

**APPLICATION FOR CERTIFICATE OF APPROVAL  
PIONEER SQUARE PRESERVATION BOARD  
SCREENING FOR WASTE AND RECYCLABLE MATERIALS STORAGE  
600 ALASKAN WAY**

The Scope of Work is for the installation of screening for waste and recyclable materials storage on a lot located at the intersection of Alaskan Way and Yesler Way. The material bins being stored are used by the Polson and 619 Western Buildings.

**BACKGROUND SUMMARY**

The subject property is a 16-ft wide parcel of land that extends southward from the Polson and 619 Western Buildings to the Yesler Way right-of-way. The parcel is located between the CitizenM Hotel and the Alaskan Way right-of-way.

Prior to the removal of the Alaskan Way Viaduct, waste and recyclable materials were stored without screening along the Alaskan Way frontage, primarily in front of the Polson and 619 Western Buildings. After removal of the Viaduct, as part of the development of the waterfront, the Office of the Waterfront directed the storage to be moved southward to current location to facilitate the installation of a bus stop area in front of the Polson and 619 Western Buildings.



View of waste and recyclable materials storage from the intersection of Alaskan Way and Yesler Way

A complaint regarding the location of the waste and recyclable materials storage was received by SDCI on July 1, 2022. A Notice of Violation (NOV) was issued by SDCI on December 5, 2022. After further SDCI review, a Reconsideration of Amended Notice of Violation – Land Use Code was issued (dated June 23, 2023) establishing the use of the lot for waste and recyclable materials storage, with the directive requiring the bins to be screened from public view and the requirement to obtain a building permit for the screening.

The NOV cited SMC 23.54.040.D.3, which requires storage spaces for waste and recyclable materials “be screened from public view and designed to minimize light and glare impacts.”

In reviewing the logistics further with the Office of the Waterfront, it was noted that vendors servicing the bins were using the intersection of Alaskan Way and Yesler Way instead of the ramp provided by SDOT at Alaskan Way. It was requested that the gates for the screened area be located as far north as possible to encourage usage of the ramp instead of the intersection.

## PROPOSED DESIGN

In reviewing the potential design for the screening, our office reviewed several options. The significance of this intersection was also noted as a primary entry point for the Pioneer Square Historic District from the Waterfront.

Potential options included:

1. A minimal solution, 6 ft high chain link fencing with vinyl slats,
2. A solid 6 ft high concrete masonry wall with metal gates,
3. A Green Wall with plantings,
4. A prominent design element that concealed the containers while providing an entry focus for the Historic District,
5. A design incorporating the vocabulary of the Waterfront urban design elements.

Each option was evaluated with respect to installation cost, operational expenses (maintenance of planting, for instance), security (partial visibility required to be able to observe any unauthorized entry or use), and potential for vandalism.

The design path chosen reflects the last option listed – providing a design that incorporates the vocabulary of the Waterfront urban design elements. The primary justification was to provide a design that would not create attention to the enclosure, but instead blend into the urban fabric of the Waterfront.

The Waterfront design incorporated enclosures for trash and recycling containers near Marion Street. There are two fenced areas constructed with prefabricated aluminum panels that provide screening for containers, while allowing for ventilation. Our office obtained the shop drawings for these installations from the Office of the Waterfront to create the proposed design. Photos, Page 4.

The proposed design incorporates a double gate at the north end. The fence structure, which is aluminum with a polyurethane coating, is mounted on a curb that protects the fence from the wheeled containers. The fencing is vertical slats rotated to obscure the bins while allowing for ventilation.

The natural drainage for the storage area is a slight slope in the south direction. The south end of the enclosure is designed without a curb to allow for drainage from rain and maintenance washing to drain to a small planting area with rocks and grass-type plantings to match adjacent Waterfront planting areas. The planting area is intended to serve as a biofiltration element to allow for the minimally sized enclosure area to drain naturally.

The proposed color for the aluminum panels is a gray tone to match the color of the adjacent streetscape elements (light poles, utility poles, bollards, etc.).

The specific color is RAL7024.



Note, this is a lighter color of gray than used for the existing enclosures on the Waterfront. Our intent is to both match the surrounding elements and to use a lighter tone to allow for the fencing to be less visually prominent.

List of Attachments:

Photos of Waterfront Enclosures at Alaskan Way and Marion Street (Page 4)

Order of the Director Following Reconsideration of Amended Notice of Violation  
Land Use Code, Case No. 1054987-VI, dated June 23, 2023.

Existing Site Plan

Fence Enclosure Plan

Typical Panel Details

Gate Detail

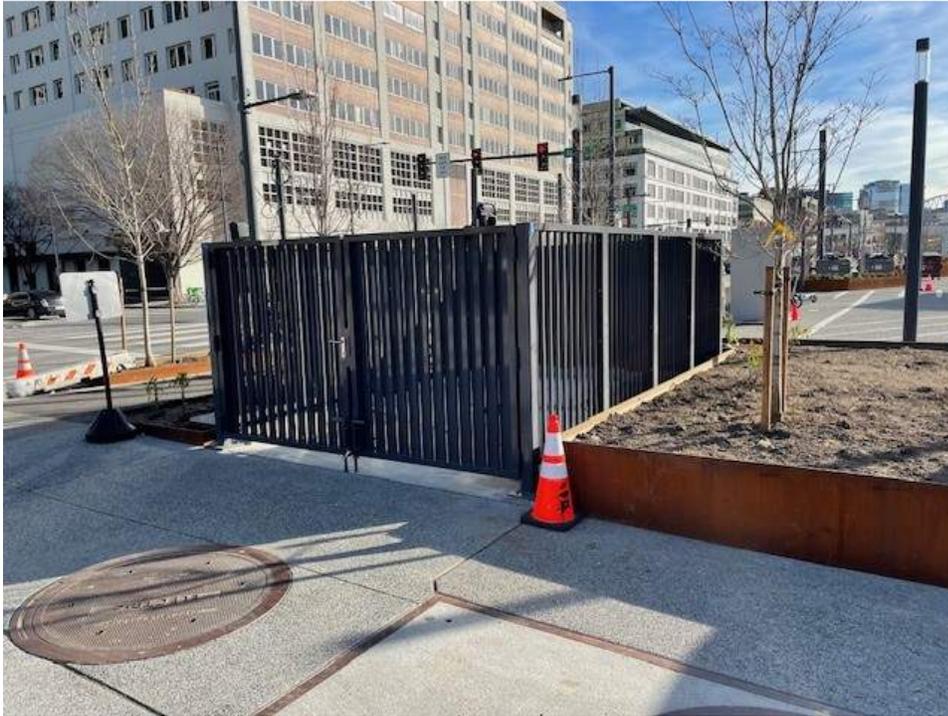
Site Plan incorporating overlay of proposed enclosure, together with notation showing intended pathway for servicing of containers.

3D View – Looking towards enclosure from North.

3D View – Looking towards enclosure from South (elevated)

3D View – Looking towards enclosure from South (eye level)

Photos of Waterfront Enclosures at Alaskan Way and Marion Street





**Order of the Director  
Following Reconsideration of Amended Notice of Violation  
Land Use Code**

**Case No. 1054987-VI**

June 23, 2023

Property Owner: L&B Property Investments  
Property known as: 600 Alaskan Way  
APN: 7666202566

619 Western Bldg/ L&B Property Investments  
2101 4th Ave #310  
Seattle, WA 98121

619 Western Bldg/ Property Manager  
619 Western Ave  
Seattle, WA 98104

Ron Wright & Associates / Architects, P.S.  
2003 Western Avenue, Suite 610  
Seattle, Washington 98121

Owner and management were cited in a (amended) Notice of Violation (NOV) dated December 5, 2022, for having waste and recyclable receptacles storage on a lot that is not the lot they serve and are not screened from public view. It also claimed they were attracting pests and causing other problems. Ron White, architect, on behalf of owners L&B Property Investments requested reconsideration of the NOV. The Director's representative reviewed the notice in accordance with the Seattle Municipal Code Title 23. **Based on the evidence presented, the Director has determined and orders that the Notice of Violation is amended to update the parcel number of the violation, remove the requirement to discontinue the use of the parcel for solid waste and recyclable materials storage and access, and to require a construction permit to establish the area which must be screened. The compliance date is extended to July 25, 2023.**

Background

SDCI received a complaint on July 1, 2022 that the waste and recyclable materials storage (the "bins") for the building at 619 Western Avenue are not on the lot they serve and are not properly screened. At his visit on October 28, 2022, SDCI Senior Inspector Scott Thiessen identified the bins on were on a separate parcel from the ones they serve, which contain the Polson and 619 Western Buildings. Inspector Thiessen issued an (amended) NOV on December 5, 2022, with a compliance date of December 9, 2022. Compliance required was to discontinue the use of parcel 7666202566 for storage of the bins. The notice also states that if located outdoors, waste storage spaces shall be screened from public view and designed to minimize light and glare impacts.

