



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: 3020272
Applicant Name: Craig Belcher for Shelter Holdings, LLC
Address of Proposal: 6058 35th Avenue Southwest

SUMMARY OF PROPOSAL

Land Use Application to allow two, 4-story structures, one containing 61 apartments above 5,604 sq. ft. of retail and one containing 41 apartments above 4,346 sq. ft. of retail and 2 live-work units. Parking for 110 vehicles to be provided in a below grade garage (108 spaces) and unenclosed surface parking stalls (2 spaces). *

*Note –The project description has been revised from the following original notice of application: Land Use Application to allow two, 4-story structures, one containing 61 apartments above 5,533 sq. ft. of commercial space and one containing 41 apartments above 4,612 sq. ft. of commercial space. Parking for 109 vehicles to be provided in a below grade garage.

The following approvals are required:

Design Review (Seattle Municipal Code 23.41)

SEPA - Environmental Determination (Seattle Municipal Code Chapter 25.05)

SEPA DETERMINATION:

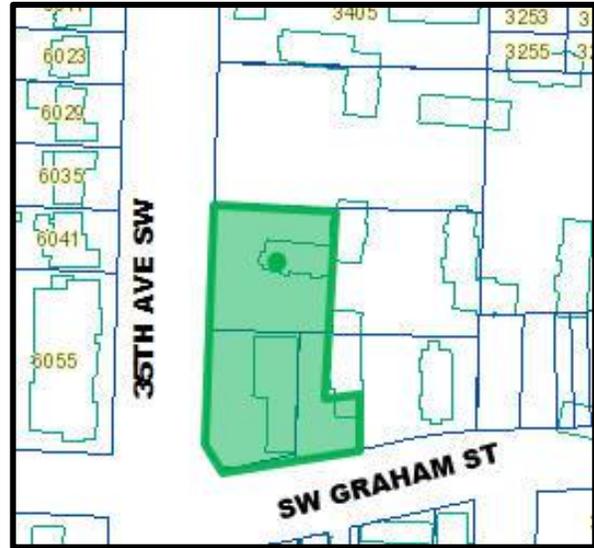
Determination of Non-Significance

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

BACKGROUND

Site and Vicinity Description

The site is located at 6058 35th Avenue Southwest in the westernmost area of the High Point Community in West Seattle. This approximately 49,576 square foot (sq. ft.) proposal site is partially sited within the undeveloped portion of Block 9 within the High Point Community Plat (see Ordinance 121164). The property is an irregular shaped vacant corner lot zoned both Neighborhood Commercial 2 (NC2-40) and Neighborhood Commercial 2 Pedestrian (NC2P-40). The nearby zones are as follows:



North: Lowrise 2 (LR2)
South: NC2P-40
East: NC2-40 and NC2P-40
West: Single Family 5000 (SF 5000) and NC2P-40

Environmentally Critical Areas (ECAs): None

The proposal site (Block 9 as described above) is part of a full redevelopment of the High Point community including a nearby clinic and library. This site is being developed as a partnership between the applicant and the Seattle Housing Authority (SHA). The property is part of a comprehensive contract rezone (Seattle DCI #2105600/736346) and related full subdivision (Seattle DCI #2202170/736347) which included certain large scale site planning requirements such as retention of important trees, reduced roadway paving widths, natural drainage system and general design-based structure siting. This proposal is subject to the terms of the contract rezone (CF #305400/Ordinance #121164).

PUBLIC COMMENT

The public comment period ended on December 2, 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 tree preservation.

Additional Information and Project Requirements

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

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

“Section 1. Pursuant to SMC 23.34.004, the Owner hereby covenants, bargains and agrees, on behalf of itself and its successors and assigns, that it will comply with the following

limitations and conditions in consideration of the rezone of the Property from L1 to L2, L4 and NC2-40':

1. *The changes in zone designation are granted as shown in Attachment 2, as limited in this Agreement and in the ordinance approving the contract rezone. Development of each block listed below is further limited as follows:*
 - a. *The maximum number of dwelling units permitted on the Property is 1,600 dwelling units, regardless of whether the density permitted under this Agreement or permitted under the applicable zone designation for any given block is higher.*
 - b. *(section 1b is purposely omitted)*
 - c. *(section 1c is purposely omitted)*
 - d. *(section 1d is purposely omitted)*
 - e. *The following block is zoned **Neighborhood Commercial 2** with a forty-foot height limit (NC2-40') and is subject to the NC2-40' development standards, including the NC2-40' standards for heights: **Block 9.4, 9.5, 9.6-9.8.***
 - f. *(sections 1f is purposely omitted)*
2. *To the extent permitted by Conditions 1 and 2 above, the changes in zone designation are established only for the development of buildings with substantially the same design and platting pattern as represented in the applicant's Building Concept Plan (Sheet A2.0), Proposed Contract Rezone (Sheet A3.0), and Proposed Block Zoning (Sheet A3.1), dated October 31, 2002, including the same amenities and improvements as represented in these and other plan sheets from the October 31, 2002 plans and as modified by additional City review and shown in the plans presented at the hearing on February 10, 2003.....The Council acknowledges that SHA may refine the Building Concept Plan (Sheet A2.0) as to building type, design and location on the lot to reflect the evolution of the Building Concept as it continues through the public review process through continuing community and SHA input, design review and design development.*
3. *(sections 3 thru 4 are purposely omitted)*
5. *SHA shall prepare Design Guidelines based on the Citywide Design Manual and the Conditions, Covenants and Restrictions for High Point. The Design Guidelines should be reviewed by the City's Design Review Board to confirm consistency with Citywide Design Guidelines and Design Review Board Guidance rendered for the High Point Redevelopment. Design review shall be required to the extent mandated by the Seattle Municipal Code, with the following exceptions. To ensure that proposed development is not "piecemealed" in such a fashion as to inappropriately avoid design review, any developer who develops in excess of eight units on a single block or adjacent blocks will be subject to design review even if those developments individually do not exceed eight units and are not otherwise contiguous to each other. Design review shall also be required for commercial uses, mixed-uses and minor institutional uses on the Property, and for all uses on Block 25....."*

