



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

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**Department of Construction and Inspections**  
Nathan Torgelson, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

**Application Number:** 3018597  
**Applicant Name:** David Avenell for Polygon Northwest  
**Address of Proposal:** 6800 31<sup>st</sup> Ave SW

**SUMMARY OF PROPOSAL**

Land Use Application to allow a 54-unit residential development (eight townhouse structures with 37 units and 17 single family dwelling units) in an environmentally critical area. Parking for 85 vehicles will be located within the residential structures and unenclosed surface parking stalls. Final Environmental Impact Statement dated September 24, 2004 was prepared by Seattle Housing Authority.\*

\*Note – the project description has been revised from the following original notice of application: Land Use Application to allow a 54-unit residential development (eight townhouse structures with 37 units and 17 single family dwelling units) in an environmentally critical area. Parking for 70 vehicles will be located within the residential structures. Final Environmental Impact Statement dated September 24, 2004 was prepared by Seattle Housing Authority.

The following approvals are required:

**Administrative Design Review with Departures (Seattle Municipal Code 23.41)\*\***

**SEPA to conditionally approve pursuant to 25.05.660**

*\*\* Departures are listed near the end of the Design Review Analysis in this document*

**SEPA DETERMINATION:**

Determination of Non-Significance

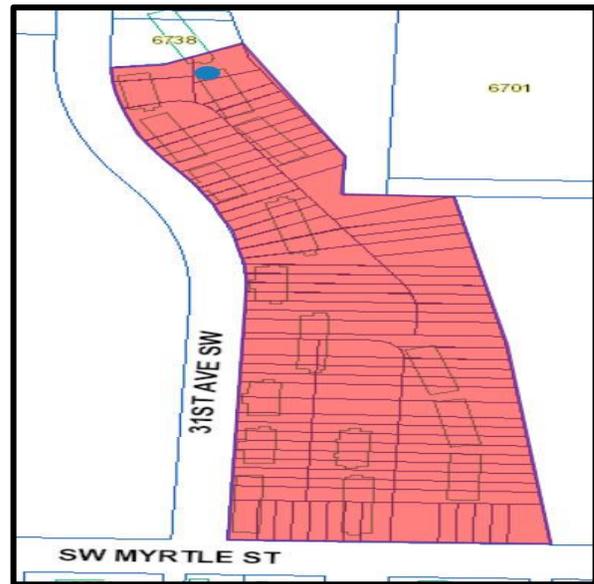
- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts.

## **BACKGROUND**

### Site and Vicinity Description

The site is located at 6800 31<sup>st</sup> Avenue Southwest in the southernmost area of the High Point Community in West Seattle. This approximately 188,653 square foot (sq. ft.) proposal site is the remaining undeveloped portion of Block 34 (Lots 34-2 through 34-7) within the High Point Community Plat. The property is an irregular shaped vacant lot zoned both Lowrise 2 (L-2) and Lowrise 4 (L-4) per Ordinance 121164. The nearby zones are as follows:

North: L-4  
West: Lowrise 1 (LR1)  
East: SF 5000 and LR1  
South: Single Family 5000 (SF 5000)



Surrounding development includes City-owned property (High Point Community Center with multipurpose outdoor playfield) and Seattle Public School property (West Seattle Elementary School) to the west; a religious facility (Thien-An Baptist Church) and a mortuary business (Forest Lawn Mortuary/Crematory/Cemetery) to the east; High Point Community residential properties to the north; and single family residences to the south.

The existing site topography is characterized as having grades descending from the west towards the east with an elevation change of approximately 20'. Existing vegetation consists of primarily field grass, blackberry brambles and several mature native trees. A portion of the property along the eastern boundary line is identified as Environmentally Critical Areas (ECA) 1 Steep Slope. A portion of the identified ECA on the proposal site was granted relief from steep slope development standards by the Seattle DCI Geotechnical Engineer on January 29, 2015: *“SMC 25.09.045 and SMC 25.09.180.B2. Results of Request for ECA Exemption - ECA review is required for future permit applications. Based on a review of the submitted information and the City GIS system, SEATTLE DCI concludes that the site (Highpoint Block 34) and adjacent property to the east contain a steep slope critical area, which is delineated on the enclosed site plan. The applicable steep slope buffer is also delineated on the attached site plan. Note that the steep slope area shown on the topographic map by Core Design (dated 1/16/2015) was adjusted to develop the SEATTLE DCI-approved steep slope delineation. (Future site plans for permit applications must reflect the SEATTLE DCI-developed steep slope and buffer delineations. Delete areas shown on the topographic map that are designated as “limited exception ECA.”) The central portion of the steep slope critical area (i.e., the majority of the steep slope) does not qualify for an ECA Exemption nor for relief from prohibition on steep slope development. A Steep Slope Area Variance or Exception will be required to develop within the steep slope or buffer areas shown on the enclosed delineation. However, two areas of the steep slope critical area located at the northern and southern extents of the delineation (colored green and with hatch marks) appear to qualify for relief from prohibition on steep slope development per SMC 25.09.180.B2c. Specifically, these two areas appear to be less than 20 feet in height and are 30 feet or more from other steep slope areas. For this reason, Seattle DCI will waive the required ECA Steep Slope Variance for future*