### Request for review

Stanley Piha requested review of the notice on December 7, 2022. SDCI responded and set December 27, 2022, as the due date for receipt of any additional information. Ron White, architect, on behalf of owners L&B Property Investments, responded. Mr. White sent a letter with attachments including photos of the property and property lines, a copy of the site plan for the property from the Office of the Waterfront for the Viaduct Removal project, and a copy of the approved site plan for the Master Use Permit of the property adjacent, which is the citizenM Hotel.

In his letter, Mr. White contends that the property where the bins are located has been continually used by the contiguous properties, the 619 Western and Polson Buildings, since the 1970s when their common ownership began. Before the viaduct removal, the parcel was used for parking for the two buildings. Mr. White also says that the Seattle Office of the Waterfront and Civic Projects established the location of the bins when they were moved to create a bus stop in front of their former location. Lastly, he argues that the complaint that this violation arose from was made by the neighboring citizenM Hotel because of a dispute over an offer to purchase the parcel containing the bins that was not accepted. They contend the City should not be involved in a private dispute.

### Letter from citizenM

In addition to the request for review, the manager of the citizenM Hotel submitted a letter. In it, the hotel claims that the bins are negatively impacting their business. In support, the manager offered a customer review saying that they wished the bins would be moved. The manager says that bins essentially create a nuisance because they attract pests and provide a place for unsheltered people to use drugs and relieve themselves. They say that the bins are not on the lot they serve in violation of the Land Use Code and that screening them wouldn't be enough to resolve the situation. Pictures were provided from August that show litter around and on the bins and a person behind them using drugs.

### Code provisions

Seattle Municipal Code 23.54.040 sets out the regulations for solid waste and recyclable materials storage and access. That section first provides the requirements for storage space size. Then, it states that "if located outdoors, the storage space shall be screened from public view"<sup>1</sup> and that "the storage space must be located on the lot of the structure it serves."<sup>2</sup>

### Discussion

There are three parcels at issue. 766620-2565 is the location of the Polson building. 766620-2570 is the parcel containing the 619 Western building. The King County Department of Assessments records show that parcel 312504-9099 was "killed." That property is now known as 766620-2566. Because the NOV named the parcel as 312504-9099, the NOV is hereby amended to reflect the updated parcel number.

Though they are on three different parcels, these contiguous properties have been commonly used since the 1970s. The parcel on which the bins are located was historically the parking area for the Polson and 619 Western buildings. With the removal of the SR-99 Alaskan Way Viaduct, the city eliminated the parking area. As part of the project, SDOT's Office of the Waterfront and

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<sup>1</sup> 23.54.040.D.3

<sup>2</sup> 23.54.040.E.1

Civic Projects moved the location of the bins from their former location in front of the northern end of the right of way further south to their current location to facilitate a new bus stop. SDOT created a new curb cut to facilitate trash pickups from the current location.

The code reads that the storage space required for bins must be on the "lot" of the structure they serve. It does not say "parcel." These parcels have been historically used as one "lot." Further, the Office of the Waterfront assigned this space for the bins and even created a way for them to be serviced. Because this parcel has been continuously used by the adjacent properties, they are considered to be on the lot of the structures they serve. They were also relocated there by the City. They may remain in the current location.

The code does require that storage spaces for waste and recyclable materials "be screened from public view and designed to minimize light and glare impacts."<sup>3</sup> A construction permit is required to establish the solid waste and recyclable materials storage area in that location with screening that complies with the code.<sup>4</sup>

#### Other issues

As to the argument that this is a private dispute, SDCI is a neutral party. If a code violation is identified, enforcement action must follow, regardless of the reason for the complaint. This does not constitute being involved in the private dispute. CitizenM's argument that the bins are negatively impacting their business and creating a nuisance is similarly not applicable to a review of the code violation.

#### Conclusion

Seattle Municipal Code 23.54.040 sets out the regulations for solid waste and recyclable materials storage and access, which is required. The space must be on the lot of the structure it serves. In this case, the bins are being used by the Polson and 619 Western buildings and they are on property that is and has been used as part of one lot. Further, the City placed them in this location as part of SDOT's Alaskan Way Main Corridor project in order to facilitate a bus stop. However, the bins must be screened from public view and a permit is required.

The NOV is amended. Amendments include updating the parcel number of the violation, removing the requirement to discontinue the use of the parcel for solid waste and recyclable materials storage and access, and to require a construction permit to establish the screened storage area. The compliance date is extended to July 26, 2023.

Please contact Housing & Zoning Inspector Senior Scott Thiessen (206-684-7794; [scott.thiessen@seattle.gov](mailto:scott.thiessen@seattle.gov)) when the corrections have been completed so that he may verify compliance.



K. Michele Hunter  
Review Officer  
City of Seattle Department of Construction and Inspections  
700 5th Avenue, Suite 2000  
PO Box 34019  
Seattle WA 98124-4019  
206-615-0808 / 206-233-7156 (TTY)

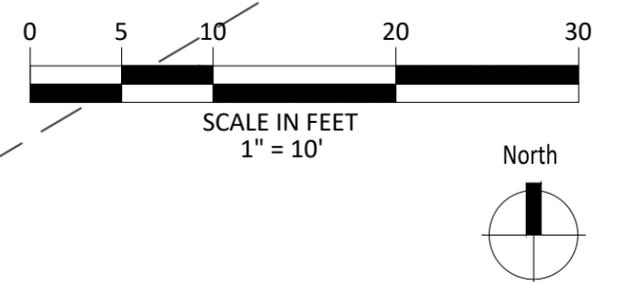
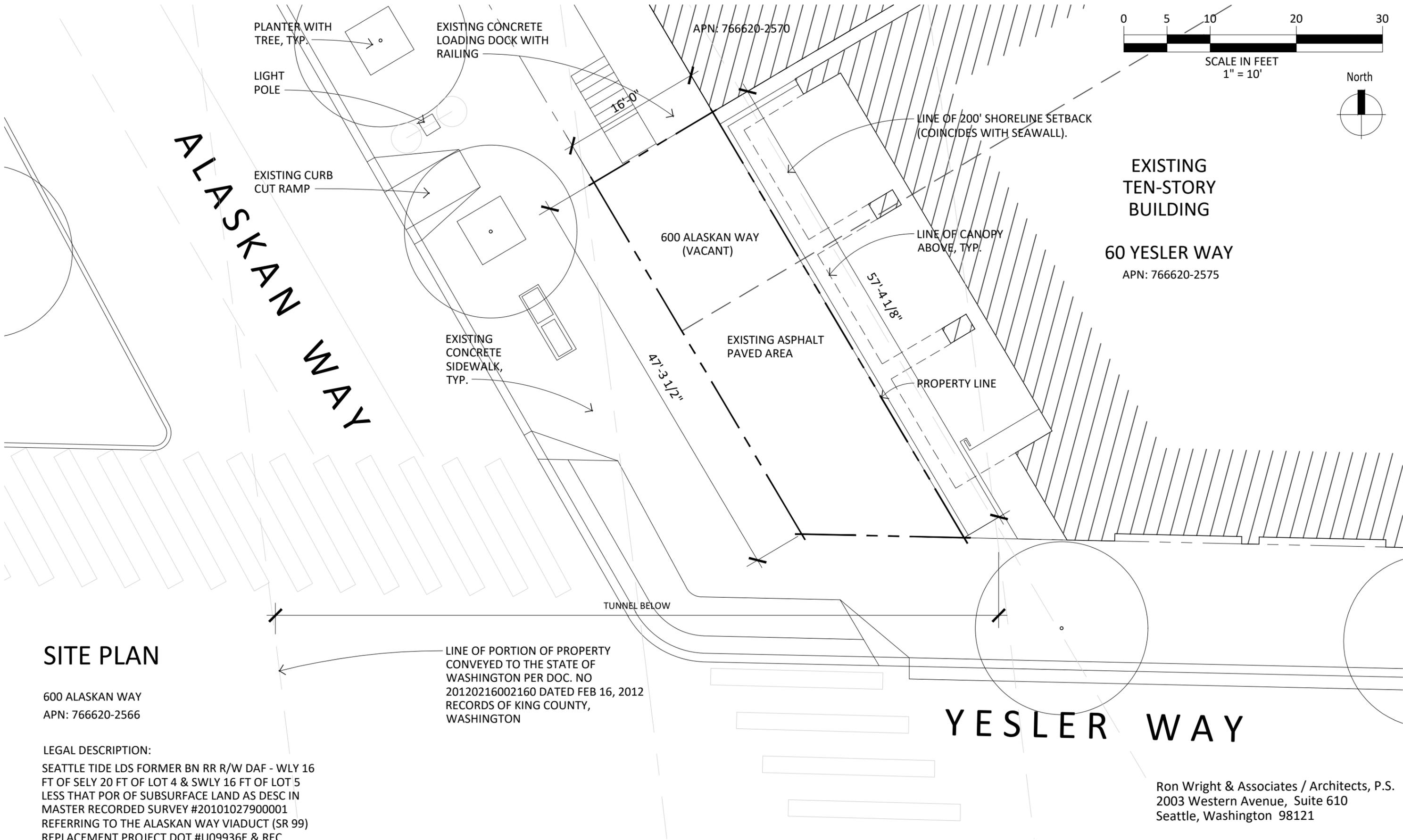
<sup>3</sup> 23.54.040.D.3