The proposed development has been reviewed by Seattle DCI to ensure that it will comply with NC2-40 and NC2P-40 development standards as outlined in the adopted PUDA language as well as the City's Land Use Code. Also required by the PUDA, this project is subject to Design Review. The High Point Design Book, in concurrence with the Citywide Design Guidelines, is another design requirement taken into consideration for the project. This Design Book was drafted by SHA in consultation by the City of Seattle and other design professionals to: 1) Clearly illustrate to builders SHA's expectations for acceptable design; 2) To provide residents, neighbors and interested parties' information about the intent of the built character of for sale homes in High Point before construction; and 3) To consolidate the efforts of Seattle DCI's Design Review and SPU's Natural Drainage Design in conjunction with market and consumer preferences. The Design Book is updated as necessary to reflect changes in design and the evolution of the site as a whole.

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

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

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

- a. *A detailed description of the demolition and construction phasing/schedule.*
- b. *SHA shall coordinate with the Police and Fire Department in identifying methods to prevent arson or other criminal activity during the period between vacation of the units and actual demolition of the units.*
- c. *Demonstration of compliance with federal, state and regional regulations to ensure that impacts are adequately addressed by such regulations or permits, and how such measures can be achieved. Permits from the following agencies must be provided: state Department of Ecology; PSCAA; and a NPDES permit from the appropriate agency.*
- d. *An air quality mitigation plan to mitigate impacts from fugitive dust, and consisting of the following:*
 - *Spraying exposed soil with water to reduce PM-10 emissions and deposition of particulate matter.*
 - *Covering exposed soil during grading and pre-seeding periods to reduce deposition of particulate matter.*
 - *Covering all trucks, transporting materials, wetting materials in trucks, or providing adequate freeboard (space from the top of the material to the top of the truck) to reduce PM-10 and deposition of particulate during transportation.*
 - *Providing wheel washers to remove particulate matter that would otherwise be carried offsite by vehicles to decrease deposition of particulate matter on area roads.*

- *Removing mud deposited on paved, public roads to reduce particulate matter on area roadways.*
 - *Routing and scheduling construction trucks so as to reduce delays to traffic during peak travel times and to reduce secondary air quality impacts caused by a reduction in traffic speeds while drivers wait for construction trucks.*
 - *Requiring appropriate emission-control devices on all construction equipment powered by gasoline or diesel fuel to reduce emissions in vehicular exhaust.*
 - *Planting vegetation as soon as possible after grading to reduce windblown particulate in the area and/or retaining as much existing vegetation as practicable.*
- e. *A noise mitigation plan to mitigate impacts from noise to contain the following:*
- *The applicant will be required to limit periods of construction to between the hours of 7:30 a.m. and 6:00 p.m. during weekdays and on Saturdays to between the hours of 9:00 a.m. and 5:00 p.m. This condition may be modified by DCLU to allow work of an emergency nature or allow low noise interior work after the exterior of the structure is enclosed. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DCLU.*
 - *Construction activities which generate the loudest noise shall be performed during the weekday hours. Identification of the type of construction activity that will occur between the hours of 9:00 a.m. to 5:00 p.m. on Saturday needs to be disclosed. No work, deliveries or otherwise will be allowed outside of the designated Saturday hours.*
 - *Commitments and proposals to prohibit back-up alarms of vehicles and equipment, utilization of sound buffering or barrier devices, utilization of construction equipment that generate lower noise decibels or utilization by other means to mitigate noise must be included in the plan.*
 - *The applicant shall publish a periodic construction newsletter (at least quarterly) showing expected dates for specific operations, especially those which would interrupt or slow traffic movement, be especially noisy or disrupt any utility service.*
 - *The mailing list for the newsletter shall include all addresses within 300 feet of the site and affected City departments, including DCLU, Department of Transportation, Police Department, Fire Department, and Neighborhoods, as well as community members and organizations who ask to be notified of construction activities. The meeting time and place shall be well-publicized, using at a minimum the same mailing list as above, giving at least 14 days notice of the meeting.*
 - *The approved plan shall be available at the site for the duration of construction.*
- f. *A Stormwater Pollution Prevention Plan to mitigate water quality impacts.*
- g. *A Temporary Erosion and Sediment Control Plan to mitigate water quality, including all tree protection measures detailed as conditions in the approved Subdivision (DCLU 2202170).*
- h. *A Spill Prevention Control and Countermeasures Plan to mitigate water quality impacts.*