*development in these two areas, as indicated on the attached steep slope ECA and buffer delineation. Except as described herein, the ECA General, Submittal, and Landslide-Hazard Development Standards still apply for this project.”*

Vehicular access to the site is possible from both 31<sup>st</sup> Avenue Southwest and Southwest Myrtle Street. Road improvements and utilities around the perimeter of the site have been completed as part of the original street improvement plan for the High Point Community with the exception of further improvements and landscaping along the Southwest Myrtle Street frontage. These improvements will be completed after building construction commences by the developer in partnership with the Seattle Housing Authority.

The proposal site (Block 34 as described above) is part of a full redevelopment of the High Point community including a nearby clinic and library. This site is being developed as a partnership between the applicant and the Seattle Housing Authority (SHA). The property is part of a comprehensive contract rezone (Seattle DCI #2105600/736346) and related full subdivision (Seattle DCI #2202170/736347) which included certain large scale site planning requirements such as retention of important trees, reduced roadway paving widths, natural drainage system and general design-based structure siting. This proposal is subject to the terms of the contract rezone (CF #305400/Ordinance #121164).

#### PUBLIC COMMENT

The public comment period ended on July 29, 2015. In addition to the comment(s) received through the Design Review process, other comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to parking, traffic, density and construction impacts.

#### Additional Information and Project Requirements

As noted above, the property is situated in the High Point Community Plat which is subject to a Property Use and Development Agreement (PUDA) associated with the adopted contract rezone (CF #305400/Ordinance #121164). Specific zoning and design review conditions are attached to this PUDA, which are required for projects within the rezoned area.

The specific conditions attached to the PUDA for this specific site are as follows:

*“Section 1. Pursuant to SMC 23.34.004, the Owner hereby covenants, bargains and agrees, on behalf of itself and its successors and assigns, that it will comply with the following limitations and conditions in consideration of the rezone of the Property from L1 to L2, L4 and NC2-40’:*

- 1. The changes in zone designation are granted as shown in Attachment 2, as limited in this Agreement and in the ordinance approving the contract rezone.  
Development of each block listed below is further limited as follows:*
  - a. The maximum number of dwelling units permitted on the Property is 1,600 dwelling units, regardless of whether the density permitted under this Agreement or permitted under the applicable zone designation for any given block is higher.*



Specific SEPA conditions are also attached to the PUDA. The SEPA conditions are as follows:

Prior to issuance of any grading and/or demolition permit:

*Provide a Construction Mitigation Plan (CMP) to DCLU at the time of building permit for related construction permits. The plan will consist of items listed under subparts a-k below. The CMP must be approved by DCLU in consultation with Seattle Department of Transportation prior to commencement of any demolition, grading or construction activity. The CMP shall be one comprehensive document that can be easily referenced and maintained throughout the construction process by contractors and subcontractors, and available to the public at the project site.*

- a. *A detailed description of the demolition and construction phasing/schedule.*
- b. *SHA shall coordinate with the Police and Fire Department in identifying methods to prevent arson or other criminal activity during the period between vacation of the units and actual demolition of the units.*
- c. *Demonstration of compliance with federal, state and regional regulations to ensure that impacts are adequately addressed by such regulations or permits, and how such measures can be achieved. Permits from the following agencies must be provided: state Department of Ecology; PSCAA; and a NPDES permit from the appropriate agency.*
- d. *An air quality mitigation plan to mitigate impacts from fugitive dust, and consisting of the following:*
  - *Spraying exposed soil with water to reduce PM-10 emissions and deposition of particulate matter.*
  - *Covering exposed soil during grading and pre-seeding periods to reduce deposition of particulate matter.*
  - *Covering all trucks, transporting materials, wetting materials in trucks, or providing adequate freeboard (space from the top of the material to the top of the truck) to reduce PM-10 and deposition of particulate during transportation.*
  - *Providing wheel washers to remove particulate matter that would otherwise be carried offsite by vehicles to decrease deposition of particulate matter on area roads.*
  - *Removing mud deposited on paved, public roads to reduce particulate matter on area roadways.*
  - *Routing and scheduling construction trucks so as to reduce delays to traffic during peak travel times and to reduce secondary air quality impacts caused by a reduction in traffic speeds while drivers wait for construction trucks.*
  - *Requiring appropriate emission-control devices on all construction equipment powered by gasoline or diesel fuel to reduce emissions in vehicular exhaust.*
  - *Planting vegetation as soon as possible after grading to reduce windblown particulate in the area and/or retaining as much existing vegetation as practicable.*
- e. *A noise mitigation plan to mitigate impacts from noise to contain the following:*

