City of Seattle
Edward B. Murray, Mayor

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: 3019398

Applicant Name: Jon O'Hare

Address of Proposal: 3230 16th Ave W

SUMMARY OF PROPOSAL

Land Use Application to allow a 7-story structure containing 226 apartment units. Parking for 156 vehicles to be provided below grade. Existing structures to be removed.

The following approvals are required:

Design Review with Departures (Seattle Municipal Code 23.41)*

SEPA - Environmental Determination (Seattle Municipal Code Chapter 25.05)

** 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.

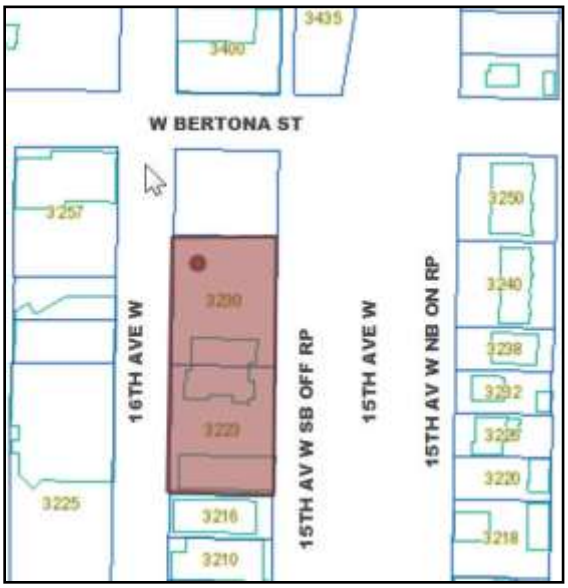
☒ Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts

BACKGROUND

The site was granted Relief on Steep Slope Development by the Seattle DCI Geotechnical Engineer on May 21, 2015:

SMC 25.09.180 B. Results of Request for Relief from Prohibition on Steep Slope Development

The following results were processed during Environmentally Critical Areas (ECA) review. "Based on a review of the submitted information and the City GIS system, Seattle DCI concludes that a steep slope critical area exists along and adjacent to approximately the northern half of the western property line of parcel #2770603030. This steep slope appears to be the result of previous legal grading associated with right-of-way improvements for 16th Avenue West. Consequently, this project qualifies for Relief From Prohibition On Steep Slope Development, as described in SMC 25.09.180 B2b. No ECA Steep Slope Area Variance nor Exception are required to construct the project at this location; however, the ECA Submittal, General, and Landslide-Hazard Development Standards and criteria still apply."



SITE AND VICINITY

Site Zone: Seattle Mixed/Dravus with a base height limit of 40 feet or 85 feet if affordable housing is provided. (SM/D 40-85)

Nearby Zones: North: SM/D 40-85
South: SM/D 40-85
West: Industrial General (IG 2 U/45)
East: Neighborhood Commercial (NC3-40)

ECAs: Steep Slope
Liquefaction
Abandoned Landfill

Site Size: 36,030 sf

PUBLIC COMMENT:

The public comment period ended on June 17, 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 vehicular access and traffic.

I. ANALYSIS – DESIGN REVIEW

CURRENT AND SURROUNDING DEVELOPMENT; NEIGHBORHOOD CHARACTER
Two buildings currently exist on the site; a 2-story brick religious structure originally constructed in 1967 and a steel framed commercial building constructed in 1960.
Located within the Interbay Neighborhood, the site's surrounding area contains a mix of land uses, both industrial (manufacturing, warehousing, and services) and non-industrial (retail,

housing, and office). The east edge of the neighborhood is defined by 15th Ave W, a heavily traveled, multi-functional route, served by transit routes. Currently, the character of the neighborhood is in transition with new residential and commercial development.

The site is surrounded by relatively auto-oriented development, predominately one and two story structures. An existing tow truck storage facility is directly north of the site. Adjacent to the east side of the alley/off ramp is a grouping of large trees which act as a buffer to 15th Ave W. Sites to the south currently contain one and two story commercial buildings. One of these sites, the corner of W Dravus St and 16th Ave W, is currently undergoing the permitting process for a 5-story residential/ commercial building, under project number 3017929. A national grocer occupies the site to the west.

