Comment Response – Screening for garbage and recycling containers

Ron Wright & Associates/Architects, P.S. Application Checklist Date: 4/5/24

Project Address: 600 Alaskan Way **Project No: DONH- COA-01246**

Response to Correction Comments Received via email dated 5/9/24:

We've completed a review for project DONH-COA-01246 at 600 ALASKAN WAY SEATTLE, WA 98104 and additional information is required.

The Board requested the following: demonstration and evaluation of other possible locations rather than the corner including: - Along the private property strip next to the 619 Western and Polson Buildings along Alaskan Way, -Along Western Ave Garage door or other location Plan that shows the garbage screened from all 4 sides. Further explanation/demonstration of why the greenery was limited. (pros and Cons) Specifications of the plants proposed. Can the number of waste bins be reduced to what they used prior.

6/20/24: Additional response is provided based upon email request for additional information received on 6/20/24. The additional response is incorporated into the previous 5/28/24 response.

RESPONSE:

1. Demonstration and evaluation of other possible locations rather than the corner including: -Along the private property strip next to the 619 Western and Polson Buildings along Alaskan Way, -Along Western Ave Garage door or other location.

The attached EXHIBIT A shows the three parcels that are considered as combined lot for the Polson Building, the 619 Western Building, and 600 Alaskan Way.

The waste and recycling collection service is established as consisting of

- (2) 2-cubic yard size waste containers (dumpsters)
- (4) 2-cubic yard size recycle containers (dumpsters)
- (2) 96-gallon Food and Yard Waste containers

The current location of the waste and recycling containers is shown on the attached EXHIBIT B, together with notations regarding the requirements of SMC 23.54.040 (F), which requires containers to be placed no more than 50 feet from a curb cut or collection location, and further stipulates that the container location cannot be located within a bus stop area.

The ramp installed by SDOT is shown with the 50-foot distance highlighted.

The depth of the lot from the property line to loading dock for both the buildings is 8'-6", which is not enough depth to allow for maneuvering containers within a storage area. In this area between the loading dock and property line, each

container or pair of containers would require a separate gate to facilitate both user access and collection access.

6/20/24: EXHIBIT D shows the arrangement of the containers perpendicular to the property line with each pair of containers sharing a gate.

There is only one portion of the area between the loading dock and the property line that is within the 50-foot criteria identified above. This area is not large enough to accommodate the containers.

6/20/24: Per the attached sketch (EXHIBIT D) the area is approximately 8'-6" wide by 29'-0" long. Due to the limited depth, the containers are shown perpendicular to the property line, with service to the containers occurring between pairs of containers. The sketch shows the ability to provide a screened location for only 4 of the 6 required 2-yard waste containers.

The stairs at each end of this area are required egress stairs for occupants of the building to reach the public way. The three installed stairs are equidistant from each other, located per SDCI Building Permit No. 6292856-CN.

Note that the intention for the preparation of the sketch for EXHIBIT D is to provide a graphic representation of our statement that the area is not large enough to accommodate the containers. The use of this area for the storage of waste containers would hinder the economic viability of the ground floor tenant spaces of the Western Building, both of which are designed to accommodate the potential for full-service restaurant operations. The Owner has no intention of moving the containers from the existing location, which has been determined by SDCI to be acceptable based upon the historic use of the property.

The area in front of the southern portion of the Polson Building is a bus zone area. Installation of screen adjacent to the northern portion of the Polson Building would limit visibility for buses turning onto Columbia. (There is an existing easement at this corner as well.)

6/20/24: In addition to the visibility issues noted, this location would require a new curb ramp adjacent to the bus shelters and would result in garbage trucks blocking the bus lane at the intersection while servicing the containers.

As requested in the ARC meeting, we have prepared a survey of the building elevations for both buildings, attached as EXHIBIT C. We were asked to provide a review of possible modifications to buildings to place the containers inside the buildings. Any modifications to the existing buildings would be detrimental to the historic character of the buildings. It is also not possible to use the basement area of Polson Building because of the steep slope of the interior ramp from basement level to the street level (20%).

6/20/24: The Polson building basement is used for parking and utility areas, including a City Light vault. The parking spaces are included as part of the tenant lease agreements for the office spaces on the upper floors.

1. For the possible option of locating the waste containers in the basement of the Polson Building, it has been suggested the 2-yard waste containers could be transported up and down the access ramp to the garage using an industrial pallet jack.

According to Waste Management, a typical 2-yard dumpster has a weight capacity of between 400 and 600 pounds. A pallet jack used for the purpose of moving a full 2-yard dumpster would need to be an electric powered jack (versus a manual jack).

Pallet jacks are designed for the movement of materials in industrial applications on level surfaces – typically within warehouse environments. While it's possible to use a pallet jack to carry a load on an inclined surface, manufacturers of pallet jacks universally caution against the use of pallet jacks on any inclined surface, and specifically note inclines greater than 10% can create dangerous situations for the operator of unit.

It is not feasible to require the Owner to regularly conduct a potentially unsafe operation to move waste containers.

2. The existing garage parking is fully leased as a component of the office leases for the upper floors of the building. The placement of waste containers in the basement would eliminate a minimum of 6 to 8 spaces, resulting in a current dollar value loss of \$1,800-\$2,400 per month, and the spaces would need to be removed from existing tenant leases. This would have an impact upon the future ability to lease the tenant spaces.

Based upon the number and size of the containers being stored, the requirements of SMC 23.54.040 (F), and the historic significance of the buildings as contributing (secondary) structures to the Historic District, the 600 Alaskan Way parcel is the most appropriate location for the storage.