- *The applicant will be required to limit periods of construction to between the hours of 7:30 a.m. and 6:00 p.m. during weekdays and on Saturdays to between the hours of 9:00 a.m. and 5:00 p.m. This condition may be modified by DCLU to allow work of an emergency nature or allow low noise interior work after the exterior of the structure is enclosed. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DCLU.*
  - *Construction activities which generate the loudest noise shall be performed during the weekday hours. Identification of the type of construction activity that will occur between the hours of 9:00 a.m. to 5:00 p.m. on Saturday needs to be disclosed. No work, deliveries or otherwise will be allowed outside of the designated Saturday hours.*
  - *Commitments and proposals to prohibit back-up alarms of vehicles and equipment, utilization of sound buffering or barrier devices, utilization of construction equipment that generate lower noise decibels or utilization by other means to mitigate noise must be included in the plan.*
  - *The applicant shall publish a periodic construction newsletter (at least quarterly) showing expected dates for specific operations, especially those which would interrupt or slow traffic movement, be especially noisy or disrupt any utility service.*
  - *The mailing list for the newsletter shall include all addresses within 300 feet of the site and affected City departments, including DCLU, Department of Transportation, Police Department, Fire Department, and Neighborhoods, as well as community members and organizations who ask to be notified of construction activities. The meeting time and place shall be well-publicized, using at a minimum the same mailing list as above, giving at least 14 days notice of the meeting.*
  - *The approved plan shall be available at the site for the duration of construction.*
- f. *A Stormwater Pollution Prevention Plan to mitigate water quality impacts.*
- g. *A Temporary Erosion and Sediment Control Plan to mitigate water quality, including all tree protection measures detailed as conditions in the approved Subdivision (DCLU 2202170).*
- h. *A Spill Prevention Control and Countermeasures Plan to mitigate water quality impacts.*
- i. *Transportation Construction Mitigation Plan to mitigate traffic and parking impacts consisting of the following:*
- *Identification of temporary street closures;*
  - *Identification of detour routing to ensure adequate accessibility to remaining older housing units and new constructed units within High Point, including any potential impacts on existing residential units on adjacent streets not subject to this redevelopment;*
  - *Identification of staging areas and haul routes. Hauling between 4:00 p.m. and 6:00 p.m. shall be minimized.*
  - *Identification of parking locations for construction workers. Construction workers shall park on-site, or off-site in designated remote parking lots.*

*Provide shuttle buses for construction workers between the job site and any remote parking sites.*

- j. An appropriate mitigation must be determined and provided in a construction rodent impact mitigation plan (CRIMP) and provided to DCLU.*
- k. A Tree Preservation Plan which can be fulfilled through the tree plan required by Hearing Examiner decision MUP-02-051(SD) shall be developed in conjunction with the Temporary Erosion and Sedimentation Control Plan.*

*During construction:*

*The owner(s) and/or responsible party(s) shall comply with the construction mitigation plan. A copy of that plan must be kept on-site.*

Please note that the abbreviation “DCLU” noted in the aforementioned SEPA conditions is an acronym for the Department of Construction and Land Use, which is the past department name of Seattle DCI. Seattle DCI acknowledges that these conditions should be applied to this project and will be included as conditions at the end of this decision.

**I. ANALYSIS – DESIGN REVIEW**

**NEIGHBORHOOD CHARACTER**

This corner proposal site oriented at the northeast corner of the intersection of 31<sup>st</sup> Avenue Southwest and Southwest Myrtle Street is sited on the southwestern edge of the High Point Community development. As noted above, the neighborhood character outside of the High Point Community to the east, west and south consists of institutions and single family residences. The neighborhood character within the High Point Community boundary consists of housing types that are typical to this community and reflect an architectural style and siting patterns that are representative of a planned development. The existing residential structures are two-story houses or three-story townhomes with varying types of entries, siting and access.

**EARLY DESIGN GUIDANCE May 15, 2015**

The Early Design Guidance (EDG) packet is available online by entering the project number (3018597) at this website:

<http://www.seattle.gov/SEATTLE/DCI/aboutus/news/events/DesignReview/SearchPastReviews/default.aspx>

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

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

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

One design scheme was offered by the applicant. This scheme proposed a 54-unit residential development comprised of single-family residences and townhouse structures whose location and access is illustrated in the design packet.

The proposed residential housing project has been designed to reflect the redevelopment goals of the High Point Community as stated in the High Point Design Book, through a collaborative effort with SHA. The High Point Design Book, created by SHA, City of Seattle and Design Consultants, contains very detailed Design Standards for each block in the High Point Community Plat and also cites general architectural, landscape and drainage design guidelines. Design development reflects the influence of the City of Seattle Design Guidelines, the High Point Design Book and SHA.

### RECOMMENDATION August 5, 2016

The packet includes materials submitted to Seattle DCI on May 20, 2016 during the recommendation phase and is available online by entering the project number (3018597) at this website: <http://www.seattle.gov/SEATTLE/DCI/aboutus/news/events/DesignReview/SearchPastReviews/default.aspx>

The recommendation packet is also available to view in the land use file, by contacting the Public Resource Center at Seattle DCI:

**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 & STAFF RECOMMENDATIONS

After visiting the site and considering the analysis of the site and context provided by the proponents, the Seattle DCI staff provides the following siting and design guidance described below. Seattle DCI staff has identified the following Citywide Design Guidelines of highest priority for this project. **The guidance by Seattle DCI staff appears after the bold guidelines text and the recommendations follow in bold text.**

#### A. *Site Planning*

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

In general, Seattle DCI staff agrees that the applicant has sited the proposed structures in the most logical pattern in order to respond the site's existing topography, significant tree protection areas and established easements per the High Point Master Plan.