- i. *Transportation Construction Mitigation Plan to mitigate traffic and parking impacts consisting of the following:*
 - *Identification of temporary street closures;*
 - *Identification of detour routing to ensure adequate accessibility to remaining older housing units and new constructed units within High Point, including any potential impacts on existing residential units on adjacent streets not subject to this redevelopment;*
 - *Identification of staging areas and haul routes. Hauling between 4:00 p.m. and 6:00 p.m. shall be minimized.*
 - *Identification of parking locations for construction workers. Construction workers shall park on-site, or off-site in designated remote parking lots. Provide shuttle buses for construction workers between the job site and any remote parking sites.*
- j. *An appropriate mitigation must be determined and provided in a construction rodent impact mitigation plan (CRIMP) and provided to DCLU.*
- k. *A Tree Preservation Plan which can be fulfilled through the tree plan required by Hearing Examiner decision MUP-02-051(SD) shall be developed in conjunction with the Temporary Erosion and Sedimentation Control Plan.*

During construction:

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

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

I. ANALYSIS – DESIGN REVIEW

CURRENT AND SURROUNDING DEVELOPMENT; NEIGHBORHOOD CHARACTER

Surrounding development includes institutional uses (High Point Medical Clinic) and residential uses (townhouses) to the north; a large vacant site to the east; commercial uses (vehicle repair shops, small convenience store), institutional uses (church) and residential uses (townhomes and apartment) to the south and apartments west of the subject property. A residential proposal (townhomes) is currently under review with Seattle DCI for the property immediately east of the subject site (3018626).

This corner site which includes portions of Block 9 is located at the westernmost area of the High Point Community Plat. The general character of this area and the surrounding blocks is a mix of commercial, institutional and residential uses. The residential developments to north, east and south are part of the High Point Community neighborhood which is a diverse mix of multifamily and single family housing.

Area amenities surrounding the project site include a City public library (High Point), several retail businesses, a medical clinic (High Point Medical and Dental Clinic), the West Seattle Food Bank/apartment development, the Neighborhood House community center, a City community

center/athletic fields (High Point/Walt Hudley Playfield) and a public school (West Seattle Elementary).

FIRST EARLY DESIGN GUIDANCE June 25, 2015
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A majority of the site is governed by a property use and development agreement (PUDA) in association with the Seattle Housing Authority (SHA) High Point Garden Community development. Consequently, in addition to the Citywide design guidelines, the project is also subject the High Point Design Book published in 2013.

The design packet includes materials inclusive of massing options presented at the First EDG meeting, and is available online by entering the project number (**Error! Reference source not found.**) 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

PUBLIC COMMENT

Members of the public attended this Early Design Guidance Review meeting. The following comments, issues and concerns were raised (with Board/applicant response in *italics*):

- Asked for more information about the proposed residential unit types.
The applicant responded that the proposal will be rental workforce housing with a mix of market rate and affordable housing.
- Inquired if there will be a transportation study showing traffic movements for the project and questioned whether there will be any proposed impacts to 35th Avenue Southwest that will change the intersection in terms of turning in and out off of 35th onto Southwest Graham Street.
The applicant responded that no traffic study is anticipated for that impact however continuous consultation with Seattle Department of Transportation (SDOT) will occur to ensure that the project will address ongoing concerns related to this intersection.
- Clarified assumptions pertaining to the proposed pedestrian access path east of the subject site.
- Asked about the proposed residential units' square footage.
The applicant responded that the proposal will include a mix of studio, 1 bedroom units and 2 bedroom units. No small efficiency dwelling units are planned for this project.
- Inquired if the proposed design avails residents' visibility to westerly sunset view residents from the building's upper levels.

The Board commented that the proposed floor plans illustrated breaks in the building that reflect upwards in the corridors that open up into small amenity spaces/view corridors.

- Asked where a possible coffee shop tenant space is planned within the development and requested information concerning mechanical system installation plan.

The applicant explained that SHA is considering a ground-level tenant space for specialty food use at the corner. A whole mechanical system is planned inclusive of installation of mechanical shafts which would address all commercial use appropriately.

- Voiced support that the proposal includes commercial use.
- Encouraged the Board to evoke measures that would add certainty of the ground floor activation.
- Encouraged a design that addresses traffic impacts and pedestrian safety measures thoughtfully (sight distance, controlled pedestrian crosswalk).
- Encouraged a design that includes more façade breaks along 35th Avenue Southwest and increased upper-level building setbacks from the proposed westernmost townhouse structures sited on the neighboring property east of the project site.
- Felt the quality of the materials will be very important and encouraged a design that included brick or stone material.

SECOND EARLY DESIGN GUIDANCE September 17, 2015

The design packet includes materials inclusive of massing options presented at the Second EDG meeting, and is available online by entering the project number (**Error! Reference source not found.**) at this website:

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

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P.O. Box 34019

Seattle, WA 98124-4019

Email: PRC@seattle.gov

PUBLIC COMMENT

Members of the public attended this Second Early Design Guidance Review meeting. The following comments, issues and concerns were raised (with Board/applicant response in *italics*):

- Asked if the proposal included live-work units.
The applicant responded that the proposal will not include live-work units.
- Voiced support of the applicant's preferred massing concept (scheme C) which breaks up the building into two separate buildings and aids in addressing the bulk of the façade on 35th Avenue Southwest.

- Encouraged a design that incorporates the character of the High Point neighborhood through details, architectural features and application of color.
- Commented that the roof overhangs should be strengthened to hold the building at the southeast corner.
- Expressed preference for the corner tower gateway option.
- Felt that the term “park-like setting” used for open space landscaping should be further clarified to demonstrate the type of landscaping theme being achieved (i.e. pocket park, large park).

