



**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:** 3019517  
**Applicant Name:** Megan McKay of Johnston Architects PLLC  
**Address of Proposal:** 3717 S Alaska St

**SUMMARY OF PROPOSAL**

Land Use Application to allow a 7-story structure containing 240 apartment units, 2 live-work units and 29,709 sq. ft. of retail space at ground level. Parking for 245 vehicles to be provided below grade. Existing structures to be demolished.

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 25.05.660, 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 September 28, 2016 under project number 6481063:

*“SMC 25.09.180 B2c Results of Request for Relief on Steep Slope Development*

*Environmentally Critical Area Review is required. The site contains an area of Steep Slope Critical Area in the north west portion of the site, in vicinity of the existing rockery wall. Because the slope is less than 20 feet in height, and is not close to other Steep Slope Critical Areas, the project site qualifies for the relief provision described in SMC 25.09.180 B2c. The qualification is based, in part, on the report by Pan Geo, Inc., dated September 8, 2015, demonstrating that adverse impacts will not occur as a result of this relief. Except as described herein, the remaining Environmentally Critical Areas requirements apply.*

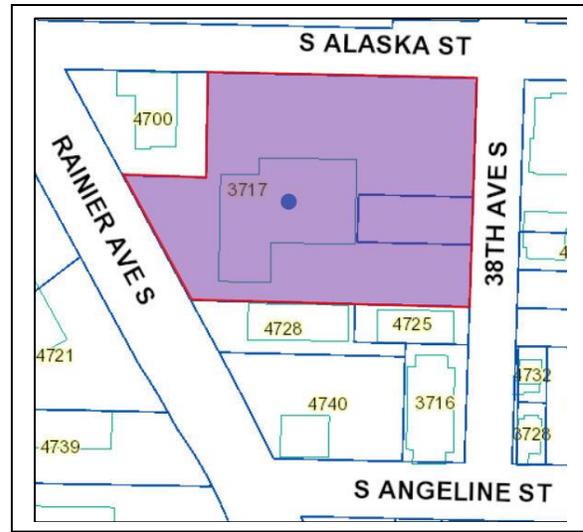
**SITE AND VICINITY**

Site Zone: Neighborhood Commercial  
(NC2P-40, NC2-40, NC2-65)

Nearby Zones: North: NC2-40  
South: NC2-40, NC2P-40,  
West: Lowrise LR2  
East: LR3

ECAs: Steep Slope  
Liquefaction  
Abandoned landfill

Site Size: 74,400 sf



**PUBLIC COMMENT:**

The public comment period ended on September 16, 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 liquefaction prone soils, steep slope, parking, traffic, scale and density. Comments were also received that are beyond the scope of this review and analysis per SMC 23.41 and 25.05.

**I. ANALYSIS – DESIGN REVIEW**

**CURRENT AND SURROUNDING DEVELOPMENT; NEIGHBORHOOD CHARACTER**

A two-story, 23,250 sf, office building currently exists on the site and is occupied by the United States Postal Office. The wood framed building was originally constructed in 1967. The 74,400 sq. ft. site is located close to the commercial heart of Columbia City and the Columbia City Landmark District. Although the subject site is not within the Landmark District, the adjacent park and library historic building provides context for which the new structure will need to compliment. Turn of the century buildings exhibiting strong pedestrian connections, such as storefronts, glazing, and canopies are located along Rainier Ave S, south of S Edmunds St. Redevelopment of this site provides opportunity to extend this pedestrian oriented design north to the Rainier Playfields.

The immediate context includes open spaces and community facilities; the Rainer Playfields, the Rainier Community Center and Community Garden are located to the north and Columbia Park and the library are sited to the west. The parcel to the north, adjacent to the site is occupied by a one story office building. To the south are multifamily buildings, a restaurant and a daycare center. Across 38th Ave S to the east, are a five story apartment building and a single family structure.

The area is well served by transit and higher density multifamily residential structures are being developed. Recent development includes a six-story structure containing 193 residential units and ground floor retail, currently under construction, under project number 3013008, to the southwest. The Columbia City Light Rail station is approximately ½ mile west of the site.