<sup>4</sup> 23.40.002, "The establishment or change of use of any structures, buildings or premises, or any part thereof, requires approval..."

CASE NO. 1054987-VI  
Order of the Director  
Page 4 of 4

[www.seattle.gov/sdci](http://www.seattle.gov/sdci)

cc: Melissa Balais  
via email to [citizenmelissa@citizenm.com](mailto:citizenmelissa@citizenm.com)



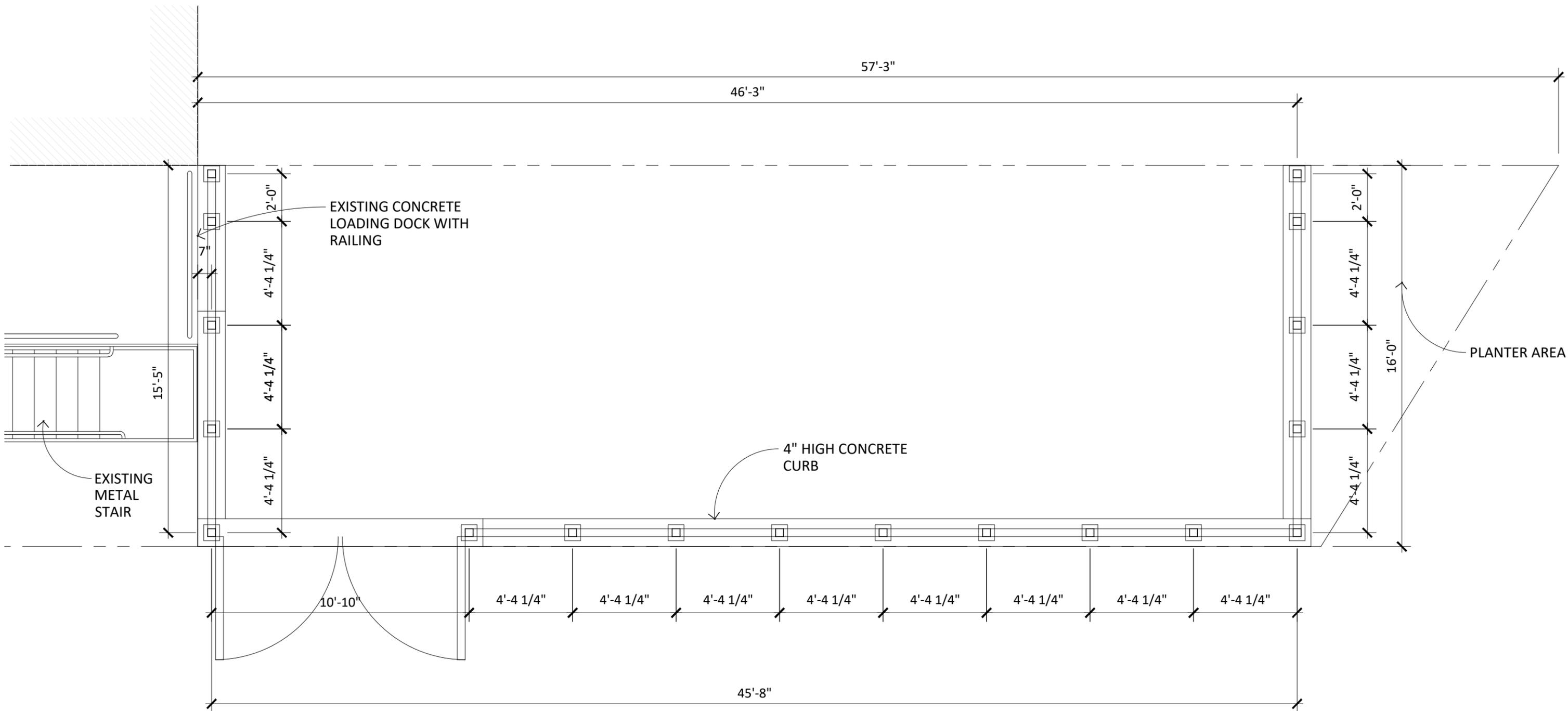
# SITE PLAN

600 ALASKAN WAY  
 APN: 766620-2566

**LEGAL DESCRIPTION:**  
 SEATTLE TIDE LDS FORMER BN RR R/W DAF - WLY 16 FT OF SELY 20 FT OF LOT 4 & SWLY 16 FT OF LOT 5 LESS THAT POR OF SUBSURFACE LAND AS DESC IN MASTER RECORDED SURVEY #20101027900001 REFERRING TO THE ALASKAN WAY VIADUCT (SR 99) REPLACEMENT PROJECT DOT #U09936E & REC #20120801002133

Ron Wright & Associates / Architects, P.S.  
 2003 Western Avenue, Suite 610  
 Seattle, Washington 98121

FEBRUARY 20, 2024

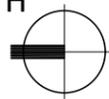


# TRASH CONTAINER ENCLOSURE

1/22/24

1/4" = 1'-0"