RECOMMENDATION April 7, 2016

The design packet includes materials presented at the Recommendation meeting, and is available online by entering the project number (3020272) at this website:

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

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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

PUBLIC COMMENT

Several members of the public attended this Final Recommendation meeting. The following comments, issues and concerns were raised (with Seattle DCI Staff/applicant responses in *italics*):

- Encouraged a design that incorporated deeper modulations and a stronger cornice treatment applied to the western façade of the north building.
- Voiced support of the southwest corner plaza area but felt that this area should be enhanced with more low-level landscaping to provide a visual buffer between its users and the vehicles traveling along the 35th Avenue Southwest arterial.
- Voiced strong support for the pedestrian corridor.
- Explained that the community is currently in discussion with a Seattle Department of Transportation (SDOT) representative concerning traffic safety at the Southwest Graham Street/35th Avenue Southwest intersection and opportunities to honor past victims who have lost their lives due to traffic fatalities at this intersection. Encouraged a design that incorporates a grand gesture (i.e. park, building name, etc.) in memory to those victims and requested the applicant work in collaboration with SDOT and the community about this request. [*Staff Note: Seattle DCI planner to contact Jim Curtin (SDOT staff) after the REC meeting to obtain further information regarding this planning effort.*]
- A representative of the Seattle Housing Authority (SHA):

- Stated that the proposed design will enforce SHA's intent to create a strong presence at this corner site and enhance the existing High Point community's "real sense of place."
- Appreciated that the design meets SHA's goals by including a prominent corner feature designed to attract interest and interaction.
- Excited that the design has the possibility of becoming a "new landmark for High Point."
- Expressed gratitude to the Board for utilizing their expertise on behalf of the public which resulted in a better design for project site.
- Voiced concern that the illustration of the development provided in the design packet (pg. 4) misrepresents the vast scale of the development in comparison to the existing/future surrounding structures.
- Asked who is responsible for the removal of public noticing signage. *[Staff Note: Per Seattle DCI Director's Rule 29-2006, the applicant is responsible for the maintenance, replacement and removal of the environmental review signage. Please contact the Seattle DCI Public Resource Center (PRC) staff at 206 684-8467 (message line only) or online at PRC@seattle.gov for further information about public noticing signage removal questions.]*
- Inquired about the location for future HVAC associated with the proposed commercial tenant spaces. *[The applicant explained that mechanical equipment is planned within each building's interior to connect to the exposed parking garage ceiling where it will be vented to the outside. The renderings illustrate air intake louvers above the storefronts and any potential vent hoods associated the commercial restaurant use would be vented within the shaft enclosure up to the related building's rooftop.]*
- Questioned how and where the future residents waste will be collected and staged for pick-up. *[The applicant stated that trash chutes are proposed within each building and the property management would be responsible for collecting/delivering the waste containers to the trash room and onsite screened waste container staging area.]*
- Asked where and how loading/unloading functions would be accommodated. *[The applicant explained that delivery, waste and moving functions would occur at the onsite surface parking/staging areas east of the south building and accessed via the proposed loop road easement sited on the neighboring property to the east.]*

PRIORITIES & BOARD RECOMMENDATIONS

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

FIRST EARLY DESIGN GUIDANCE June 25, 2015

- 1. Design Concept, Architectural Context and Massing:** The design and siting of the new commercial/residential development should provide an appropriate transition to the anticipated scale of development, complement the architectural character of the High Point neighborhood, act as a gateway property, and respect adjacent properties. (CS2.A, CS2.B, CS2.C, CS2.D, CS3)
 - a. The Board discussed the presented design options (Scheme A, Scheme B and Scheme C-preferred) at length and debated the merits of each design option. The Board did not specify preference amongst the three schemes presented. However, the Board did

request that an additional scheme (noted below) be explored and presented to the Board. Ultimately, the Board concluded that the proposed design schemes didn't appropriately address the site context; were out of scale for the context of the High Point neighborhood; and did not effectively transition to the neighborhood developments east of the project site. Therefore, the Board directed the applicant to return for a second EDG meeting to present massing options that address the following guidance:

- i. The Board requested that the applicant explore techniques in emphasizing the corner through massing articulation and/or façade treatment to break up the long 300' façade at 35th Avenue Southwest. The Board stated that this could be achieved through distinct massing moves that articulate vertical and horizontal distinctions; and height variations. (CS2.A, CS2.C, CS2.D, DC2.A)
 - ii. The Board acknowledged the various design methods of stepping back the upper-level massing conveyed in the presented schemes and requested that the applicant explore more opportunities that include upper-level setbacks (stepping back a floor or floors) with the intention of reducing height, bulk and scale in order to respect the adjacent residential property east of the project site. (CS2.C, CS2.D)
 - iii. The Board expressed concern that the presented massing schemes minimized solar exposure opportunities for the neighboring proposed townhouse development to the east and voiced that this concern should be addressed in the next design iteration. Therefore, the Board requested the applicant explore an additional massing scheme that would illustrate three buildings with distinct corridors on a podium base that would allow for western solar exposure to the residential developments to the east. (CS1.B, CS2.B, CS2.C, CS2.D)
- 2. 35th Avenue Southwest Frontage and Streetscape:** The Board felt that the design of the building should incorporate a stronger retail presence along 35th Avenue Southwest. The Board expressed a desire to see how the building could engage the streetscape in a meaningful way. (PL3.A.1, PL3.C)
 - a. The Board expressed that the pedestrian experience needs to be further articulated so that it activates the full façade of this mixed-use development. At the next EDG meeting, the Board expects to review multiple commercial entries and the appearance of multiple storefronts along 35th Avenue Northeast. Combined secondary residential entries and retail entries were discouraged by the Board. (PL3)
 - b. The Board appreciated the generous ground-level building setbacks along both 35th Avenue Southwest and Southwest Graham Street and encouraged that these setbacks be maintained. (CS3.A, PL3.C, DC4.D)
- 3. Residential Open Spaces:**
 - a. The Board felt that a design that includes upper-level amenity space(s) that would allow for better solar access and provide enhanced views to the surrounding mountain ranges should be explored and resolved in the schemes presented at the next EDG meeting. (DC2.A, DC3.B)
- 4. Vehicular Parking and Access:**
 - a. At the EDG meeting, the Board reviewed the grade-level parking garage area which is partially unenclosed near the building's rear edges and located below the adjacent grade