### PROJECT DESCRIPTION

The design packet includes information presented at the meeting, and is available online by entering the project number 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**    **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)

### *EARLY DESIGN GUIDANCE June 9, 2015*

### **DESIGN DEVELOPMENT**

The architect presented three massing options, all propose similar square footage and use; a seven story structure containing 240-243 residential units over ground floor retail and below grade parking. The massing options were initially developed as three different responses to Rainier Ave S, which the architect explained will be seen as the front door of the project. All options take into account the three street different frontages and the existing topography, which includes an approximately 36 ft. grade difference across the site.

Referred to as the code compliant version, massing Option One is configured with a north-facing courtyard at the third level, which provides a vista to playfields across S Alaska St. The architect noted that this option creates a strong street wall along Rainier Ave S, with retail extending the full length of the frontage. A disadvantage of this scheme is that the courtyards are not optimally oriented for solar access and are raised above street. Another disadvantage is that the units are not optimally oriented. For this scheme, two vehicular curb cuts are proposed along 38th Ave S.

Massing Option Two is identifiable by a large interior courtyard. For this scheme, the Rainier Ave S façade jogs in to provide space for retail to spill out to the sidewalk. The applicant explained that the long facades along S Alaska St and 38th Ave will require careful and thoughtful architectural detailing to break down scale. For this option, vehicular entrances are divided between S Alaska St and 38th Ave S to increase pedestrian and vehicular safety. This separation requires a departure.

Referred to as the preferred scheme, massing Option Three, showed two forms pulled back around a central courtyard. Compared to the other schemes, the pulled back massing along Rainier Ave S responds to the scale and siting of the library and provides large plazas for retail to spill out. The applicant explained that pulling back the frontage will create three sided retail, in line with the types of spaces found in the neighborhood. A hillclimb is proposed to connect pedestrians from Rainier Ave S to S Alaska St. A visual connection between central courtyard and Rainier Ave S is provided. This scheme widens the sidewalk setback to better engage the street along S Alaska St and 38th Ave S. Similar to the second option, two vehicular entries are proposed and departures are requested.

## **PUBLIC COMMENT**

The following comments were offered at the EDG meeting:

- Showed support for Lake Union Partners past work;
- Voiced the need for more office space in the community;
- Stressed the importance of this development, which has the potential to define the community;
- Appreciated that the developer has met with the community;
- Opposed to big, bulky buildings;
- Would like to see small, broken up frontages and pedestrian access;
- Appreciated the hill climb and encouraged the design to take cues from alleys and open spaces found in the neighborhood;
- Would like to see a connection from the 38<sup>th</sup> Ave S to Rainier Ave S;
- Supported the small, three sided retail spaces;
- Stressed the importance of the exterior design and would like to see quality materials;
- Appreciated the internalized parking;
- In favor of the departure for two parking entrances;
- Supported pulling back the northeast corner;
- Preferred the third massing option;
- Concerned about the limited parking;
- Would like to see the frontage along 38<sup>th</sup> Ave S also improved to be more pedestrian friendly;
- Concerned about the scale of the parking entrances and how they will relate to the frontages and the bicyclist entry;
- Concerned about the large retail space and would like to see more quality and different types of office space in the neighborhood;
- Supported the office use and encouraged as much office space as possible;
- Would like the frontages to be as pedestrian and bike friendly as possible;
- Encouraged art and a connection with the local arts community;
- Preferred smaller subdivided retail, rather than larger retail spaces;

- The third massing option correctly identified desire lines with the diagonal connection and to the extent that it's possible would like to see this diagonal connection open to the public;
- The pedestrian stairway needs to embrace the park to provide a real front door;
- The acute angles on the north side are important contextual cues; encouraged the design to embrace the funky angles the like other designs found in the neighborhood;
- Would like to see a diagonal public walkway connection to provide access to the playfields and the community center; and
- Appreciated the response to the three different street fronts but would like to see more information about how the building is responding to the future adjacent development.