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

The existing character of the High Point Community neighborhood is defined by residential structures having varied front setbacks and principal entrance orientations as they relate to the established right-of-way's, fenced ground-level front yards, pathways and landscaping typically separate the residences from the street lot lines. The design appears to be integrated into the street system established for the High Point Community.

The Seattle DCI staff voiced concern regarding the siting of the two southernmost townhouse structures (Bldgs. 7 and 8) and requested that the applicant explore shifting the specified buildings in a manner that better aligns with the other townhouse structures along 31<sup>st</sup> Avenue Southwest.

**At the Recommendation phase, the siting of the southernmost townhouse structure (Bldg. 8) did not change in order to avoid possible encroachment into the identified critical root zone area of the existing mature tree (Tree #799) near the site's southwest corner area. Conversely the townhouse structure just north of townhouse building #8 (Bldg. 7) was rotated slightly clockwise.**

**Seattle DCI acknowledges the difficulty in relocating townhouse building #8 due to the intent to preserve Tree #799 and is supportive of the realignment townhouse building #7. Seattle DCI agrees that the current siting of townhouse building #7 illustrated on the site plans creates an improved alignment of the townhomes' front facades, porches, fencing along 31<sup>st</sup> Avenue Southwest; as well as, supports CPTED (Crime Prevention Through Environmental Design) principals by allowing better sightlines across townhouse buildings 6-8. Seattle DCI is satisfied that the design meets this guideline.**

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

The proposal illustrates most of the single family residences with entrances abutting the proposed vehicular driveway whose addresses will not be visible from the two streets-31<sup>st</sup> Avenue Southwest and Southwest Myrtle Street. Seattle DCI feels that design methods (wayfinding, signage) to address this concern should be explored and provided in the next design iteration.

**At the Recommendation phase, the design includes signage at the site two main vehicular entries located along Southwest Myrtle Street and 31<sup>st</sup> Avenue Southwest (pgs. S3 and S4) to assist in directing guest to the appropriate residences which don't front on the aforementioned streets. Seattle DCI is satisfied that this signage meets the guideline.**

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

The proposal demonstrates an internal private drive that the majority of the residences will utilize in order to obtain vehicular access to onsite parking. The Seattle DCI staff observed that none of the proposed townhouse structures provided direct access from the individual units to the private drive and was concerned that this design would discourage interaction amongst the neighbors across the private drive. Seattle DCI staff stated that design solutions should be explored to incorporate additional functionality in the vehicular circulation space that would promote community and positive interaction.

At the Recommendation phase, the design materials presented a well-defined pedestrian walkway abutting the single family residences east of the vehicular circulation space and nominal space for an informal path traversing the accessory vehicular driveways and low-level landscaping along the west side of said internal vehicular access drive. The townhouse units' lower level floor plans identified only vehicular garage entries abutting the internal drive.

Although the townhouse buildings' designs and site planning have not evolved to provide clear pedestrian circulation pathways and individual residential entries, Seattle DCI feels that the combination of the streetscape design east of the internal vehicular drive and the expansive townhouse units' second-story balconies facing the drive will meet the intent of this design guideline by fostering opportunities for positive interaction amongst neighbors.

- 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.

Seattle DCI staff voiced concern that the proposed development did not illustrate pathways or direct connections to the streets. The future design should address this concern.

At the Recommendation phase, in addition to direct paths from each residential unit's/residence's private main entry to a sidewalk abutting a street or an internal vehicular drive, the design materials illustrated two pedestrian stair pathways between townhouse buildings 3 & 4 and 6 & 7 intended to provide direct pedestrian connections from 31<sup>st</sup> Avenue Southwest to the single family residences.

Seattle DCI appreciates the design of the pedestrian infrastructure on the site and feels it will positively connect the proposed individual onsite open spaces with each other as well as with the existing open spaces west of the project site (Walt Hundley multipurpose outdoor playfield).

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

The High Point Design Book includes an Open Space Network Plan that "*provides a wide range of parks and open spaces designed to connect with each other and the natural open spaces on the community's edges...*" The parks are identified as "Community Parks", "Neighborhood Parks" and "Pocket Parks". Community Parks are large sized parks. Neighborhood Parks are designed to serve residents living within a two block radius. Pocket Parks are smaller parks situated on residential streets fronted directly by houses.

The Seattle DCI staff review of the proposed project identified a nearby public community park (High Point Park) and private residential open spaces (individual decks/porches) as possible open space that would be utilized by the residents. Seattle DCI staff is concerned that the design lacked a main pedestrian access point from 31<sup>st</sup> Avenue Southwest.