- of the proposed townhouse development east of the project site. The Board voiced concerns regarding the safety and security of the parking garage area and residents' views onto the parking area. Ultimately, the Board acknowledged that this is another adjacency concern that requires focused attention. At the next EDG meeting, the Board expects to review further resolution of this concern inclusive of an ensemble of elements (landscaping, fencing, screening, lidding, etc.) that provide security and lessen visibility to the parking area by the surrounding residents. (CS2.D.5, PL3.B.1, DC1.C.1, DC1.C2)
- b. It is imperative that the Board understands the design development of the townhome design planned for the adjacent neighboring property to the east. The Board expects the applicant to provide details concerning this development at future design review meetings and explain/demonstrate how the two developments will address future adjacency concerns related to waste service, traffic circulation, load/unload zones and screening. (CS2.D.5, DC1.B, DC1.C, DC2.A.1)

SECOND EARLY DESIGN GUIDANCE September 17, 2015

- 1. Design Concept, Architectural Context and Massing:** The design and siting of the new commercial/residential development should provide an appropriate transition to the anticipated scale of development, complement the architectural character of the High Point neighborhood, act as a gateway property, and respect adjacent properties. (CS1.C, CS2.A, CS2.B, CS2.C, CS2.D, CS3.A, CS3.B)
 - a. The Board stated that the applicant did a "phenomenal job" in their response to the Board's concerns/comments/guidance stated at the first EDG meeting. The Board immediately voiced support of the applicant preferred design (Scheme C) and recommended that Scheme C should move forward to the Master Use Permit (MUP) submittal with the following guidance:
 - i. The Board appreciated that the Scheme C design illustrated two distinct building masses inclusive of a centralized pedestrian "alley" corridor connecting 35th Avenue Southwest with the proposed pedestrian pathway located on the adjacent High Point property east of the project site. At the Recommendation meeting, the Board expects to review design elements (landscaping, seating, hardscape, etc.) and building entries that attract interest and emphasize interaction with the site and building. The Board encouraged the applicant to use the existing High Point park designs as a design precedent. (PL1.B, PL2.D, PL3.A, DC3.B, DC4.A, DC4.B, DC4.C, DC4.D)
 - ii. The Board recognized that the Scheme C massing design and placement of the parking stalls in a below grade parking garage would allow for a more direct and enhanced transition to the adjacent neighboring property to the east. However, the Board questioned how the rear yard area between the ground-level apartment units and the adjacent townhome residential development east of the subject site would be designed. The Board reiterated the importance of understanding the design development of the townhomes planned for the adjacent neighboring property to the east. Therefore, the Board requested that the applicant to provide specific details concerning this development at future design review meetings and explain/demonstrate how the two developments will address future adjacency concerns related to waste service,

pedestrian/residents/traffic circulation, load/unload zones, landscaping and screening. (CS2.D.5, DC1.B, DC1.C, DC2.A.1, DC4.D)

- iii. The Board felt it was imperative that the design include a strong corner element with the intent of providing a gateway to the High Point neighborhood through wayfinding. The Board reviewed the three corner gateway options presented and illustrated in the EDG design packet (pg. 42). The Board noted that either the tower element or the wing wall option is acceptable corner responses. The gateway design should be achieved through a corner element with high contrast and a distinct material change from the remaining building mass. (CS2.C)

2. 35th Avenue Southwest Frontage and Streetscapes: The Board directed that the design of the building should incorporate a stronger retail presence along 35th Avenue Southwest. The buildings should engage all streetscapes in a meaningful way. (PL3.A.1, PL3.C)