## **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.

- 1) **Massing & Relationship to Context:** The Board preferred massing Option Three, as the overall scale best responds to the context and creates a pedestrian oriented streetscape and network of spaces (Guidelines CS2-A, CS2-B, DC2-A) The Board directed the applicant to proceed with their preferred option.
  - a. The Board noted that the northeast corner scale appears out of scale at seven stories, as the surrounding buildings are 4-5 stories and recommended refining the northwest corner massing. Modulate the massing; thoughtfully design the rooflines and setback the lower three levels to create a strong visual connection at the corner. (Guidelines CS2-C, CS2-D, DC2-A)
  - b. Acknowledging that the proposed massing and ground level treatment along Rainier Ave S seems successful in creating a pedestrian oriented street edge, the Board directed applicant to develop the other frontages as well to respond to the streetscape. (Guidelines CS2-A, CS2-B)
- 2) **Street Level Uses & Entries:** The Board gave direction regarding the street level uses and entries.
  - a. Recognizing the northwest corner is a busy pedestrian intersection, the Board was concerned for pedestrian safety and stressed that a visual connection for this intersection is critical. In addition to setting back the lower three levels, the Board recommended providing ground level treatment and pedestrian amenities to engage and interact with the streetscape. (Guidelines PL1-B, PL2-B-3, PL3)
  - b. The Board was also concerned with the character of 38<sup>th</sup> Ave S frontage and urged the applicant to develop the scale and treatment of this edge. Consider a live/work use along this frontage to provide activity and street interaction. (Guidelines PL1-B, PL2-B-3, PL3)
  - c. The Board discussed the vehicular entry locations and directed the applicant to thoughtfully consider the potential conflict between different travel modes. In developing the design for the entries, create clear lines of sight and provide separate entrances for pedestrians, bicyclists and vehicles. (Guidelines PL4-A, DC1-B)

- 3) **Connectivity & Open Spaces:** Acknowledging that connectivity between the streets is especially important, the Board gave direction on site circulation and open spaces. (Guidelines CS2-B, PL1)
- a. The Board strongly recommended the applicant explore providing a public pedestrian diagonal connection and suggested addressing safety and security concerns with ground level activity. The Board would like to see more information on the site circulation; provide the distances for public and private circulation routes, transvers sections, and perspectives. (Guidelines CS2-B, PL1-A, PL1-B, PL1-C, PL2-A, PL2-B)
  - b. The Board expressed concern about the connection and the future visibility of the northwest hillclimb after the adjacent parcels are developed and directed the applicant to study this future scenario and explore opportunities to connect with, or enhance, the uses and activities of other nearby open space where appropriate. (Guidelines CS2-B, PL1-A, PL1-B)

***FIRST RECOMMENDATION January 26, 2016***

**DESIGN DEVELOPMENT**

During the presentation, the applicant described the changes since the EDG meeting including refinements to the corner massing and further design development of the building frontages and streetscape.

**PUBLIC COMMENT**

The following comments were offered at the Recommendation meeting:

- Supported the beautiful project, especially the variation of material and shape;
- Would like to see sustainable features incorporated;
- Supported the brick cladding along three sides and the pedestrian access hillclimb;
- Voiced a need for both office and retail in this neighborhood;
- Noted that the Rainier façade appears busy;
- Supported the requested departures since they all improve the building;
- Concerned with the retail driveway and safety impacts;
- Would like to see more definition of the notch at the northeast corner;
- Noted that the projecting balconies work better on the northeast corner massing and seem less successful along Rainier;
- Would like to see a connection to the park developed;
- Would like to see more live/work units;
- Concerned with traffic on the 38<sup>th</sup> and Alaska;
- Concerned with the loss of the post office;
- Would like to see affordable units.

**PRIORITIES & BOARD RECOMMENDATIONS**

The Board commended the applicant for the responsive development and design studies. Recognizing the complexity of the site and the significant change of topography, the Board had several unresolved concerns related to the corner massing, frontages and open spaces. The Board directed the applicant to further develop the design based on their guidance and return for another meeting.