The future design should clearly document planned residential open spaces and clearly differentiate between public residential open spaces and private residential open spaces. Opportunities to create a dedicated pedestrian pathway which would provide a direct connection to informal pathways from the City Park onto the subject site should be explored. The creation of focal points throughout the site should also be explored.

Seattle DCI is pleased that at the Recommendation phase the site and landscape designs have been improved to meet this guideline. (See also A-6)

**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.

The Seattle DCI staff recognized that this corner lot should also be considered a gateway lot due to its visibility by persons entering the High Point Community from the south. The Seattle DCI staff appreciated that the parking and vehicular access to the site is planned to be sited away from the corner. However, concerns remain with the lack of residential frontage/entrances along Southwest Myrtle Street. The future design of those building's within close proximity to Southwest Myrtle Street (Bldgs. 8 and 10) should be tailored to address that street front in a meaningful manner. Architectural features such as wrap-around decks/stairs and secondary garage entrance were options offered by the Seattle DCI staff as design solutions that would meet the intent of this guidance.

**At the Recommendation phase, the design included enhanced exterior elevations for the townhouse building and the single family residence within close proximity to Southwest Myrtle Street (Bldgs. 8 and 10). The updated street-facing side elevations included a combination of varied material treatments, façade colors, wrap-around porches, decks and landscaping between the sidewalk and the wall facades.**

Seattle DCI is pleased with the applicant's response to this guideline and feels strongly that the proposed design treatments (varied siding materials/colors), porches, decks and landscaping should be incorporated with the future design and construction of the specified residential structures.

*Seattle DCI Recommended Condition:*

1. *Install design treatments inclusive of varied siding materials, colors and landscaping for the townhouse structure and single family residence (Buildings 8 and 10) whose southern street-facing wall facades are within close proximity to Southwest Myrtle Street.*

#### **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.

A conceptual lighting plan is required to illustrate that this guideline is appropriately addressed.

**At the Recommendation phase, the design included light poles installed at the main entrances, at the pedestrian walkways, at the surface parking areas and along the proposed interior vehicular access driveways. Seattle DCI feels the quantity and placement of the proposed lighting is sufficient to ensure comfort and security for pedestrians. (See also D-7.)**

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

**At the Recommendation phase, the design addressed potential blank wall conditions appropriately. (See also A-10.)**

- D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.**

A conceptual lighting plan should be provided to illustrate that this guideline is appropriately addressed.

**At the Recommendation phase, the design addressed safety and security appropriately. (See also D-2.)**

### ***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.**

Seattle DCI recommends development of a landscape design that incorporates landscaping cues from the nearby parks owned by the City and public open spaces designed by SHA. The plan should include details regarding future landscaping elements appropriate for corner sites consistent with the landscaping design offered in the High Point design book.

**At the Recommendation phase, the landscape design presented was based on the overall landscape philosophy of the High Point Community as explained in the High Point Design Book. Overall, Seattle DCI is satisfied with the landscape design.**

- 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.**

The plan should include details regarding the preservation of the identified exceptional trees and the proposed landscaping design treatment for those sloped areas between the residential structures.

**At the Recommendation phase, the landscape plan identified two exceptional trees that are proposed to be retained (Tree #786 and #799); and trees and vegetation in delineated undisturbed steep sloped areas all incorporated as open space landscaping. Seattle DCI feels the design successfully addressed this special site condition. (See also E-2.)**

### **DEVELOPMENT STANDARD DEPARTURES**

Thirteen departures from the development standards were proposed. Seattle DCI's recommendation on the requested departures is based upon the departure's potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departure(s). Seattle DCI also recognized that the proposed residential housing project had been designed to reflect the redevelopment goals of the High Point Community as stated in the High Point Design Book, through a collaborative effort with SHA. Seattle DCI received written comments from SHA in support of the applicant's requested

departures. Seattle DCI acknowledged SHA's comments in consideration of the requested departures.

The requested departures are identified on the departure summary table.

| <b>Departure Summary Table</b>   |   |  |   |                       |
|--|---|--|---|-----------------------|
| <b>STANDARD</b>  | <b>REQUIREMENT</b>  | <b>REQUEST</b>   | <b>JUSTIFICATION</b>  | <b>RECOMMENDATION</b> |
| 1. STRUCTURE WIDTH STANDARDS SMC 23.45.011.A (Table A) (Building 8 - Townhome) | Maximum building width with modulation for townhomes in a Lowrise 2 (L-2) zone is 90'.  | Allow a maximum building width of 107' for this townhome building.                     | Building 8 is located in the L-2 zone portion of a site that contains both L-2 and Lowrise 4 (L-4) zones. SMC 23.45.011.A allows townhome structures in L-4 zones be a maximum width of 150' with modulation. Consequently, the townhomes sited in the L-4 portion of the project site have building widths more than 90'. Allowing townhouse building 8 to have a building width more than 90' would assist in creating a balanced streetscape. Also, design techniques inclusive of a 6' deep shift at the center of this building has been applied to reduce the width of the structure visible from the street (31 <sup>st</sup> Avenue Southwest). | Approval (A-1, C-1)   |
| 2. SIDE FAÇADE MODULATION STANDARDS SMC 23.45.012.B (Building 8 - Townhome)    | On corner lots, the side façade which faces the street shall be modulated if greater than 40' feet in width for ground-related housing. | Allow 61' side façade facing Southwest Myrtle Street to not meet modulation standards. | Combination of the horizontal and vertical articulation across the façade has been provided in the form of a wrapped entry porch approximately 6' feet in width, a vertical bay at the upper two levels and varied siding and materials. The design intent is to create interest and variation to this side façade.   | Approval (A-1, C-1)   |