- a. The Board reviewed perspectives of the development's south and west facing façade elevations (pgs. 40-41, 48) and had a detailed discussion about the façade articulation and materiality for the 35th Avenue Southwest facades. The Board's feedback concerning the west elevations was that the facades were randomly broken up with no strong major moves or rhythm; and the composition of the materials needed further study. The Board advised the applicant to simplify the façades and provide proportioned articulation which transitions between the corner gateway and the major façade element of the building in a thoughtful manner. (DC2.B, DC2.C)
- b. The Board stated that it is important that the design have a distinct material vocabulary; subtly incorporate details and colors of the High Point neighborhood and take cues from adjacent non-residential development (High Point library, High Point Medical Dental building, etc.). At the next phase of design, the Board anticipates that further refinement of materiality will be addressed and looks forward to reviewing a physical colors and materials board with detailing specifics (i.e., reveals, cornices, etc.) at the Recommendation meeting. (DC2.A, DC2.B, DC2.C, DC2.D, DC4.A)
- c. The ground floor modular façade that was presented allowed for multiple entrances and responded well to Design Guidelines. The Board expressed concern about the placement of commercial entrances on the pedestrian alleyway and stated that more refinement of the storefront façade and its relationship to the landscaping is necessary to enhance the pedestrian experience at the entrance of the pedestrian alleyway and activate the full façade of this mixed-use development. Commercial entrances that anchor the corners of 35th Avenue Southwest and pedestrian alleyway were encouraged by the Board. (PL3.A)
- d. Conceptual residential lighting and signage designs proposed for the buildings' street facing and surrounding facades should be presented at the Recommendation meeting. (PL2.B, DC4.B, DC4.C)

3. Residential Open Spaces and Landscaping:

- a. The Board approved of the presented design included upper-level amenity spaces inclusive of roof decks; and ground-related open spaces (courtyard, patios, etc.). The design should incorporate an ensemble of elements (landscaping, outdoor seating/furniture, screening, play space, etc.) to activate these areas. (DC2.A, DC3.B)
- b. The applicant should provide additional details and a more defined program of the landscaping plan at the Recommendation meeting. (DC4.D)

4. Vehicular Parking:

- a. At the second EDG meeting, the Board observed that the presented design concepts had been revised to illustrate a majority of proposed parking stalls situated entirely below grade. The Board voiced strong support of the placement of parking in a below-grade parking garage and noted that the initial concerns voiced about the visibility and security of the parking area had been addressed appropriately. (CS2.D.5, PL3.B.1, DC1.C.1, DC1.C.2)

RECOMMENDATION April 7, 2016

1. Design Concept, Architectural Context and Massing:

- a. The Board reviewed the final building design and commended the design team for successfully responding to the Board's guidance offered at the past EDG meetings concerning massing, architectural context and neighboring adjacency concerns. (CS2.A, CS2.B, CS2.D.5, CS3.A, CS3.B, DC1.B, DC1.C, DC2.A.1, DC4.D)
 - i. The Board acknowledged that outstanding concerns/questions voiced at the past EDG meetings concerning the adjacent neighboring property to the east and future adjacency concerns pertaining to waste service, landscaping, pedestrian/residents/traffic circulation, load/unload zones, and screening had been addressed/resolved in the final building design. (CS2.D.5, DC1.B, DC1.C, DC2.A.1, DC4.D)
 - ii. The Board was pleased that the design of the corner south building had evolved to include a strong corner element with high contrast and a distinct material change from the remaining building mass. (CS2.C)
- b. The Board reviewed, questioned and had a focused discussion concerning the proposed material/color palette identified in the design packet and on the physical material/color samples board presented to the Board at the Recommendation meeting. Overall, the Board was pleased with the proposed color palette but voiced concerns with the chosen material palette. Additional Board discussion concerning materiality is noted below for item #2.e. (DC4.A)

2. 35th Avenue Southwest Frontage and Streetscapes:

- a. The Board discussed and considered public comment regarding the north building's western façade articulation and cornice treatment. The Board voiced that they were pleased with this aspect of the design and that it had been resolved appropriately. (DC2.B, DC2.C)
- b. Board comment concerning the ground-level live-work units proposed along Southwest Graham Street was that transparency into the "work" spaces of those units be encouraged. (PL3.B)
- c. The Board reviewed the conceptual signage design as illustrated in the Recommendation design packet and was satisfied that the proposed signage is appropriate in scale and character to the project; and complements the surrounding High Point neighborhood context appropriately. (DC4.B)
- d. The Board encouraged the design team to revisit the placement of bike racks within the 35th Avenue Southwest streetscape to address potential negative visual impacts to commercial tenants. (PL4.B)
- e. The Board reviewed perspectives of the development's prominent corner treatment, south/west-facing facades; and identified specific concerns that should be addressed in

the final building design. Therefore, the Board recommended a condition related to materiality as follows:

- i. The metal siding material utilized on the south building's corner should be detailed to best avoid occurrence of oil canning;
- ii. A higher quality of customized detailing should be applied to the outside corners of the Hardie panel material; and
- iii. All window trim details should provide depth and aid in emphasizing the ganged widow design at the window bays and minimize the flat appearance of the fenestration on the fiber cement panel siding facades. (DC2.C, DC4.A)

3. Corner Plaza, Pedestrian Pathway, and Landscaping:

- a. General Board comments concerning the landscaping design for the entire site were very positive. (DC4.D)
- b. The Board reviewed the southwest corner plaza area and pedestrian pathway and offered the following commentary/concerns/guidance:
 - i. The Board observed the hardscape design proposed for the plaza area (rectilinear pavers) differed from the hardscape design planned for the pedestrian pathway (square pavers); and encouraged uniformity of the hardscape to create a more harmonious connection between the two spaces. (DC3.A.1, DC4.D.2)
 - ii. The Board was in agreement with public comments regarding concerns voiced about the character and safety of the corner public plaza area and stated that additional design treatment is necessary. Therefore, the Board recommended a condition that the corner plaza area be enhanced with more landscaping (plantings)/canopy trees in the hardscape for shading and defensible planting at the 35th Avenue Southwest/Southwest Graham Street corner to buffer users from traffic. (DC3.A, DC3.B, DC3.C.1, DC4.D)
 - iii. The Board voiced concerns with some of the materiality proposed within the pedestrian pathway (thin aluminum metal edging (pg.59), pavers, etc.) and encouraged the applicant to provide an enhanced durable material palette that is appropriate for this anticipated high traffic area. (DC4.A, DC4.B)
 - iv. The Board reviewed the conceptual lighting design as illustrated in the Recommendation packet and expressed concern regarding the potential emission of light pollution due to the exposure of lighting within the landscape. Therefore, the Board recommended a condition that the source of sight lighting installed with the intent to increase site safety, highlight architectural and landscape details within the pedestrian pathway should not be visible to pedestrians in order to minimize light pollution to the residences. (PL2.B.2, DC4.C, DC4.D)