- 1) **Northwest Corner Massing:** The Board recommended the applicant refine the upper and lower corner massing further.
  - a. In order to address concerns with height, bulk and scale the Board requested an alternate study showing the two upper levels setback at the corner. (Guidelines CS2-D, DC2-A)
  - b. For the corner notch, the Board recommended expanding the street level setbacks to create sightlines and address concerns with site circulation and safety. Related to the proportions of the notch, the Board questioned if the proposed entrance configuration was adequate for clearance and recommended the applicant study the relationship of the entries. (Guidelines PL1, PL2-B-3, PL3-A, PL3-C)
  
- 2) **Frontages:** The Board gave guidance regarding each frontage.
  - a. The Board supported the overall intent of the Rainier Ave frontage; however, the Board questioned whether the facade was over articulated with the amount of projecting balconies proposed. Ultimately, the Board requested additional study of the balcony locations. (Guidelines DC2-B, DC2-D)
  - b. The Board was concerned with the lack of modulation for the grey portion of the Alaska St and 38<sup>th</sup> Ave frontages and directed the applicant to provide secondary articulation and additional detailing such as signage and lighting. (Guidelines DC2-B, DC2-C, DC2-D)
  - c. Related to the grey portion of the 38<sup>th</sup> Ave façade, the Board questioned if the height clearance was adequate and if the sunken commercial spaces provided enough porosity and opportunities for interaction. The Board directed the applicant to develop a workable alternative to create a pedestrian oriented street edge such as pulling the storefront expression up one level to increase the perceived height of the ground floor level. (Guidelines PL1-B, PL3)
  - d. The Board approved of the development of the live/work units which have the potential to provide activity and street interaction. (Guidelines PL1-B, PL2-B-3, PL3)
  - e. For the Alaska St façade and hillclimb frontage, the Board recommended the applicant study the possible configurations and proportions of the retail and office spaces to provide opportunities for street level interaction. (Guidelines PL1-B, PL2-B-3, PL3)
  
- 3) **Open Spaces:** Acknowledging that useable open space is especially important, the Board gave direction regarding site circulation and open spaces.
  - a. The Board was concerned with the amount of space dedicated to circulation shown in the plazas and directed the applicant to study and provide additional space for seating spill out areas. Provide developed sections and enlarged plans at the next meeting. (Guidelines DC3-B, DC3-C)
  - b. The Board directed the applicant to further develop the hillclimb open space, adjacent frontage and secondary lobby entry to create pedestrian oriented edges. (Guidelines PL1-B, PL2-B-3, PL3, DC3-B, DC3-C)
  - c. The Board recommended providing street furniture and pedestrian amenities along the streetscape to engage and foster human interaction. (Guidelines PL1-B, PL3)
  - d. The Board acknowledged that safety and security are important considerations for pedestrian safety for the hillclimb, the northeast corner and along the curbcuts.

The design should incorporate CPTED principles, consistent with the Design Guidelines. (Guidelines PL2-B, PL3)

- 4) **Overheard Weather Protection:** Recognizing that this development will set the precedent for further development, the Board discussed the canopy related departure and if the canopy should extend the required width of six feet. Ultimately, the Board directed the applicant to develop a code compliant canopy alternate showing the sidewalk extended to the building edge. (Guidelines PL2-C, PL3-C )
- 5) **Materials.** The Board strongly approved of the proposed materials, in particular the brick and the cedar projecting balconies which add warmth along the frontages. (Guidelines DC2-D, DC4-A)

### ***SECOND RECOMMENDATION June 7, 2016***

#### **DESIGN DEVELOPMENT**

The applicant described the changes since the first Recommendation meeting including refinements to the massing, frontages, open spaces and streetscape.

#### **PUBLIC COMMENT**

No public comments were offered at the Second Recommendation meeting.