EARLY DESIGN GUIDANCE March 25, 2015

The packet includes materials presented at the meeting, and is available online by entering the project number (3019398) at this website:
http://www.seattle.gov/dpd/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

DESIGN DEVELOPMENT

The architect presented three main massing options. All of the massing options propose similar square footage and use; a six story-residential building above a series of two-story loft units and semi-below grade parking levels. Roof terraces were included in each option, in various locations to take advantage of views to the east, south and west.

Massing Option 1 is configured in a C-shape plan; open space is directed to a singular outdoor terrace on the west side of the building. The resulting massing creates a monolithic presence along 15th Ave W. Similarly, Option 2 shows the building organized in an E-shape plan. This option further breaks up the west façade with dual outdoor terraces on the west side of the building. Vehicular access is proposed from the alley for both options.

Massing is further refined in Option 3. Presented as the preferred option, this scheme is characterized by two main triangular voids along the east and west exposures, which reduces the perceived mass from both fronting streets. Along 16th Ave W, a multistory glass articulation of the lobby expresses the entry as a jewel box. Adjacent to this space, bike storage creates a visible connection to the street. This scheme proposes parking access from the alley in the NE corner of the site and a vehicular drop-off lobby fronting 16th Ave W. Another variation of this option was also presented, with the parking access and lobby moved along 16th Ave W toward the middle of the site.

PUBLIC COMMENT

Seattle DCI staff provided the following summary of the public comment received to date:

- Encouraged development of the site.
- Requested the design of the two story lofts to consider future mixed use.
- Concerned with the vehicular access on 16th Avenue W.

The following public comments were provided at the EDG meeting:

- Noted preference for Option 3.
- Commented on the current traffic patterns of 16th Ave W.

FINAL RECOMMENDATION October 28, 2015

The packet includes materials presented at the meeting, and is available online by entering the project number (3019398) at this website:
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PUBLIC COMMENT

The following public comments were provided at the Recommendation meeting:

- Pleased with the development of the project and supported the attractive form.

PRIORITIES & BOARD RECOMMENDATIONS

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

EARLY DESIGN GUIDANCE (March 25, 2015):

1. **Massing Options:** The Board unanimously preferred massing Option 3 as it provides a refreshing articulation of the façade and responds to both fronting streets. The Board directed the applicant to proceed with the preferred option. (Guidelines CS2-A, CS2-B2, CS3-A4)
    a) Noting that the facades are 300 feet long, the Board stated that massing is still a concern and stressed the importance of using secondary architectural elements and detailing to break down the massing. (Guidelines DC2-A2, DC2-B, DC2-D2)

b) Since this site visible from many areas in the city, the Board expressed interest in seeing roofscape design at the next meeting. (Guideline DC2-B1)

2. **Ground Floor Uses & Pedestrian scale**: The Board deliberated over the proposed two story townhouse style, street level units and questioned whether or not these units should be designed and detailed for future mixed uses or residential character. Ultimately, the Board supported the residential articulation, with stoops and defensible spaces defining and contributing to the character of the street. (Guidelines CS3-A, PL2-B, PL3-A3, PL3-A4, DC3-A1)
    a) Related to these townhouse style units, the Board expressed concern over the long frontage and upper linear element. As part of moving the design forward, the Board would like to see the design of this area develop with fine grain detailing. Consider ways to break up this long linear element by defining the individual unit. (Guidelines PL3-A3, PL3-A4, PL3-B2, DC2-A2)
    b) The Board directed the applicant to study the termination of the units at the northwest corner. Provide security and privacy for these residential units; consider the use of a buffer between the development and the neighboring property. (Guideline PL3-B1)
    c) The Board recognized that the alley/15 Ave W exposure is a very visible façade, and indicated initial support for the rich vocabulary of screening elements proposed. (Guidelines DC1-C2, DC2-B2)