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

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

CS1-B Sunlight and Natural Ventilation

CS1-B-1. Sun and Wind: Take advantage of solar exposure and natural ventilation. Use local wind patterns and solar gain to reduce the need for mechanical ventilation and heating where possible.

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

CS1-B-3. Managing Solar Gain: Manage direct sunlight falling on south and west facing facades through shading devices and existing or newly planted trees.

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.

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

CS2-A Location in the City and Neighborhood

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

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

CS2-B Adjacent Sites, Streets, and Open Spaces

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

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

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

CS2-C Relationship to the Block

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

CS2-C-2. Mid-Block Sites: Look to the uses and scales of adjacent buildings for clues about how to design a mid-block building. Continue a strong street-edge and respond to datum lines of adjacent buildings at the first three floors.

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

CS2-D Height, Bulk, and Scale

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

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

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

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

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

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

CS3-A Emphasizing Positive Neighborhood Attributes

CS3-A-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.

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

CS3-B Local History and Culture

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

CS3-B-2. Historical/Cultural References: Reuse existing structures on the site where 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-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.

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-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-B Residential Edges

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

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

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

PL3-C Retail Edges

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

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

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

DESIGN CONCEPT

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

DC1-A Arrangement of Interior Uses

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

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

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

DC1-A-4. Views and Connections: Locate interior uses and activities to take advantage of views and physical connections to exterior spaces and uses.

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.

DC1-C Parking and Service Uses

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

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

DC1-C-3. Multiple Uses: Design parking areas to serve multiple uses such as children's play space, outdoor gathering areas, sports courts, woonerf, or common space in multifamily projects.

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

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

DC2-A Massing

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

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

DC2-B Architectural and Façade Composition

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

DC2-C Secondary Architectural Features

DC2-C-1. Visual Depth and Interest: Add depth to façades 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-B Open Space Uses and Activities

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

DC3-B-4. Multifamily Open Space: Design common and private open spaces in multifamily projects for use by all residents to encourage physical activity and social interaction.

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

DC4-A Exterior Elements and Finishes

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

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

DC4-B Signage

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

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

DC4-C Lighting

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

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

DC4-D Trees, Landscape, and Hardscape Materials

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

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

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

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

DEVELOPMENT STANDARD DEPARTURES
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At the time of the Recommendation, no departures were requested.

RECOMMENDATIONS

BOARD DIRECTION

The recommendation summarized above was based on the design review packet dated Thursday, April 07, 2016, and the materials shown and verbally described by the applicant at the Thursday, April 07, 2016 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended APPROVAL of the subject design and departures with the following conditions:

1. The material palette should be revised as follows to ensure that the appearance building's exteriors will be attractive and age well:
 - a. The metal siding material utilized on the south building's corner should be detailed to avoid occurrence of oil canning;
 - b. A higher quality of customized detailing should be applied to the outside corners of the Hardie panel material; and
 - c. All window trim details should provide depth and aid in emphasizing the ganged widow design at the window bays and minimize the flat appearance of the fenestration on the fiber cement panel siding facades. (DC2.C, DC4.A)
2. The corner plaza area should be enhanced with more landscaping (plantings)/canopy trees in the hardscape for shading and defensible planting at the 35th Avenue Southwest/Southwest Graham Street corner to buffer users from traffic. (DC3.A, DC3.B, DC3.C.1, DC4.D)
3. The source of sight lighting installed with the intent to increase site safety, highlight architectural and landscape details within the pedestrian pathway should not be visible to pedestrians in order to minimize light pollution to the residences. (DC4.C, DC4.D)

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

The design review process prescribed in Section 23.41.016.F of the Seattle Municipal Code describing the content of the Seattle DCI Director's decision reads in part as follows:

The Director's decision shall 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 proposed condition, the design of the proposed project was found by the Director of Seattle DCI to adequately conform to the applicable Design Guidelines.

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 April 7, 2016, the Board recommended approval of the project with the conditions described in the summary of the Recommendation meeting above.

Four members of the Southwest Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F.3).

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. The MUP drawings have been revised to acknowledge the following items:
 - a. The metal siding material will be detailed to best mitigate canning;
 - b. The outside corners of the Hardie panel will be thoughtfully detailed to provide a strong corner; and
 - c. The window trim will be detailed to provide depth and emphasize the ganged window design.

This response satisfies recommended condition #1.

2. The MUP landscape drawings reflect that the corner plaza has redesigned to incorporate increased landscaping for shading and defensible planting at the 35th Avenue Southwest/Southwest Graham Street corner. This response satisfies recommended condition #2.
3. The MUP drawings have been revised to acknowledge that the source of sight lighting installed within the pedestrian pathway will not be visible to pedestrians. This response satisfies recommended condition #3.