| Departure Summary Table  |   |  |   |                          |
|--|---|--|---|--------------------------|
| STANDARD   | REQUIREMENT   | REQUEST  | JUSTIFICATION   | RECOMMENDATION           |
| 3. SIDE FAÇADE MODULATION STANDARDS<br>SMC<br>23.45.012.B<br>(Building 10 – Single Family Residence) | On corner lots, the side façade which faces the street shall be modulated if greater than 40’ feet in width for ground-related housing.   | Allow 64’ side façade facing Southwest Myrtle Street to not meet modulation standards.                       | Combination of the horizontal and vertical articulation across the façade has been provided in the form of a wrapped entry porch approximately 6’ feet in width, a vertical bay at the upper two levels and varied siding and materials. The design intent is to create interest and variation to this side façade. | Approval (A-1, C-1)      |
| 4. INTERIOR MODULATION STANDARDS<br>SMC<br>23.45.012.C<br>(Building 1 – Townhome)                    | Within a cluster development, all interior facades wider than 40’ shall be modulated provided the maximum modulation width is 40’ and perimeter facades follow standard requirements. | Allow upper floors measuring 55’ at an interior facade (south) to not meet modulation standards.             | Combination of the horizontal and vertical articulation across the townhome façades has been used to create variation to the façade.  | Approval (A-1, C-1, C-4) |
| 5. INTERIOR MODULATION STANDARDS<br>SMC<br>23.45.012.C<br>(Building 2 – Townhome)                    | Within a cluster development, all interior facades wider than 40’ shall be modulated provided the maximum modulation width is 40’ and perimeter facades follow standard requirements. | Allow upper floors measuring 55’ at the interior facades (south and north) to not meet modulation standards. | Combination of the horizontal and vertical articulation across the townhome façades has been used to create variation to the façade.  | Approval (A-1, C-1, C-4) |

| <b>Departure Summary Table</b>   |   |   |   |                          |
|--|---|---|---|--------------------------|
| <b>STANDARD</b>  | <b>REQUIREMENT</b>  | <b>REQUEST</b>  | <b>JUSTIFICATION</b>  | <b>RECOMMENDATION</b>    |
| 6. INTERIOR MODULATION STANDARDS SMC 23.45.012.C (Buildings 3, 4, 6 – Townhomes) | Within a cluster development, all interior facades wider than 40' shall be modulated provided the maximum modulation width is 40' and perimeter facades follow standard requirements. | Allow upper floors measuring 55' at the interior facades (south and north) and 75' at the interior façade facing the private drive (east) to not meet modulation standards. | Combination of rear decks 6' in depth; recessed garage entrances; together with the horizontal and vertical articulation across the townhome façades has been used to create variation to the façade. Also differentiation in the rear decks' roof coverage also assists in breaking up the mass and reinforces a sense of verticality and individualism. | Approval (A-1, C-1, C-4) |
| 7. INTERIOR MODULATION STANDARDS SMC 23.45.012.C (Building 5 – Townhome)         | Within a cluster development, all interior facades wider than 40' shall be modulated provided the maximum modulation width is 40' and perimeter facades follow standard requirements. | Allow upper floors measuring 55' at the interior facades (south and north) and 91' at the interior façade facing the private drive (east) to not meet modulation standards. | Combination of rear decks 6' in depth; recessed garage entrances; together with the horizontal and vertical articulation across the townhome façades has been used to create variation to the façade. Also differentiation in the rear decks' roof coverage also assists in breaking up the mass and reinforces a sense of verticality and individualism. | Approval (A-1, C-1, C-4) |
| 8. INTERIOR MODULATION STANDARDS SMC 23.45.012.C (Building 7 – Townhome)         | Within a cluster development, all interior facades wider than 40' shall be modulated provided the maximum modulation width is 40' and perimeter facades follow standard requirements. | Allow upper floors measuring 55' at the interior facades (south and north) and 59' at the interior façade facing the private drive (east) to not meet modulation standards. | Combination of rear decks 6' in depth; recessed garage entrances; together with the horizontal and vertical articulation across the townhome façades has been used to create variation to the façade. Also differentiation in the rear decks' roof coverage also assists in breaking up the mass and reinforces a sense of verticality and individualism. | Approval (A-1, C-1, C-4) |