3. **Entry/Wayfinding:** The Board supported the expression of the lobby as a "jewel box", and noted that it has the potential to define the wayfinding for the site. The Board encouraged a strong design presence, one which would also contribute to the larger architectural expression of the building as a whole. (Guidelines PL2-D1, PL3-A2, PL3-A4, DC2-B1)
    a) In developing the lobby design, the Board suggested relating the façade composition of the lobby to the massing above and perhaps the terrace plane change at the roof. (Guidelines PL2-B3, PL2-D1, PL3-A2, PL3-A4, DC2-B1)
    b) The Board commended the location of bike parking near the lobby and suggested this area be expanded to include bike parking for the entire building. (Guideline PL4-B)

4. **Vehicular Access:** In the preferred concept, vehicular access is proposed at 16th Avenue W. and off the alley. This request requires a Type 1 Decision which will incorporate Board feedback with regard to the guidelines. The Board deliberated the location of the curb cut in relation to design guideline priorities and the project's ability to achieve a better overall design.
    a) If access location is granted as part of the Type 1 decision, the Board indicated support of a curb cut location at the northwest corner of the site. This location would act as a buffer to the pedestrian residential uses and minimize the conflict between vehicles and non-motorists. The Board directed that the lobby should be adjacent to residential units and bike parking, rather than vehicular access. (Guidelines PL3-B1, DC1-B1, DC1-C)
    b) If the Type 1 decision is not granted, the Board noted no preference for the breezeway and suggested exploring a curb bulb/ lay-by option, adjacent to the lobby. (Guideline DC1-B1)

FINAL RECOMMENDATIONS (October 28, 2015):

1. **Massing and Architectural Concept:** The Board was unanimously concerned with the flatness of the outer façade and recommended conditions to refine the massing expression, consistent with the architectural concept.
    a. The Board unanimously agreed that more depth and thoughtful treatment is needed to resolve the flatness of the outer skin and recommended a condition to significantly increase the amount of recessed punched-through openings. The Board also recommended adding metal fins around these grouped windows to further accentuate the punched openings. (Guidelines DC2-A-2, DC2-B-1, DC2-D-2)
    b. The Board also specified that the vertical color elements were unsuccessful at breaking down the massing and recommended a condition to remove these elements. The Board directed the applicant to focus instead on providing depth and interest with the recessed punched-through openings. (Guidelines DC2-A-2, DC2-B-1, DC2-D-2, DC4-A-1)
    c) The Board discussed the outer skin wrap detailing and acknowledged the large surface area the material covers. In order to give a thick skin impression, in proportion with the large surface area, the Board recommended a condition to provide increased depth of the outer skin, or project the wrapping material past the facade. (Guidelines DC2-B-1, DC2-D-2, DC4-A-1)
    d) The Board agreed that fenestration sill heights should align to be consistent with the punched dots design concept and recommended a condition to align all the sill plates or use the recessed punched-through openings to contain differing heights. (Guidelines DC2-B-1, DC2-D-2)
    e) The Board approved of the inner mass material cladding, articulation and fenestration. (Guidelines, DC2-B-1, DC2-D-2, DC4-A-1)

2. **Ground Level Design and Materiality:** The Board noted that the revised townhouse expression was improved over the EDG conceptual design.
    a) The Board unanimously supported the material and detailing for the townhouse units and recommended a condition that these elements, which included brick, metal panels, metal separation/overhead protection and stairs, remain as presented. (Guidelines DC2-D-2, DC4-A-1)
    b) Discussing the lobby frontage, the Board agreed that the material treatment should be differentiated from the townhouse units to emphasize the main entry. The Board recommended a condition to use black storefront windows and switch the metal panel material to brick for the entire recess. (Guidelines PL3-A, DC2-D-2, DC4-A-1)
    c) The Board unanimously specified support for the glass block expression of the parallax wall and recommended a condition that this element remain. (Guidelines DC2-B-2, DC2-D-2, DC4-A-1)
    d) Related to the parallax wall, the Board discussed the punched openings at the garage level and noted that a relationship to the glass block expression is not yet apparent. The Board recommended a conditioned to modify the design of the screens at the garage level to relate to the parallax wall. (Guidelines DC2-B-2, DC2-D-2, DC4-A-1)

3. **Landscape:** Although the Board strongly supported the landscape along the townhouse units, the Board was concerned with the walkability and wayfinding of the landscaped area in front

of the lobby. The Board recommended a condition to define a larger outdoor gathering space at the lobby location. (Guidelines CS2-B, PL2-B, PL2-D, PL3-A, DC3-A-1)