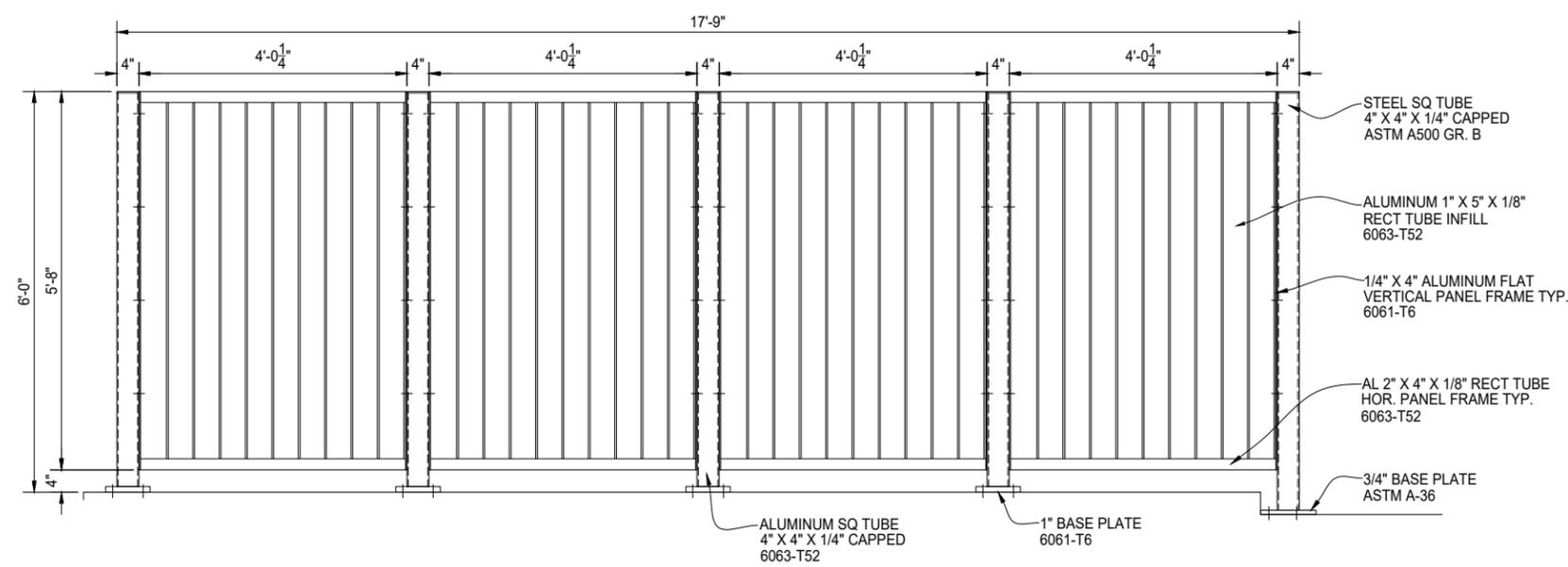
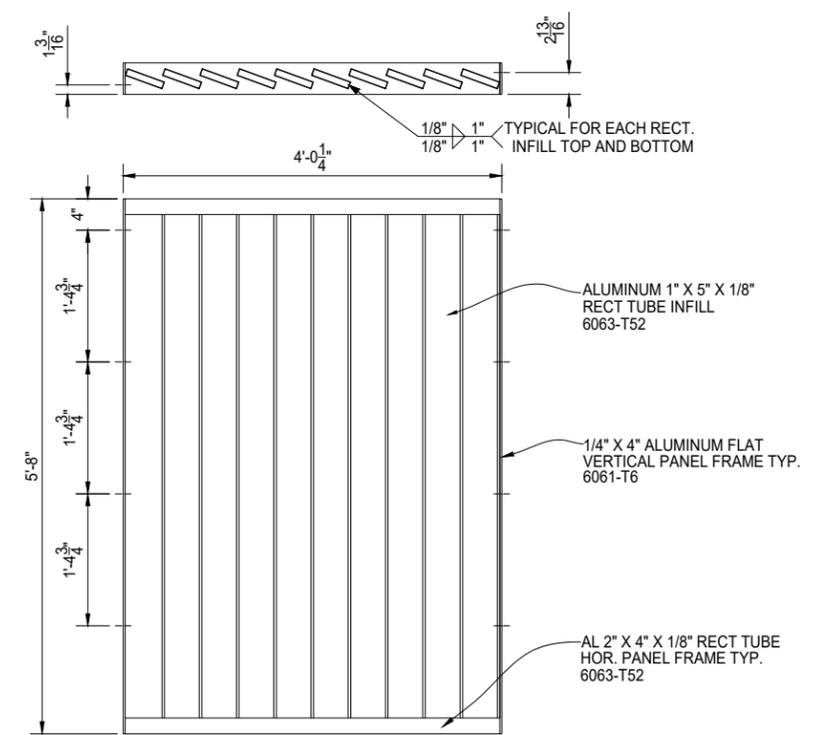
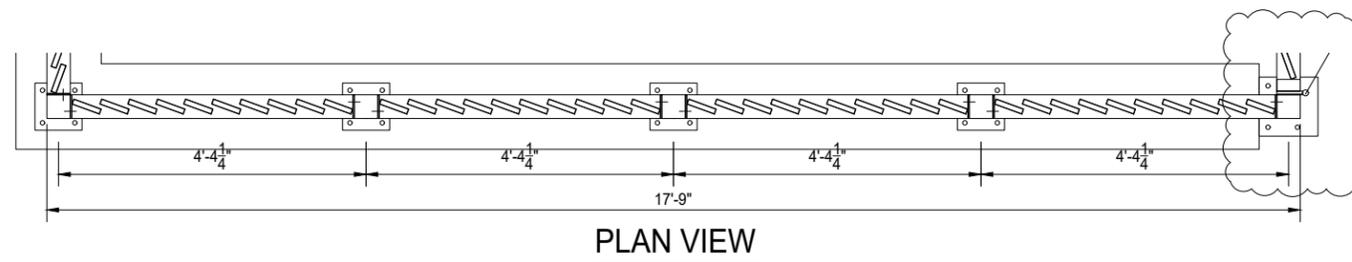
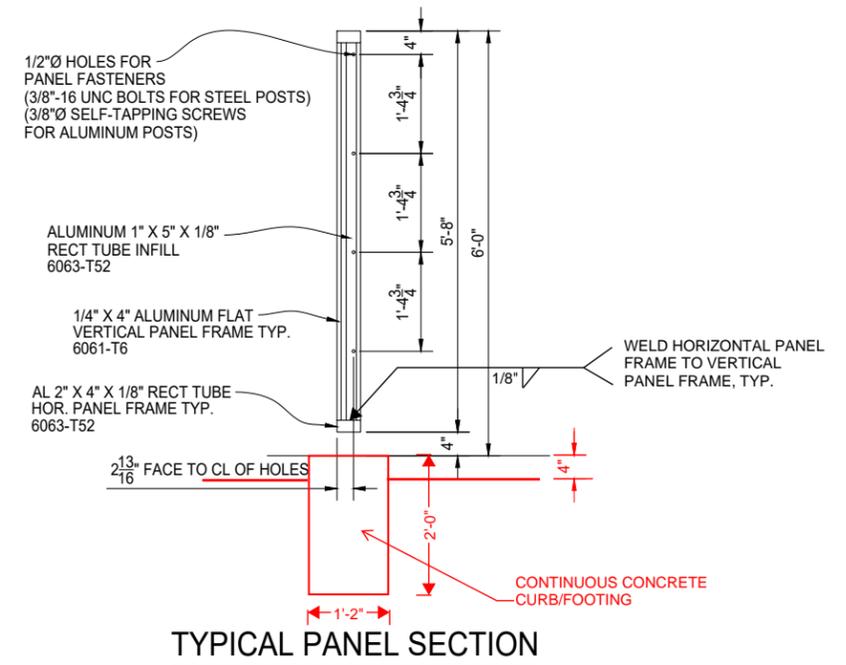
NORTH