#### **PRIORITIES & BOARD RECOMMENDATIONS**

The Board recognized and complimented the design as a very sophisticated proposal which uses a complex site with topographic challenges as opportunities for good urban design and public realm engagement.

- 1) **Northwest Corner:** The Board discussed the northwest corner and gave the following guidance.
  - a. The Board strongly supported the expanded street level setback and agreed the design addressed previous concerns with site circulation and safety. (Guidelines PL1, PL2-B-3, PL3-A, PL3-C)
  - b. For the upper massing, the Board supported the 2 story setback but agreed the continuous balcony appeared incompatible with the rest of corner expression. The Board recommended pulling back the balcony from the corners and breaking up the balcony into individual balconies, but did not suggest this as a condition of the project. (Guidelines CS2-D, DC2-A)
- 2) **Frontages and Open Spaces:** The Board agreed each frontage had been further developed in response to previous guidance.
  - a. The Board unanimously supported the simplified Rainier frontage and adjacent open spaces which allowed for additional space for outdoor seating/ retail spill out areas. (Guidelines DC2-B, DC2-D, DC3-B, DC3-C)
  - b. The Board strongly supported the added modulation along 38<sup>th</sup> and Alaska frontages. Related to the 38<sup>th</sup> Ave façade, the Board agreed the modified design which pulled the ground level expression up one level, increased the perceived height of the ground floor level and enhanced the safety and pedestrian experience. (Guidelines DC2-B, DC2-C, DC2-D)

- c. The Board recognized that the design and layout of the Live/Work units are generously sized to actually provide more area for living and working functions and have the potential to provide activity and street interaction. (Guidelines PL1-B, PL2-B-3, PL3)
- d. The Board supported the addition of the landscape buffer, outdoor seating along the hillclimb and acknowledged the expansion of commercial space and additional transparency creates opportunities for interaction. The Board also agreed the addition of the vertical canted massing for the residential entry strengthened the wayfinding and lobby entrance legibility. (Guidelines PL1-B, PL2-B-3, PL3)
- e. The Board agreed the added street furniture and pedestrian amenities along the streetscape would help to foster human interaction. (Guidelines PL1-B, PL3)

3) **Materials.** The Board strongly supported the quality of material proposed and noted that the brick reflects the character of the neighborhood and provides an iconic quality.

### Design Review Guidelines

The priority Citywide and Neighborhood 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

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

### CS1-C Topography

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

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

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

### CS3-A Emphasizing Positive Neighborhood Attributes

**CS3-A-1. Fitting Old and New Together:** Create compatibility between new projects, and existing architectural context, including historic and modern designs, through building articulation, scale and proportion, roof forms, detailing, fenestration, and/or the use of complementary materials.

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

**CS3-A-3. Established Neighborhoods:** In existing neighborhoods with a well-defined architectural character, site and design new structures to complement or be compatible with the architectural style and siting patterns of neighborhood buildings. feasible as a means of incorporating historical or cultural elements into the new project.

## PUBLIC LIFE

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

#### **PL1-A Network of Open Spaces**

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

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

#### **PL1-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.

**PL1-B-2. Pedestrian Volumes:** Provide ample space for pedestrian flow and circulation, particularly in areas where there is already heavy pedestrian traffic or where the project is expected to add or attract pedestrians to the area.

**PL1-B-3. Pedestrian Amenities:** Opportunities for creating lively, pedestrian oriented open spaces to enliven the area and attract interest and interaction with the site and building should be considered.

#### **PL1-C Outdoor Uses and Activities**

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

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

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

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

#### **PL2-A Accessibility**

**PL2-A-1. Access for All:** Provide access for people of all abilities in a manner that is fully integrated into the project design. Design entries and other primary access points such that all visitors can be greeted and welcomed through the front door.

**PL2-A-2. Access Challenges:** Add features to assist pedestrians in navigating sloped sites, long blocks, or other challenges.

