidelines) are intended to mitigate the same adverse height, bulk and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review process is presumed to comply with the height, bulk and scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk and scale policies that have undergone design review shall comply with the design guidelines applicable to the project." Additional SEPA Mitigation of height, bulk and scale is not warranted.

Traffic and Parking

The applicant submitted a Transportation Impact Analysis (Traffic Impact Analysis, by TENW, dated July 23, 2014). At the time the report was generated the project had 14 townhouse and 14 live/work units and the 26 parking spaces were all intended for residential use. The study analyzed the proposed uses to determine the daily and peak hour trip generation and subtracted the estimated daily and peak hour trips use of the currently permitted restaurant use on the site. Using those numbers the project is estimated to generate an additional 244 daily trips, 14 trips for the AM peak hour, and 13 trips for the PM peak hour, to the surrounding street system.

The proposed project could result in a small increase in overall traffic volumes in the neighborhood. These trips are not expected to adversely impact the surrounding roadway network. Transportation concurrency would be met for the project. The project is not expected to adversely impact transit service, pedestrian facilities, or parking in the site vicinity. No mitigation for transportation impacts is warranted pursuant to SMC 25.05.675.R.

The project is providing 26 parking spaces for the 14 townhouse units and 4 of the 13 live/work units. The traffic study determined that nighttime parking demand for the townhouse and live/work units will be 39 parking spaces. The traffic study determined that up to 22 offsite parking spaces will be needed to meet typical weekday retail demand; however, this assumed that none of the live/work parking would occur on site. The study also utilized suburban parking rates for the retail uses, which likely overestimated retail parking demand in this location. Actual spillover is expected to be less than estimated in the study.

Four large curb cuts into the site will be closed as part of the development, providing street curb for additional parking spaces from what currently exists, for a total of approx. 21 parking spaces that will be available abutting the site. This available off-site parking should provide space for the overflow parking demand. No substantial parking impacts are anticipated from the project, and no mitigation for parking impacts is warranted pursuant to SMC25.05.675.M

DETERMINATION OF NON-SIGNIFICANCE

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

- Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

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

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

SEPA - CONDITIONS OF APPROVAL

Prior to Issuance of a Grading, or Building Permit

1. Provide a copy of a Construction Haul Route, approved by Seattle Department of Transportation, to the Land Use Planner (beth.hartwick@seattle.gov).
2. If the applicant intends to work outside of the limits of the hours of construction described in condition #3, a Construction Noise Management Plan shall be required, subject to review and approval by DPD, and prior to a grading, or building permit, whichever is issued first. The Plan shall include proposed management of construction related noise, efforts to mitigate noise impacts, and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short-term transportation impacts that result from the project.

During Construction

3. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to

6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. This condition may be modified through a Construction Noise Management Plan, required prior to issuance of a building permit as noted in condition #2.

DESIGN REVIEW - CONDITIONS OF APPROVAL.

Prior to Certificate of Occupancy

4. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Beth Hartwick 206 684-0814 or beth.hartwick@seattle.gov).
5. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Beth Hartwick 206 684-0814 or beth.hartwick@seattle.gov).
6. The Land Use Planner will verify that a water feature located in the entry courtyard similar in scale and design to what was shown in the Recommendation packet dated November 20, 2014 has been constructed.

For the Life of the Project

7. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Beth Hartwick 206 684-0814 or beth.hartwick@seattle.gov) or a DPD assigned Land Use Planner.

Beth Hartwick, Senior Land Use Planner
Department of Planning and Development

Date: December 17, 2015

BH:drm

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.