4. **Lighting and glare impacts:** The Board recognized that the proposed downlighting over the townhouse units will likely have glare and lighting impacts and conditioned the project to remove the downlighting. (Guideline DC4-C)

5. **Signage:** The Board strongly supported the overall expression, scale and location of the signage and conditioned the signage to remain as a subtractive/ cutout element as presented. (Guideline DC4-B)

DESIGN REVIEW GUIDELINES

The priority Citywide guidelines identified by the Board as Priority Guidelines are summarized below, while all guidelines remain applicable. For the full text please visit the Design Review website.

CONTEXT & SITE

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

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

CS3-A Emphasizing Positive Neighborhood Attributes

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.

PUBLIC LIFE

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

PL1-B Walkways and Connections

PL1-B-1. Pedestrian Infrastructure: Connect on-site pedestrian walkways with existing public and private pedestrian infrastructure, thereby supporting pedestrian connections within and outside the project.

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-D Wayfinding

PL2-D-1. Design as Wayfinding: Use design features as a means of wayfinding wherever possible.

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-2. Common Entries: Multi-story residential buildings need to provide privacy and security for residents but also be welcoming and identifiable to visitors.

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.

PL4 Active Transportation: Incorporate design features that facilitate active forms of transportation such as walking, bicycling, and use of transit.

PL4-B Planning Ahead for Bicyclists

PL4-B-1. Early Planning: Consider existing and future bicycle traffic to and through the site early in the process so that access and connections are integrated into the project along with other modes of travel.

PL4-B-2. Bike Facilities: Facilities such as bike racks and storage, bike share stations, shower facilities and lockers for bicyclists should be located to maximize convenience, security, and safety.

DESIGN CONCEPT

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

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-CParking and Service Uses

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

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-AMassing

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

DC2-BArchitectural 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-B-2. Blank Walls: Avoid large blank walls along visible façades wherever possible. Where expanses of blank walls, retaining walls, or garage facades are unavoidable, include uses or design treatments at the street level that have human scale and are designed for pedestrians.

DC2-DScale and Texture

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.

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

DC3-ABuilding-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.

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

DC4-AExterior 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-BSignage

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-CLighting

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

DEVELOPMENT STANDARD DEPARTURES

At the time of the Final Recommendation, no departures were requested.

RECOMMENDATION

The recommendation summarized above was based on the design review packet dated October 28, 2015 and the materials shown and verbally described by the applicant at the October 28, 2015 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, three Design Review Board members recommended APPROVAL of the subject design and all Four Design Review Board members recommended the following conditions. Applicable Guidelines are noted in parentheses after each condition.

1. **Significantly increase the amount of recessed punched-through openings to resolve the flatness of the outer skin façade. (DC2-A-2, DC2-B-1, DC2-D-2)**
2. **Remove the vertical color elements from the outer skin façade. (DC2-A-2, DC2-B-1, DC2-D-2, DC4-A-1)**
3. **Modify the outer skin material detailing to give a thick skin impression. (DC2-B-1, DC2-D-2, DC4-A-1)**
4. **Align all sill plates or use recessed punched-through openings to contain the differing heights. (DC2-B-1, DC2-D-2)**
5. **The material and detailing shown along the townhouse units, including the brick, metal panels, metal separation/ overhead canopy, and stairs shall remain as presented at the Recommendation meeting. (DC2-D-2, DC4-A-1)**
6. **Extend the brick at the lobby recess and use black storefront to emphasize the entry. (PL3-A, DC2-D-2, DC4-A-1)**
7. **The parallax wall/ glass block expression shall remain as shown at the Recommendation meeting. (DC2-B-2, DC2-D-2, DC4-A-1)**
8. **Modify like the punched screens openings at the garage level to relate to the parallax wall/glass block expression. (DC2-B-2, DC2-D-2, DC4-A-1)**
9. **Modify the landscape at the lobby entry to define a larger outdoor gathering space. (CS2-B, PL2-B, PL2-D, PL3-A, DC3-A-1)**
10. **Remove the downlighting over the residential units. (DC4-C)**
11. **The upper level signage shall remain as a subtractive/ cutout element as shown at the Recommendation meeting. (DC4-B)**

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

The design review process prescribed in Section 23.41.014.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 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.