| <b>Departure Summary Table</b>  |   |   |   |                          |
|---|---|---|---|--------------------------|
| <b>STANDARD</b>   | <b>REQUIREMENT</b>  | <b>REQUEST</b>  | <b>JUSTIFICATION</b>  | <b>RECOMMENDATION</b>    |
| 9. INTERIOR MODULATION STANDARDS SMC 23.45.012.C (Building 8 – Townhome)  | Within a cluster development, all interior facades wider than 40' shall be modulated provided the maximum modulation width is 40' and perimeter facades follow standard requirements. | Allow upper floors measuring 61' at the interior facade (north) and 107' at the interior façade facing the private drive (east) to not meet modulation standards. | Combination of rear decks 6' in depth; recessed garage entrances; together with the horizontal and vertical articulation across the townhome façades has been used to create variation to the façade. Also differentiation in the rear decks' roof coverage also assists in breaking up the mass and reinforces a sense of verticality and individualism. | Approval (A-1, C-1, C-4) |
| 10. INTERIOR MODULATION STANDARDS SMC 23.45.012.C (Building 10 – Single Family Residence)                           | Within a cluster development, all interior facades wider than 40' shall be modulated provided the maximum modulation width is 40' and perimeter facades follow standard requirements. | Allow upper floors measuring 64' at an interior facade (north) to not meet modulation standards.  | Combination of the horizontal and vertical articulation across the townhome façades has been used to create variation to the façade.  | Approval (A-1, C-1, C-4) |
| 11. INTERIOR MODULATION STANDARDS SMC 23.45.012.C (Buildings 11, 13, 15, 17, 19, 21, 23 – Single Family Residences) | Within a cluster development, all interior facades wider than 40' shall be modulated provided the maximum modulation width is 40' and perimeter facades follow standard requirements. | Allow upper floors measuring 63' at the interior facades (south and north) to not meet modulation standards.  | Combination of the horizontal and vertical articulation across the townhome façades has been used to create variation to the façade.  | Approval (A-1, C-1, C-4) |
| 12. INTERIOR MODULATION STANDARDS SMC 23.45.012.C (Buildings 12, 14, 16, 18, 20, 22, 24 – Single Family Residences) | Within a cluster development, all interior facades wider than 40' shall be modulated provided the maximum modulation width is 40' and perimeter facades follow standard requirements. | Allow upper floors measuring 64' at the interior facades (south and north) to not meet modulation standards.  | Combination of the horizontal and vertical articulation across the townhome façades has been used to create variation to the façade.  | Approval (A-1, C-1, C-4) |

| Departure Summary Table   |   |  |  |                          |
|---|---|--|--|--------------------------|
| STANDARD  | REQUIREMENT   | REQUEST  | JUSTIFICATION  | RECOMMENDATION           |
| 13. INTERIOR MODULATION STANDARDS SMC 23.45.012.C (Building 25 – Single Family Residence) | Within a cluster development, all interior facades wider than 40’ shall be modulated provided the maximum modulation width is 40’ and perimeter facades follow standard requirements. | Allow upper floors measuring 63’ at an interior facade (south) to not meet modulation standards. | Combination of the horizontal and vertical articulation across the townhome façades has been used to create variation to the façade. | Approval (A-1, C-1, C-4) |

**SEATTLE DCI RECOMMENDATION**

The recommendation summarized below was based on the design review packet dated May 20, 2016. After considering the site and context, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review staff recommended APPROVAL of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed above), in association with the following recommended condition (authority referred in the letter and number in parenthesis):

1. Install design treatments inclusive of varied siding materials, colors and landscaping for the townhouse structure and single family residence (Buildings 8 and 10) whose southern street-facing wall facades are within close proximity to Southwest Myrtle Street. (A-10, D-2)

ANALYSIS & DECISION – DESIGN REVIEW

Director’s Analysis

The design review process prescribed in Section 23.41.016.F of the Seattle Municipal Code describing the content of the Seattle DCI Director’s decision reads in part as follows: *The Director’s decision shall be made by the Director as part of the overall Master Use Permit decision for the project. The Director’s decision shall be based on the extent to which the proposed project meets applicable design guidelines and in consideration of public comments on the proposed project. Projects subject to administrative design review must meet all codes and regulatory requirements applicable to the subject site, except as provided for in SMC Section 23.41.012.*

Subject to the proposed condition, the design of the proposed project was found by the Director of Seattle DCI to adequately conform to the applicable Design Guidelines. The Director of Seattle DCI has reviewed and analyzed submitted materials and finds that the proposal is consistent with the City of Seattle Design Review Guidelines. The Director is satisfied that recommended condition #1 has been met in the MUP plan set. The Director has agreed that the proposed design, along with the condition listed, meets each of the Design Guideline Priorities as previously identified.

## DIRECTOR'S DECISION

The Director CONDITIONALLY APPROVES the proposed design and the requested departures with the condition summarized at the end of this Decision.

### **II. ANALYSIS – SEPA**

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 (SMC) Chapter 25.05).

This site is part of a comprehensive contract rezone (Seattle DCI #2105600/736346) and related full subdivision (Seattle DCI #2202170/736347) which included certain large scale site planning requirements such as retention of important trees, reduced roadway paving widths, natural drainage system and general design based structure siting. This proposal is subject to the terms of the contract rezone (CF #305400/Ordinance #121164).