#### **PL2-B Safety and Security**

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

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

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

#### **PL2-C Weather Protection**

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

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

**PL3-A Entries**

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

**PL3-C Retail Edges**

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

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

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

**DESIGN CONCEPT**

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

**DC1-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-B-2. Facilities for Alternative Transportation:** Locate facilities for alternative transportation in prominent locations that are convenient and readily accessible to expected users.

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

**DC2-A Massing**

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

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

**DC2-C Secondary Architectural Features**

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

**DC2-C-2. Dual Purpose Elements:** Consider architectural features that can be dual purpose— adding depth, texture, and scale as well as serving other project functions.

**DC2-C-3. Fit With Neighboring Buildings:** Use design elements to achieve a successful fit between a building and its neighbors.

**DC2-D Scale and Texture**

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

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

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

**DC3-A Building-Open Space Relationship**

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

**DC3-B Open Space Uses and Activities**

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

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

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

**DC4-A Exterior Elements and Finishes**

**DC4-A-1. Exterior Finish Materials:** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

**DC4-B Signage**

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

**DC4-C Lighting**

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

**DC4-D Trees, Landscape, and Hardscape Materials**

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

**DEVELOPMENT STANDARD DEPARTURES**

The Board’s recommendation on the requested departure(s) will be based on the departure’s potential to help the project better meet these design guidelines priorities and achieve a better

overall project design than could be achieved without the departure(s). The Board's recommendation will be reserved until the final Board meeting.

At the time of the Final Recommendation meeting the following departures were requested:

1. **Access to Parking (SMC 23.47A.032.A.1.c):** The Code requires access across one of the side street lot lines, if parking access is not provided from an alley. The applicant proposes one two-way parking curb cut off S Alaska St and one two-way parking curb cut off 38th Ave S.

The Board unanimously supported the departure request; separating the residential parking entry and main trash service from the retail parking reduces the potential for pedestrian conflicts at the northwest corner. The design provides a better wayfinding response and better meets Design Guidelines PL2-D-1 Design as Wayfinding and DC1-B-1 Access Location and Design.

2. **Street-Level Requirements (SMC 23.47A.008.B.4):** The Code requires a minimum 13' floor-to-floor height for non-residential uses at street level. The applicant proposes a 10'-4" floor-to-floor height for a commercial office space at the west end of S Alaska St.

The Board unanimously supported the departure as the proposed design has the potential to activate the hillclimb from Alaska to Rainier and provide "eyes on the street" for enhanced safety and security and responds to the community desire to incorporate office use into the project. The resulting design better meets Design Guidelines Guideline CS2-B-2 Connection to the Street, PL1-B-3 Pedestrian Amenities, and PL2-B-3 Street-Level Transparency.

3. **Street-Level Requirements (SMC 23.47A.008.D.1):** The Code requires a minimum of 80% of the street-level facade width facing a principle pedestrian street be occupied with pedestrian-oriented uses. The applicant proposes 76% of the street-level facade facing S Alaska St be occupied by permitted pedestrian-oriented uses to allow for an office/commercial mezzanine above the retail use, access stairs and a residential entrance.

The Board unanimously supported the departure as the proposed office use activates the hillclimb, provides street level transparency and better meets Design Guidelines PL2-B Safety and Security and DC3-A Building-Open Space Relationship.

4. **Street-Level Requirements for Live-Work Units (SMC 23.47A.008.B.4):** The Code requires a minimum 13' floor-to-floor height for non-residential uses at street level. The applicant proposes a 9'-4" floor-to-floor height after the first 15' of depth of the live-work units fronting 38th Ave S to allow a residential sleeping loft at the rear portion of the unit. The portion of the units in front of the loft has a complying 18'-8" floor-to-floor height.

The Board unanimously supported for the departure. The design responds well to past guidance and has the potential to create a stronger connection to the street. The loft mezzanine at the rear portion of the unit provides privacy to the residential portion of the unit without relying on window coverings at the street face. The resulting design better meets Design Guideline CS2-B-2 Connection to the Street.