Subject to the recommended conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

At the conclusion of the Recommendation meeting held on October 28, 2015, the Board recommended approval of the project with the conditions described in the summary of the Recommendation meeting above.

Four Design Review Board members 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 the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

Following the Recommendation meeting, Seattle DCI staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board.

Applicant response to Recommended Design Review Conditions:

1. Recessed punched-through openings have been added to resolve the flatness of the outer skin façade, consistent with the architectural concept. Metal fins have also been added to further accentuate the punched openings. This response satisfies recommended condition #1.
2. The approved plan set shows the vertical color elements removed from the outer skin façade. This response satisfies recommended condition #2.
3. The outer skin material detailing has been modified with the addition of fiber cement panel along the gasket to give a thick skin impression. This response satisfies recommended condition #3.
4. The approved plan set shows all the sill plates aligned on the elevations. This response satisfies recommended condition #4.
5. The material and detailing shown along the townhouse units, including the brick, metal panels, metal separation/ overhead canopy, and stairs are shown in the approved plan set as presented at the Recommendation meeting. This item shall be shown on the construction plans, and the installation of this item

will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction, as conditioned below.

6. The brick has been extended at the lobby recess and black aluminum storefront has been noted in the approved plan set. This response satisfies recommended condition #6.
7. The parallax wall/ glass block expression is shown in the approved plan set as presented at the Recommendation meeting. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction, as conditioned below.
8. The punched screens openings at the garage level have been modified to relate to the parallax wall/glass block expression. The staggered pattern allows light and air to filter through the panels, similar to the ribs of the parallax wall and the punched openings emulate the parallax wall randomized "glitter" pattern. This response satisfies recommended condition #8.
9. The landscape at the lobby entry has been refined to include a larger outdoor gathering space. This response satisfies recommended condition #9.
10. Downlighting over the residential units has been removed. This response satisfies recommended condition #10.
11. The upper level signage is shown as a subtractive element in the approved plan set. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction, as conditioned below.

The applicant shall be responsible for ensuring that all construction documents, details, and specifications are shown and constructed consistent with the approved MUP drawings.

The Director of Seattle DCI has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines. The Director accepts the Design Review Board's recommendation and conditions 4, 5 and 6 shall be required for the life of the project.

DIRECTOR'S DECISION

The Director accepts the Design Review Board's recommendations and CONDITIONALLY APPROVES the proposed design with the conditions summarized at the end of this Decision.

II. ANALYSIS – SEPA

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 5/7/2015. The Seattle Department of Construction and Inspections (Seattle DCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding

this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

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.

Under such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

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.

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. Therefore no further mitigation is warranted pursuant to SMC 25.05.675.F.

Construction Impacts - Parking and Traffic

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The area is subject to significant traffic congestion during peak travel times on nearby arterials. Large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic.

The area includes limited on-street parking. Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted and a Construction Management Plan is required, which will be reviewed by Seattle Department of Transportation (SDOT). The requirements for a Construction Management Plan include a Haul Route and a Construction Parking Plan. The submittal information and review process for Construction Management Plans are described on the SDOT website at: http://www.seattle.gov/transportation/cmp.htm.

Construction Impacts - Noise

The project is expected to generate loud noise during demolition, grading and construction. The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development construction and equipment between the hours of 7:00 AM and 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends and legal holidays in this zone.

The applicant's environmental checklist does not indicate that extended hours are anticipated.

A Construction Management Plan will be required prior to issuance of the first building permit, including contact information in the event of complaints about construction noise, and measures to reduce or prevent noise impacts. The submittal information and review process for Construction Management Plans are described on the SDOT website at: http://www.seattle.gov/transportation/cmp.htm. The limitations stipulated in the Noise Ordinance and the CMP are sufficient to mitigate noise impacts; therefore no additional SEPA conditioning is necessary to mitigation noise impacts per SMC 25.05.675.B.