## WESTERN BUILDING

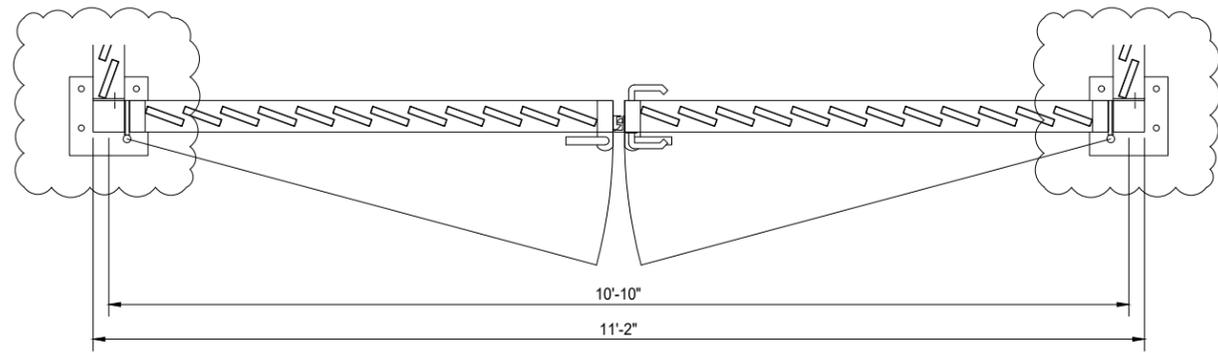
Seattle, Washington

RON WRIGHT & ASSOCIATES/ARCHITECTS, P.S.  
 203 WESTERN AVENUE, SUITE 610  
 SEATTLE, WASHINGTON 98121  
 (206)728-4248

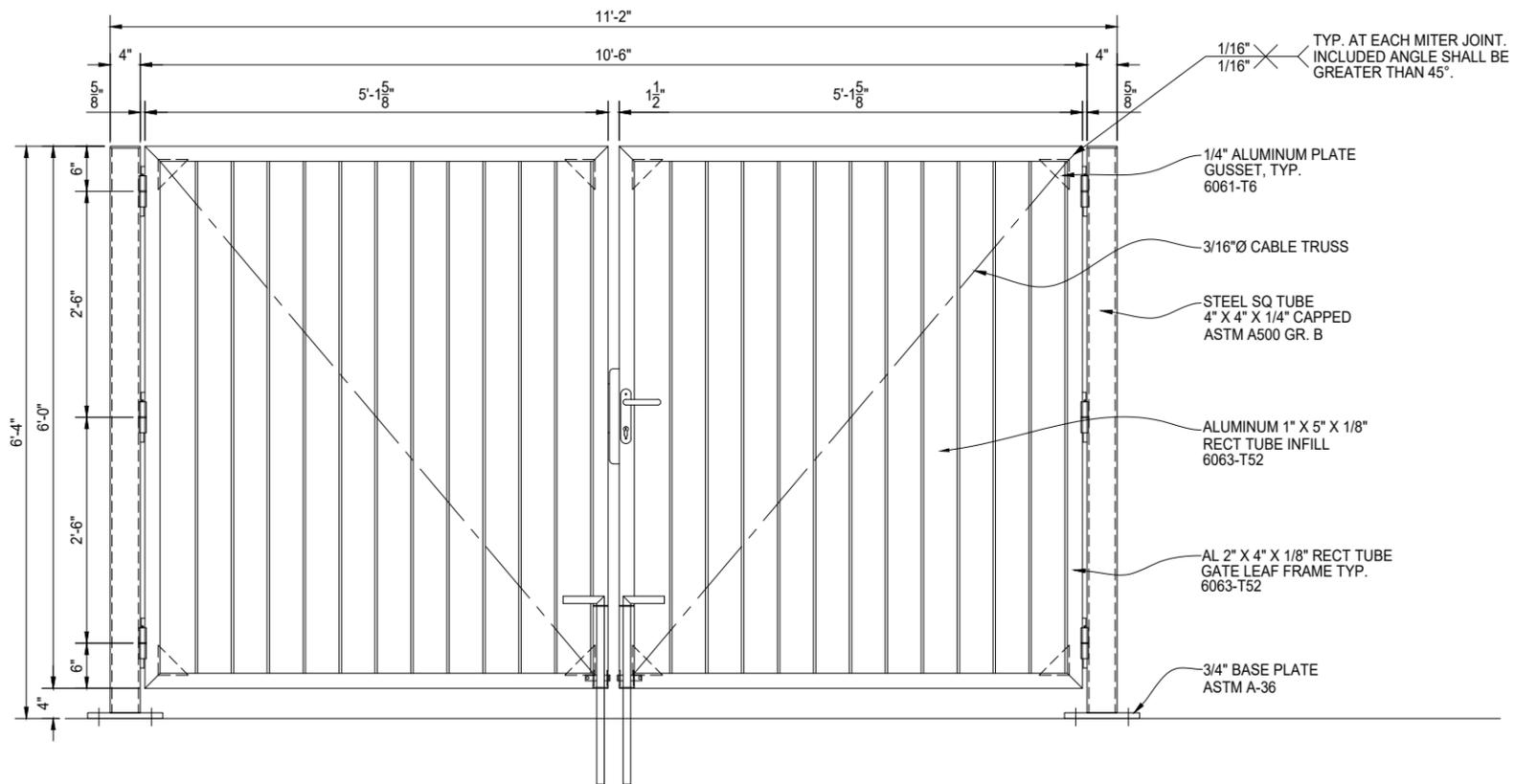


**B TRASH ENCLOSURE ELEVATION**

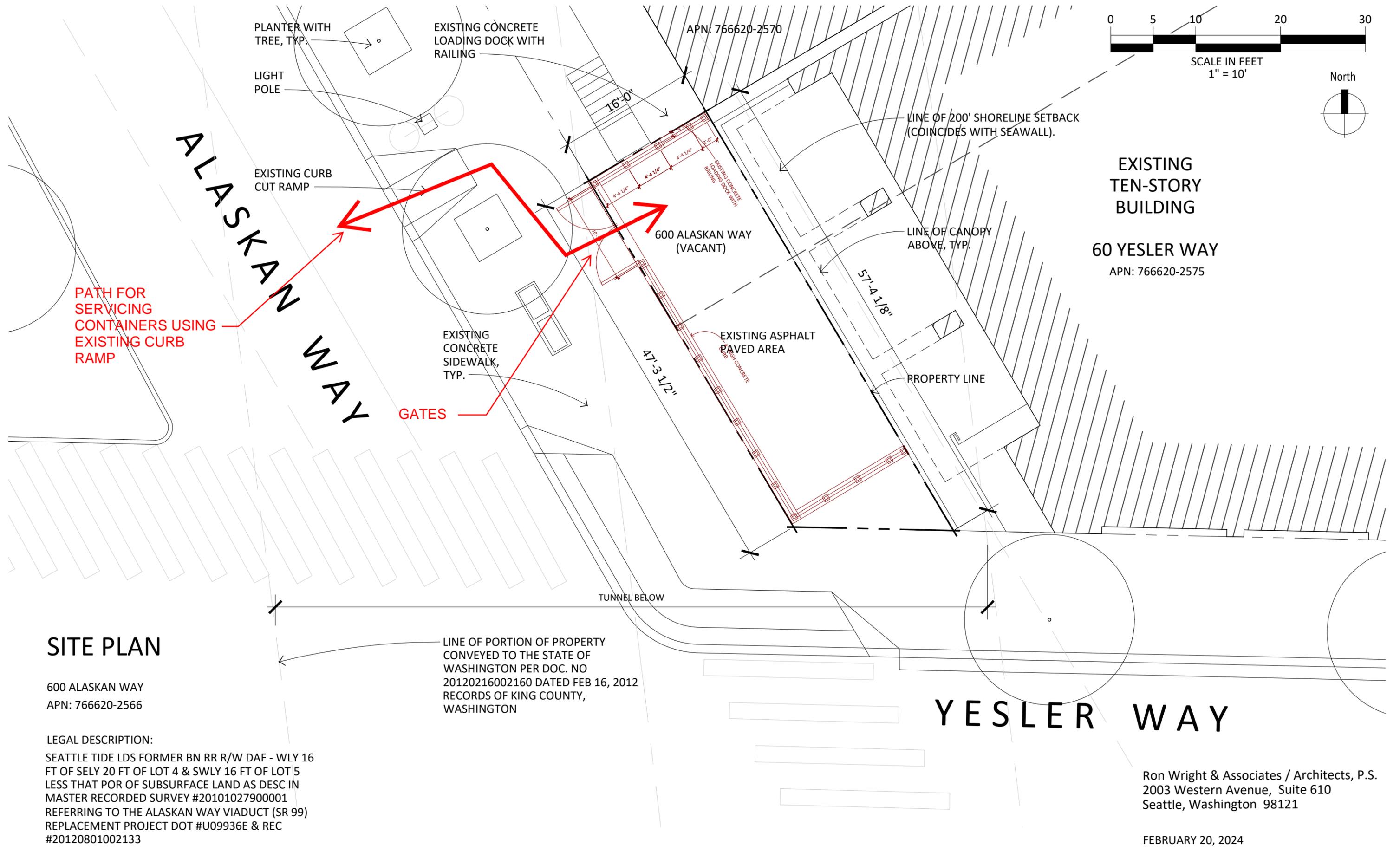
**ALUMINUM ENCLOSURE PANELS**  
ENCLOSURE FOR WASTE AND RECYCLABLE MATERIAL BINS  
600 ALASKAN WAY



PLAN VIEW



**GATE**  
 ENCLOSURE FOR WASTE AND RECYCLABLE MATERIAL BINS  
 600 ALASKAN WAY



# SITE PLAN

600 ALASKAN WAY  
 APN: 766620-2566

LEGAL DESCRIPTION:  
 SEATTLE TIDE LDS FORMER BN RR R/W DAF - WLY 16 FT OF SELY 20 FT OF LOT 4 & SWLY 16 FT OF LOT 5 LESS THAT POR OF SUBSURFACE LAND AS DESC IN MASTER RECORDED SURVEY #20101027900001 REFERRING TO THE ALASKAN WAY VIADUCT (SR 99) REPLACEMENT PROJECT DOT #U09936E & REC #20120801002133