The potential impacts from this project were disclosed and analyzed in the *Final Environmental Impact Statement* (2002) and *Addendum* for the entire High Point Revitalization Plan, Seattle Housing Authority 2003. Additional disclosure of the potential impacts from this project was made in the checklist submitted by the applicant on March 17, 2016. The information in the environmental documents, supplemental information provided by the applicant (SEPA checklist, plans), and the experience of lead agency with review of similar projects form the basis for this analysis and conditioning of this decision.

As previously noted in this document, the property is subject to a Property Use and Development Agreement (PUDA) associated with the adopted contract rezone (CF #305400/Ordinance #121164). Specific SEPA conditions are attached to this PUDA (and noted in this document), which are required for projects within the rezoned area.

The project is anticipated to have short-term, construction-related impacts, which are discussed below. Long term adverse impacts are also anticipated.

#### 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 air quality, grading, earth/soils, construction traffic and parking, and construction-related noise impacts, as well as mitigation.

### Air Quality

Excavation activities are expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC).

Construction impacts including 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 increase 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 temporary and not expected to be significant.

The air quality mitigation plan required as part of the PUDA (discussed above) will provide adequate mitigation for anticipated air quality impacts of the project. No additional mitigation is warranted.

### Grading

Excavation to construct the residential structures will be necessary. The maximum amount of grading proposed (cut/fill) will consist of approximately 17,750 cubic yards (cu. yds.) of material. Soil, gravel and similar materials may be imported to or exported from the site. Transported soil is susceptible to being dropped, spilled or leaked onto City streets. The City's Traffic Code (SMC 11.74.150 and .160) provides that material hauled in trucks not be spilled during transport. The City requires that loads be either 1) secured/covered; or 2) a minimum of six inches of "freeboard" (area from level of material to the top of the truck container). The regulation is intended to minimize the amount of spilled material and dust from the truck bed en route to or from a site. The air quality, stormwater and TESC plans required as part of the PUDA (discussed above) will provide adequate mitigation for anticipated impacts of the project. No additional mitigation is warranted.

### Earth / Soils

The ECA Ordinance and Director's Rule (DR) 18-2011 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in landslide prone areas. Pursuant to this requirement the applicant submitted a geotechnical engineering study dated September 9, 2014 prepared by Stephen H. Avril, geologist and Kyle R. Campbell, P.E. (Earth Solutions NW, LLC). The study has been reviewed and approved by Seattle DCI's geotechnical experts, who will require what is needed for the proposed work to proceed without undue risk to the property or to adjacent properties. The existing Grading and Stormwater Codes will sufficiently mitigate adverse impacts to the ECAs. No additional conditioning is warranted pursuant to SEPA policies (SMC 25.05.675.D).

### Traffic and Parking

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 excavation workers and the transport of

construction materials. Compliance with Seattle's Street Use Ordinance is expected to mitigate adverse impacts to traffic which would be generated during construction of this proposal. The Street Use Ordinance also includes regulations that mitigate dust, and mud. Temporary closure of sidewalks and/or traffic lane(s) would be adequately controlled with a street use permit through the Transportation Department. The Transportation Construction Mitigation Plan required as part of the PUDA (discussed above) will provide adequate mitigation for anticipated impacts of the project. No additional mitigation is warranted.

Noise

The development site is located adjacent to a residential area where construction of this scale would impact the noise levels. The SEPA Noise Policy (Section 25.05.675B SMC) lists mitigation measures for construction noise impacts. The noise mitigation plan required as part of the PUDA (discussed above) will provide adequate mitigation for anticipated noise impacts of the project. No additional mitigation is warranted.

Long - term Impacts

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

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The SEPA conditions imposed under the previously approved contract rezone (CF #305400/Ordinance #121164) are anticipated to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies. The SEPA conditions previously noted in this decision that directs the applicant to provide a comprehensive Construction Mitigation Plan (CMP) apply to this proposal and will be included as conditions with this decision. No additional SEPA conditioning is necessary.

**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.

- 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).
  
- Mitigated 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 43.21.030(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.

### **CONDITIONS – DESIGN REVIEW**

#### *For the Life of the Project*

1. The building and landscape design shall be substantially consistent with the materials represented in the materials submitted 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)) or a Seattle DCI assigned Land Use Planner.

### **CONDITIONS – SEPA**

#### *Prior to Issuance of Excavation/Shoring, or Construction Permit*

2. Provide a Construction Mitigation Plan to Seattle DCI. The plan will consist of items listed per the City Council conditions (#CF 305400) and noted in this decision. The Construction Mitigation Plan should also include a Construction Management Plan (CMP) that has been approved by Seattle Department of Transportation (SDOT). The submittal information and review process for CMPs are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>.

Tami Garrett, Senior Land Use Planner  
Seattle Department of Construction and Inspections

Date: August 29, 2016

TG: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 Seattle DCI 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](mailto:prc@seattle.gov) or to our message line at 206-684-8467.