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, liquefaction and abandoned landfill areas. Pursuant to this requirement the applicant submitted a geotechnical engineering study (Geotechnical Report, March 16, 2015, PanGeo, Inc) and supplemental reports (Geotechnical Report – Addendum 1, August 3, 2015, PanGeo, Inc), (Geotechnical Report – Addendum 2, August 20, 2015, PanGeo, Inc). The study and supplemental reports have 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).

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; 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, historic resources, height bulk and scale, parking and traffic warrant further analysis.

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 pursuant to SMC 25.05.675.F

Historic Preservation

One existing structure on site is more than 50 years old. This structure was reviewed for potential to meet historic landmark status. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and indicated the structure on site is unlikely to qualify for historic landmark status (Landmarks Preservation Board letters, reference number LPB 695/15). Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and no further conditioning is warranted per SMC 25.05.675.H.

Height, Bulk, and Scale

The proposal has gone through the design review process described in SMC 23.41. Design review considers mitigation for height, bulk and scale through modulation, articulation, landscaping, and façade treatment.

Section 25.05.675.G.2.c of the Seattle SEPA Ordinance provides the following: "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 shall be presumed to comply with these 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 on projects that have undergone Design Review shall comply with design guidelines applicable to the project."

The height, bulk and scale of the proposed development and relationship to nearby context have been addressed during the Design Review process for any new project proposed on the site. Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and additional mitigation is not warranted under SMC 25.05.675.G.

Parking

The proposed development includes 226 residential units with 156 off-street vehicular parking spaces. The traffic and parking analysis (Transpo Group, Transportation Impact Analysis, August 2015) indicates a peak demand for approximately 160 vehicles from the proposed development.

The proposed development peak demand of 160 parking spaces would not be accommodated by the proposed 156 parking off-street spaces in the development, resulting in a spillover demand for 4 on-street parking spaces. The proposal therefore would have a potential additional impact

to on-street parking utilization. However, the parking demand estimates are based on information compiled in the Institute of Transportation Engineers' Trip Generation and Parking Generation manuals. These volumes provide parking rates based on empirical studies throughout the United States and Canada, categorized by various land uses. Since the data is mainly gathered from suburban establishments, the rates are conservative for an urban location, as in the case of the subject property. Additionally, this site is located in a frequent transit service area and the proposed development is providing an amount above the 113 parking stalls required by Code.

Due to the minimal potential impact to on-street parking associated with the project and the availability of transit, the Director has determined no further mitigation is required pursuant to SMC 25.05.675.M

Transportation

The Traffic Impact Analysis (Transpo Group, Transportation Impact Analysis, August 2015) indicated that the project is expected to generate a net total of 955 net daily vehicle trips, with 92 net new PM Peak Hour trips and 74 AM Peak hour trips.

The additional trips would have minimal impact on levels of service at nearby intersections and on the overall transportation system. Concurrency analysis was conducted for nearby identified areas. That analysis showed that the project is expected to be well within the adopted standards for the identified areas. The Seattle DCI Transportation Planner reviewed the information and determined that while these impacts are adverse, they are not expected to be significant; therefore, no further mitigation is warranted per SMC 25.05.675.R.

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).

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.

CONDITIONS – DESIGN REVIEW

Prior to Certificate of Occupancy

1. 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. (Magda Hogness at magdahogness@seattle.gov or 206-727-8736).

2. 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 (Magda Hogness at magdahogness@seattle.gov or 206-727-8736).

For the Life of the Project

3. The building and landscape design shall be substantially consistent with the materials shown in the MUP plan set. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Magda Hogness at magdahogness@seattle.gov or 206-727-8736).

4. The material and detailing shown along the townhouse units, including the brick, metal panels, metal separation/ overhead canopy, and stairs shall remain.

5. The parallax wall/ glass block expression shall remain.

6. The upper level signage shall remain as a subtractive element.

CONDITIONS – SEPA

Prior to Issuance of Demolition, Excavation/Shoring, or Construction Permit

7. Provide a Construction Management Plan that has been approved by SDOT. The submittal information and review process for Construction Management Plans are described on the SDOT website at: http://www.seattle.gov/transportation/cmp.htm.

Magda Hogness, Land Use Planner
Seattle Department of Construction and Inspections

Date: March 10, 2016

MH: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 or to our message line at 206-684-8467.