LINE OF PORTION OF PROPERTY CONVEYED TO THE STATE OF WASHINGTON PER DOC. NO 20120216002160 DATED FEB 16, 2012 RECORDS OF KING COUNTY, WASHINGTON

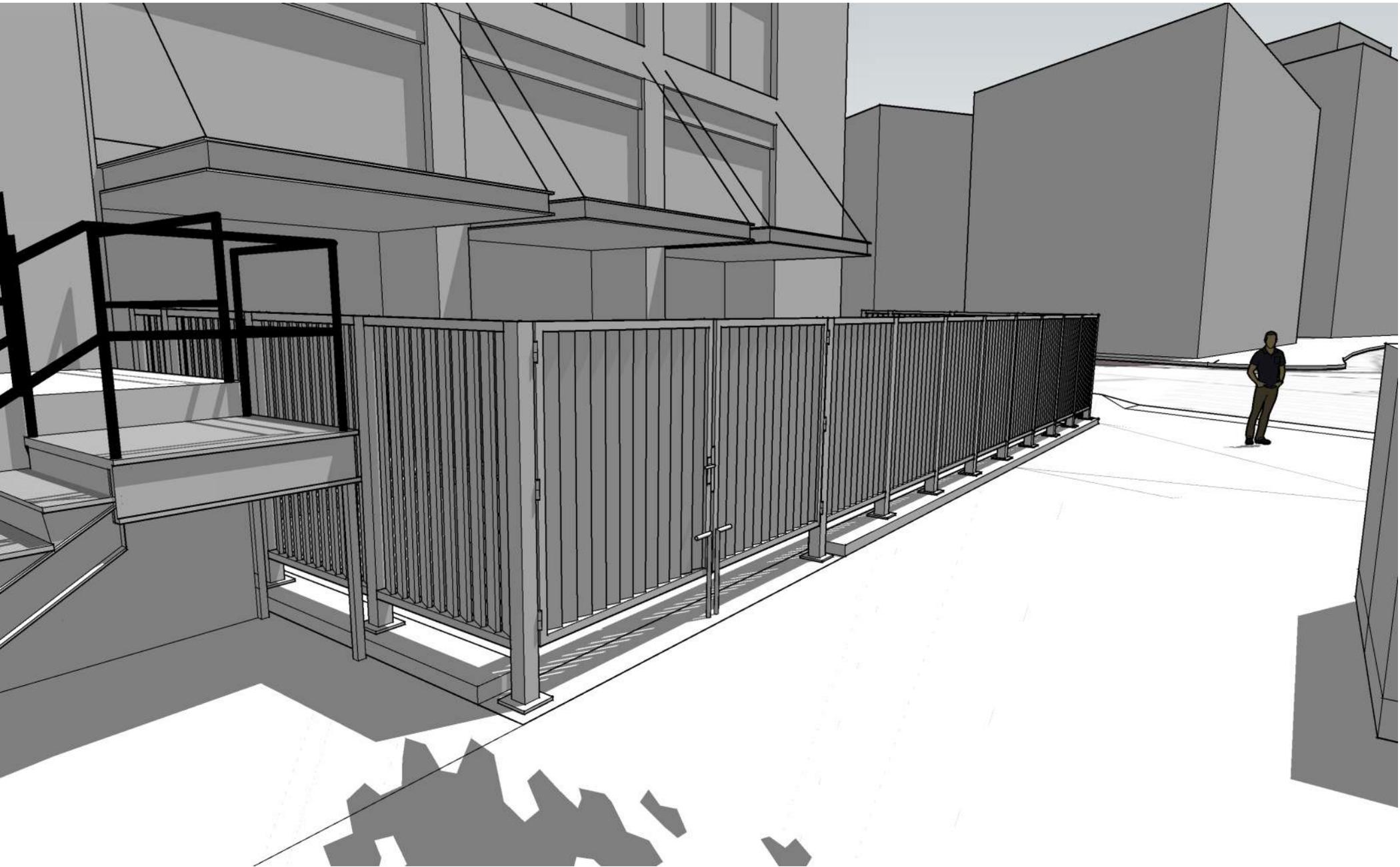
# YESLER WAY

EXISTING TEN-STORY BUILDING  
 60 YESLER WAY  
 APN: 766620-2575

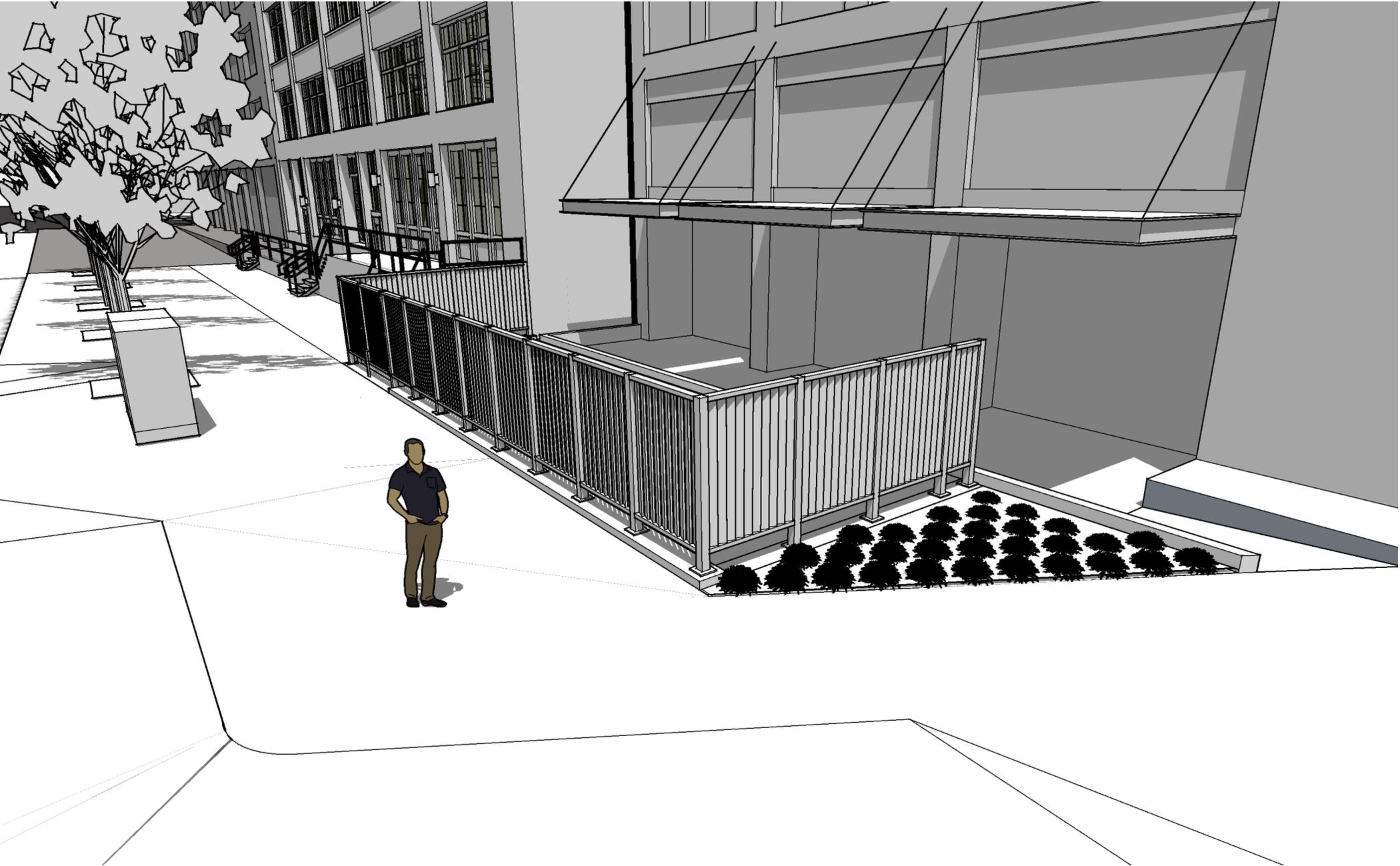
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 Seattle, Washington 98121