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 is satisfied that all of the recommendations and condition numbers 1, 2 and 3 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.

II. ANALYSIS – SEPA

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

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

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

The potential impacts from this project were disclosed and analyzed in the *Final Environmental Impact Statement* (2002) and *Addendum* for the entire High Point Revitalization Plan, Seattle Housing Authority 2003. Additional disclosure of the potential impacts from this project was made in the checklist submitted by the applicant on October 27, 2015. The information in the environmental documents, supplemental information provided by the applicant (SEPA checklist, plans), and the experience of lead agency with review of similar projects form the basis for this analysis and conditioning of this decision.

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.

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 emissions and construction-related 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 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 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. However, the amount of excavation and size of construction will result in a small and temporary increase in truck trips and demand for on-street parking. Any closures of the public right of way will require review and permitting by Seattle Department of Transportation. The Transportation Construction Mitigation Plan required as part of the PUDA (discussed above) will provide adequate mitigation for anticipated impacts of the project. Additional mitigation is not warranted per SMC 25.05.675.B.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction, a temporary increase in traffic volumes to the site will occur, due to travel to the site by excavation workers and the transport of construction materials. Compliance with Seattle's Street Use Ordinance is expected to mitigate adverse impacts to traffic which would be generated during construction of this proposal. The Street Use Ordinance also includes regulations that mitigate dust, and mud. Temporary closure of sidewalks and/or traffic lane(s) would be adequately controlled with a street use permit through the Transportation Department. The Transportation Construction Mitigation Plan required as part of the PUDA (discussed above) will provide adequate mitigation for anticipated impacts of the project. No additional mitigation is warranted.

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 for project sites in Neighborhood Commercial zones.

If extended construction hours are desired, the applicant may seek approval from Seattle DCI through a Noise Variance request. The limitations stipulated in the Noise Ordinance and the noise mitigation plan required as part of the PUDA are sufficient to mitigate noise impacts and no additional SEPA conditioning is necessary to mitigation noise impacts per SMC 25.05.675.B.

Construction Impacts – Grading

Excavation to construct the residential structures will be necessary. Excavation will remove an estimated 11,000 cubic yards of material from the development site. Soil, gravel and similar landscaping and drainage materials may also be imported to the site. Transported soil is susceptible to being dropped, spilled or leaked onto City streets. The City's Traffic Code (SMC 11.74.150 and .160) provides that material hauled in trucks not be spilled during transport. The City requires that loads be either 1) secured/covered; or 2) a minimum of six inches of "freeboard" (area from level of material to the top of the truck container). The regulation is intended to minimize the amount of spilled material and dust from the truck bed en route to or from a site. The air quality, stormwater and TESC plans required as part of the PUDA (discussed above) will provide adequate mitigation for anticipated impacts of the project. No further conditioning of the impacts associated with the grading/excavation impacts of the project is warranted pursuant to SEPA policies (SMC 25.05.675.D).

Environmental Health

The applicant's environmental checklist indicated that a gas station was previously located on the southwest corner of the site and that soils remediation has been completed to the property line.

Mitigation of contamination and remediation is in the jurisdiction of Washington State Department of Ecology ("Ecology"), consistent with the City's SEPA relationship to Federal, State and Regional regulations described in SMC 25.05.665.E. This State agency program functions to mitigate risks associated with removal and transport of hazardous and toxic materials, and the agency's regulations provide sufficient impact mitigation for these materials. The City acknowledges that Ecology's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination.

The proposed strategies and compliance with Ecology's requirements are expected to adequately mitigate the adverse environmental impacts from the proposed development. Therefore, no further mitigation is warranted for impacts to environmental health per SMC 25.05.675.F.

Long - term Impacts

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

codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment and no further conditioning is warranted by SEPA policies. However, greenhouse gas, height bulk and scale, 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 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.

Transportation

The Traffic Impact Analysis (Transpogroup, *SHA Block 9 -Transportation Impact Analysis*, March 16, 2016) indicated that the project is expected to generate a net total of 630 daily vehicle trips, with approximately 64 net new PM Peak Hour trips and 53 AM Peak hour trips.

The additional trips are expected to distribute on various roadways near the project site, including 35th Ave SW and SW Graham St and these would have minimal impact on levels of service at nearby intersections and on the overall transportation system. The Seattle DCI Transportation Planner reviewed the information and determined that no mitigation is warranted per SMC 25.05.675.R.

Summary

In conclusion, several effects on the environment are anticipated resulting from the proposal, which are non-significant. The SEPA conditions imposed under the previously approved contract rezone (CF #305400/Ordinance #121164) are anticipated to mitigate specific impacts identified in

the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies. The SEPA conditions previously noted in this decision that directs the applicant to provide a comprehensive Construction Mitigation Plan (CMP) apply to this proposal and will be included as conditions with this decision. No additional SEPA conditioning is necessary.

DECISION – SEPA

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

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

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

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

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

CONDITIONS – DESIGN REVIEW

For the Life of the Project

1. The building and landscape design shall be substantially consistent with the materials represented in the materials submitted before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Tami Garrett (206) 233-7182 or tami.garrett@seattle.gov) or a Seattle DCI assigned Land Use Planner.

CONDITIONS – SEPA

Prior to Issuance of Excavation/Shoring, or Construction Permit

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

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

Date: October 31, 2016

TG:drm

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

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

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

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

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