- 5. Street-Level Requirements for Live-Work Units (SMC 23.47A.008.B.3):** The Code requires an average depth of at least 30' and minimum depth of 15' for non-residential uses at the street-level, street-facing façade. The applicant proposes an average of 15' depth for the full-height commercial/business portion of the unit and a total depth of 28.94' and 32.19'.

The Board unanimously supported the departure as the design of the loft mezzanine space provides privacy to the residential portion of the unit, has the potential to create a stronger connection to the street and better meets Design Guideline CS2-B-2 Connection to the Street.

## **BOARD DIRECTION**

At the conclusion of the RECOMMENDATION meeting, the Board recommended approval of the project.

**The recommendation summarized above was based on the design review packet dated Tuesday, June 07, 2016, and the materials shown and verbally described by the applicant at the Tuesday, June 07, 2016 Design Recommendation meeting. After considering the site and context and reconsidering the previously identified design priorities and reviewing the materials, the five Design Review Board members recommended APPROVAL of the subject design and departures with no conditions.**

## **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 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.

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 June 07, 2016, the Board recommended approval of the project with no conditions as described in the summary of the Recommendation meeting above.

Five members of the Southeast Design Review Board were in attendance and identified elements of the Design Guidelines which are critical to the project's overall success.

The Director agrees with the Design Review Board's conclusion that the proposed project result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

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 five members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines. The Director is satisfied that all of the recommendations imposed by the Design Review Board have been met.

#### DIRECTOR'S DECISION

The Director accepts the Design Review Board's recommendations and **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 Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code (SMC) Chapter 25.05).

The disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 8/12/2015. 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 greenhouse gas, construction-related noise, earth/soils, 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 and no further mitigation is warranted pursuant to SMC 25.05.675.A.

### 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 and timed or metered 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 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends and legal holidays in Neighborhood Commercial zones.

If extended construction hours are desired, the applicant may seek approval from Seattle DCI through a Noise Variance request. 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 areas. Pursuant to this requirement the applicant submitted geotechnical engineering studies (Geotechnical Report-Draft, PanGEO Inc, July 21, 2015) and (Geotechnical Report, PanGEO Inc, September 8, 2015) and the studies 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 emissions, 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, and no further mitigation is warranted pursuant to SMC 25.05.675.A.

### 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 240 residential units with 245 off-street vehicular parking spaces, which include 86 stalls for the commercial uses and 159 stalls for the apartment units. The traffic and parking analysis (Transportation Impact Study, TENW, October 12, 2015), (Traffic Study Correction Response, TENW, December 23, 2015) and (Traffic Study Correction Response, TENW, July 26, 2016) indicates a peak demand for approximately 227 vehicles from the proposed development. Peak residential demand typically occurs overnight.

The traffic and parking analysis noted that the existing on-street parking utilization rate is approximately 51 % within 800’ of the site. The proposed development peak demand of 227 parking spaces would not be accommodated by the proposed 159 residential parking off-street spaces in the development, resulting in a spillover demand for 68 on-street parking spaces. The proposal therefore would have a potential additional impact to on-street parking utilization, resulting in an on-street utilization of 76%. Total cumulative parking demand of the proposal and other projects in the vicinity would result in a potential on-street parking utilization of 84% within 800’ of the site.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in the Urban Villages within 1,320 feet of frequent Transit service. This site is located in Columbia City Residential Urban Village within 1,320 feet of frequent transit service. Regardless of the parking demand impacts, no SEPA authority is provided to mitigate residential impacts of parking demand from this proposal.

### Transportation

The Traffic Impact Analysis (Transportation Impact Study, TENW, October 12, 2015), (Traffic Study Correction Response, TENW, December 23, 2015) and (Traffic Study Correction Response, TENW, July 26, 2016) indicated that the project is expected to generate a net total increase of 753 daily vehicle trips and 25 PM peak hour trips.

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 and 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**

### *For the Life of the Project*

1. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Magda Hogness at magdahogness@seattle.gov or 206-727-8736).

## **CONDITIONS – SEPA**

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

2. 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: October 31, 2016

MH:drm

**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.