FEBRUARY 20, 2024

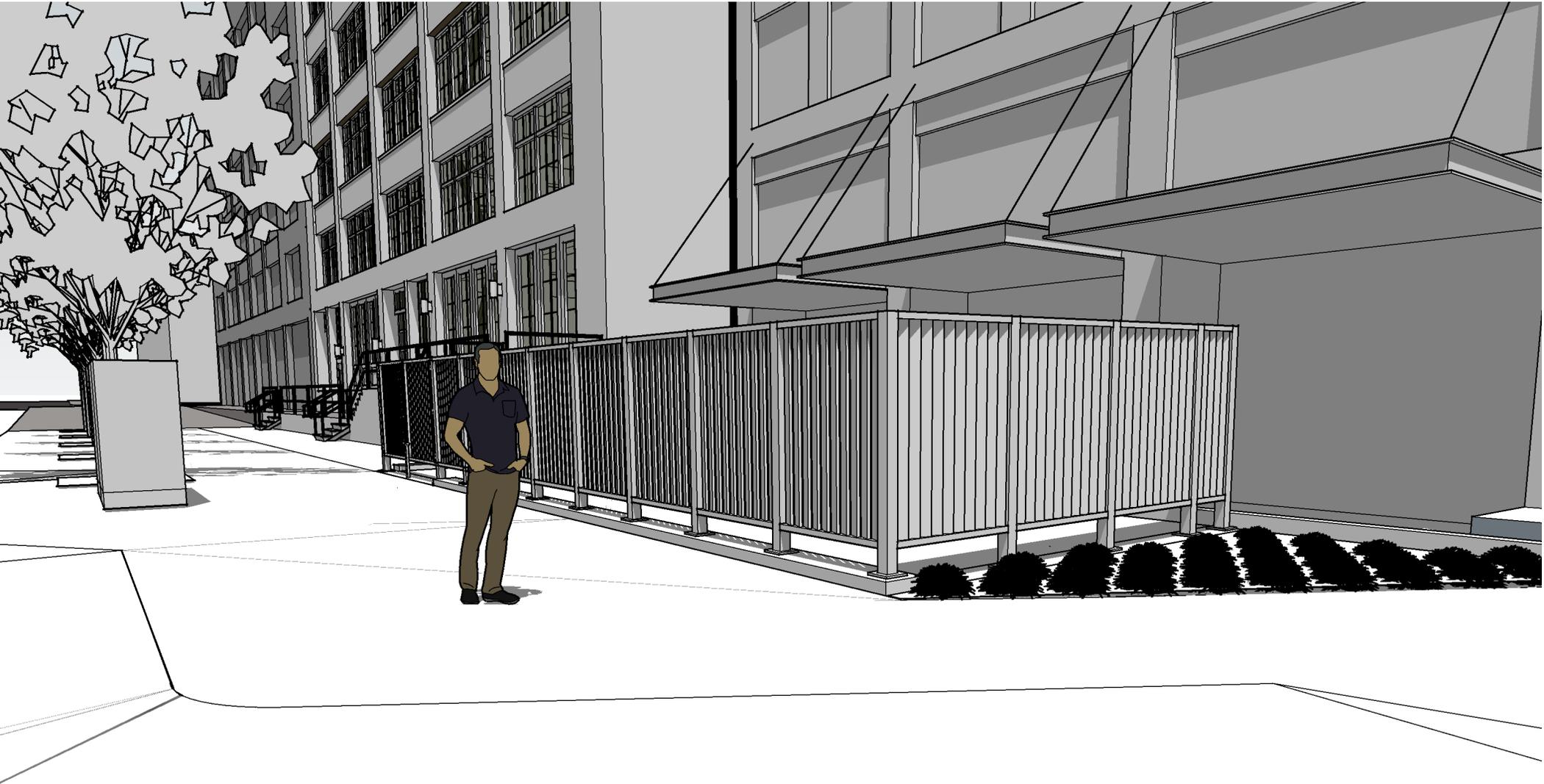
VIEW FROM NORTH LOOKING SOUTH



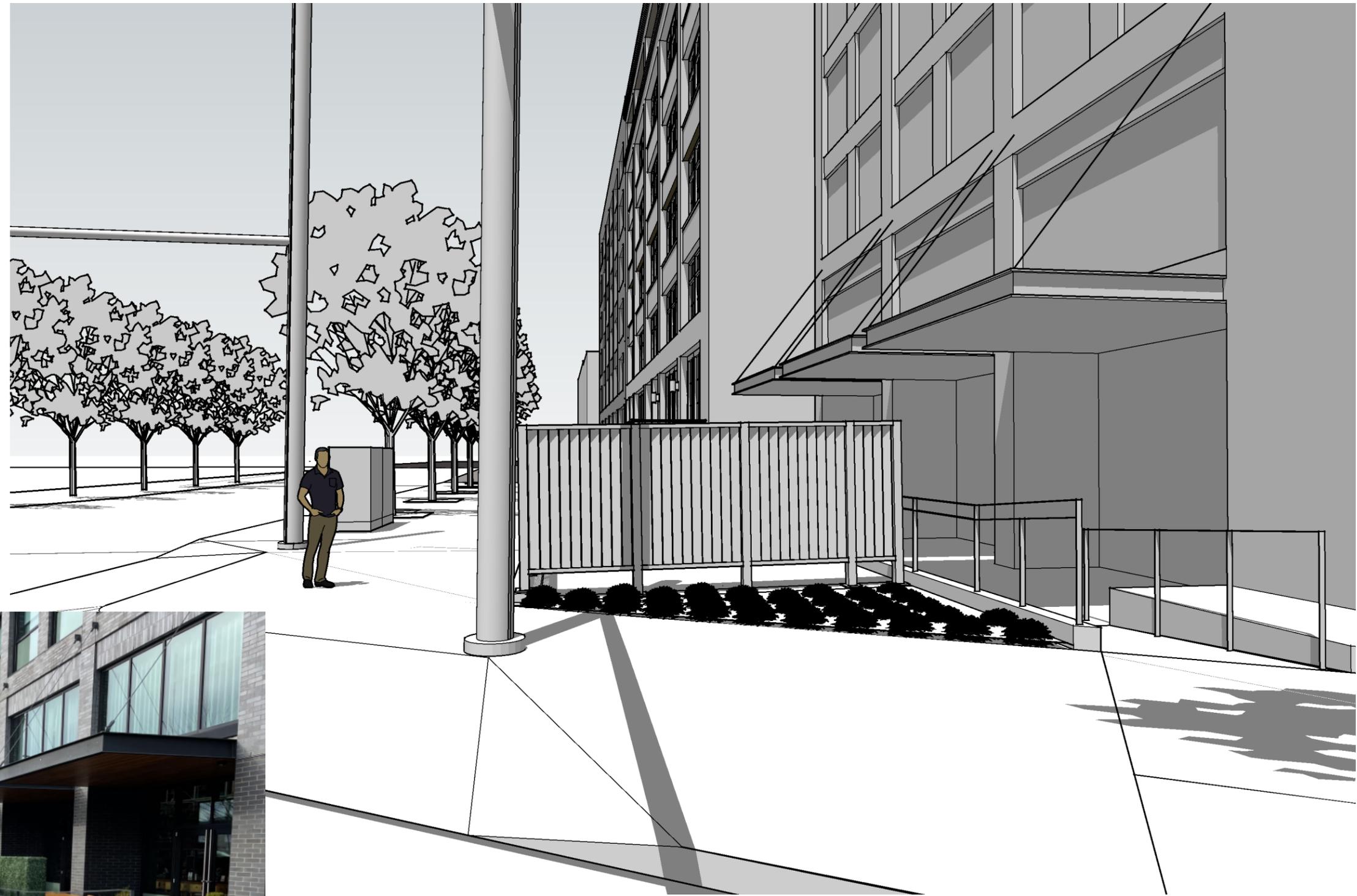
VIEW FROM SOUTH LOOKING NORTH - ELEVATED



VIEW FROM SOUTH LOOKING NORTH AT EYE LEVEL

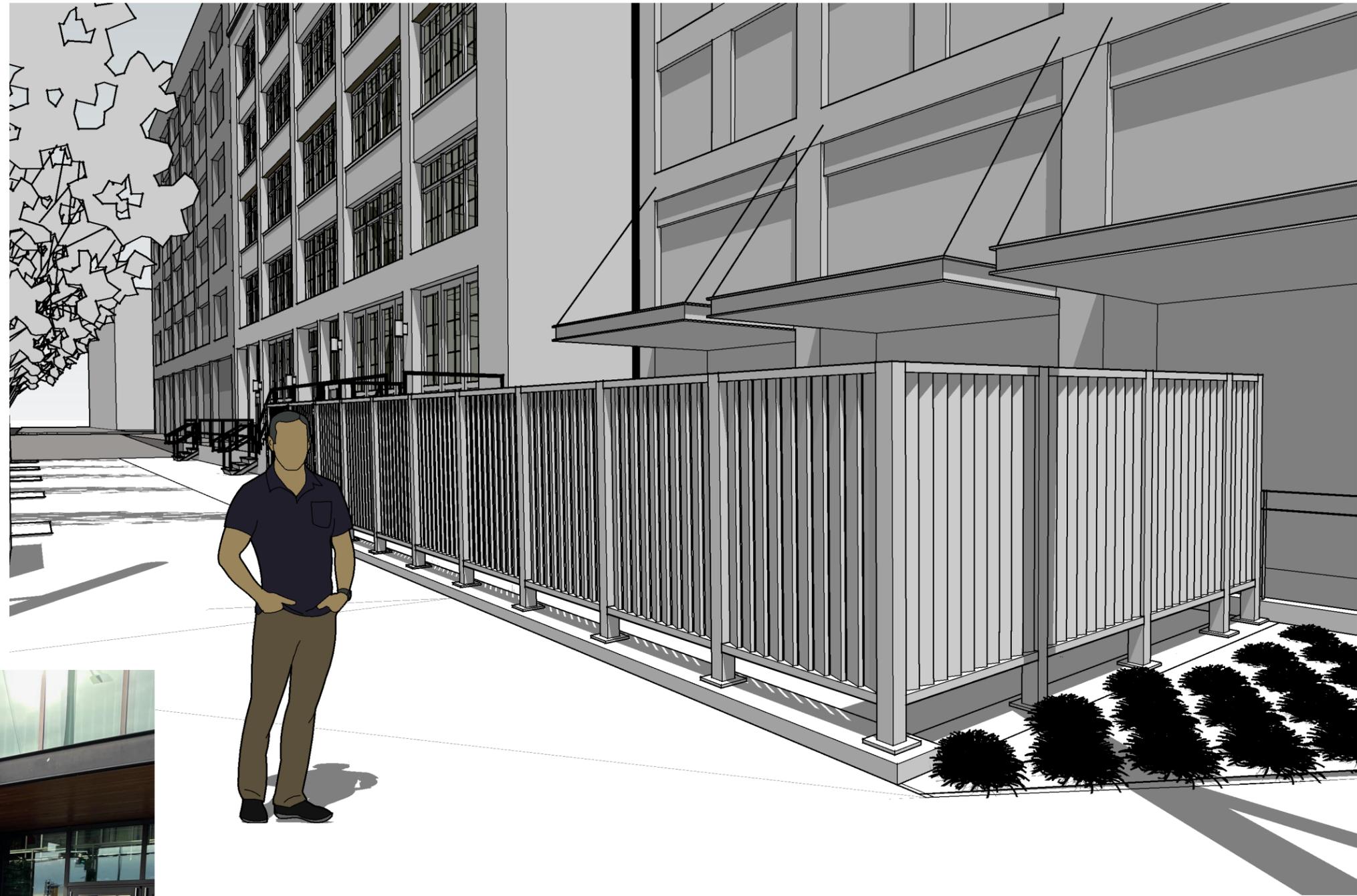


VIEW LOOKING NORTH  
FROM YESLER STREET



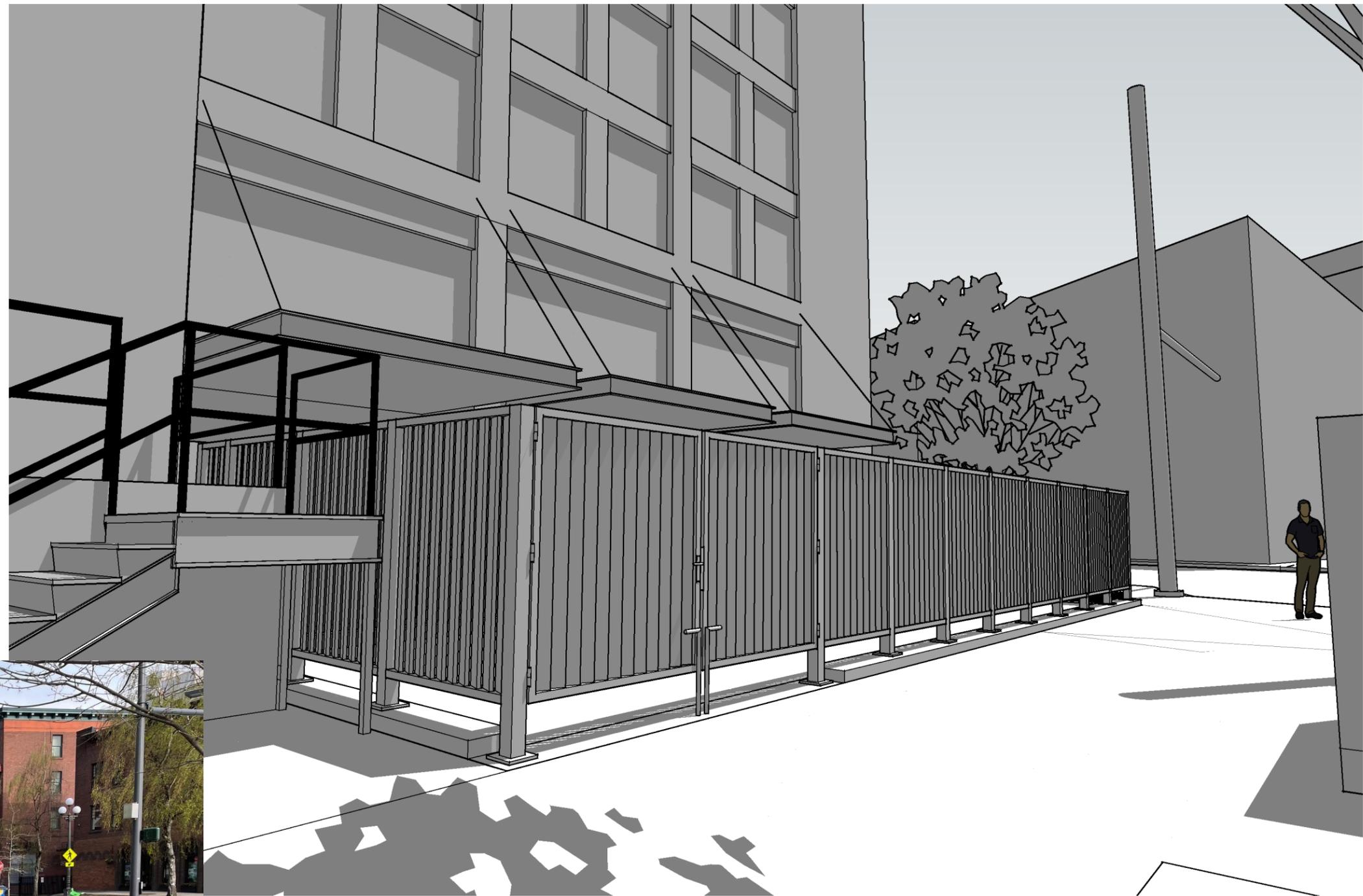
RON WRIGHT & ASSOCIATES/ARCHITECTS, P.S.  
2003 WESTERN AVENUE, SUITE 610  
SEATTLE, WASHINGTON 98121  
(206)728-4248

VIEW LOOKING  
NORTHEAST FROM  
ALASKAN WAY SIDEWALK



RON WRIGHT & ASSOCIATES/ARCHITECTS, P.S.  
2003 WESTERN AVENUE, SUITE 610  
SEATTLE, WASHINGTON 98121  
(206)728-4248

VIEW LOOKING  
SOUTHEAST FROM  
ALASKAN WAY SIDEWALK



RON WRIGHT & ASSOCIATES/ARCHITECTS, P.S.  
203 WESTERN AVENUE, SUITE 610  
SEATTLE, WASHINGTON 98121  
(206)728-4248