Further, it has been established by SDCI that the 600 Alaskan Way location is an acceptable location for the storage of the containers.

2. Plan that shows the garbage screened from all 4 sides.

As requested, we are now proposing to provide the screening on all four sides of the new enclosure. A revised plan is provided.

3. Further explanation/demonstration of why the greenery was limited. (pros and Cons).

Per our initial submittal, we reviewed several options for the screening. As noted in the ARC meeting, one option was the development of a green wall solution. The green wall was envisioned as a soft, natural edge for the corner once the plantings become established. This option was ultimately not selected for the final proposed design. Additional rational for this decision included:

1. The location is fully exposed to the south and west, creating the need for plantings that would survive in full sun adjacent to heat absorbing pavement.

- 2. An irrigation system would be required. The system would need to be supplied from the 619 Western Building, which is possible but would be a significant expense.
- 3. The plantings would need to be selected to prevent the creation of a habitable environment for rodents.
- 4. The plantings would require regular maintenance more than a wall or fence solution.
- 5. It would not be possible for the gates to be green, which would effectively result in a hybrid solution of fencing and green screening.
- 4. Specifications of the plants proposed.

Plantings in the south (rain garden) area are proposed to be Variegated Sweet Flag (Acorus gramineus 'Ogon'), a versatile evergreen groundcover with upright, narrow, golden striped, grassy foliage to 12" high. The plant spacing will be 18" diagonally spaced. The base of the planting is 2-4" rounded river stone rocks.



5. Can the number of waste bins be reduced to what they used prior.

The collection frequency is weekly, as established by Seattle Public Utilities (SPU) and the designated vendor, Recology. The number of containers (identified in the response to Item 1 above) is based upon the size and operational use of the buildings, together with the general established experience of waste and recycling generated by the tenants of both buildings.

The stated focus for Seattle Public Utilities (SPU) is to emphasize waste prevention, which creates more need for recycling containers. The number of waste and recycling containers used in the past (prior to the demolition of the Viaduct) is not relevant for achieving the current waste management goals.

Any reduction in the number of containers would result in the need for more frequent collections on non-standard days, which would be a significant additional cost.

6/20/24: In specific response to the question regarding reducing the number of containers to what they used prior, the issue is the size of the containers.

Photographs of the containers from prior to the removal of the Viaduct show fewer containers than are now used. However, the previous containers were larger containers

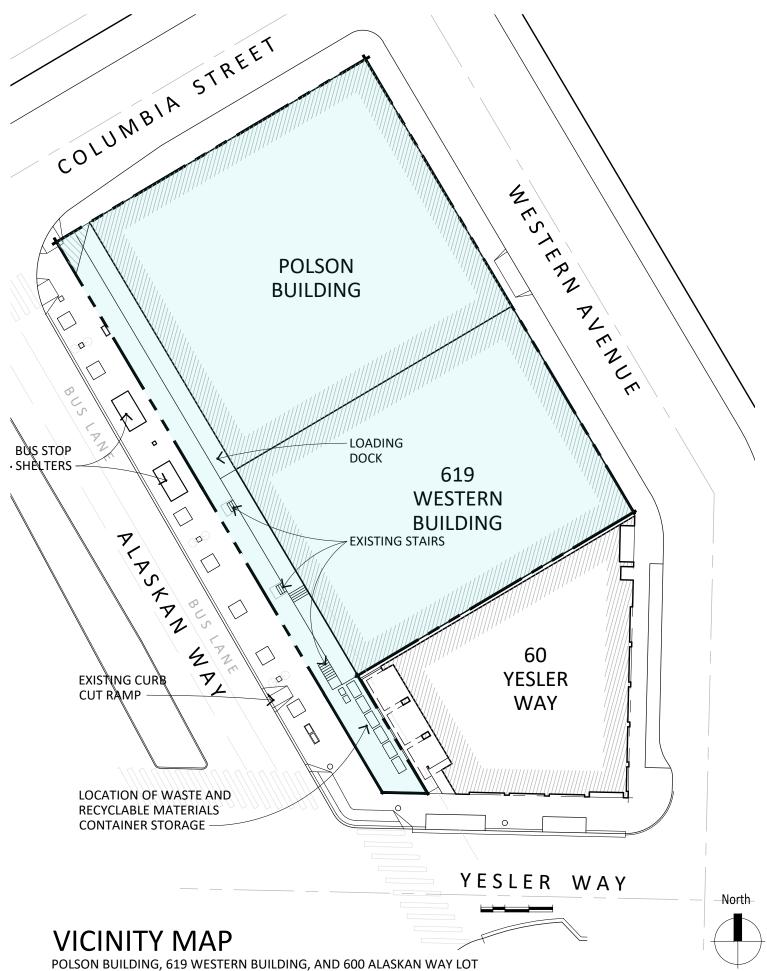
able to be serviced using the front loader arms of a garbage truck. The area below the Viaduct was directly accessible by garbage trucks.

When a waste container needs to be moved to a garbage truck, the maximum size allowed (SDOT) is a 2-yard container. The current waste containers are the maximum 2-yard container size. This is why more containers are present currently than in the past. The overall capacity of the waste containers has not changed.

Ron Wright, AIA <u>rwright@rwaa.com</u> (206) 728-4248 CELL (206) 910-7470

ATTACHMENTS:

EXHIBIT A – Site Vicinity Plan EXHIBIT B – Extended Site Plan showing area along Alaskan Way EXHIBIT C – Photo Survey of Existing Building Elevations EXHIBIT D – Enlarged Site Plan for Area adjacent to Western Building Revised Plan showing screening on four sides. **EXHIBIT A**



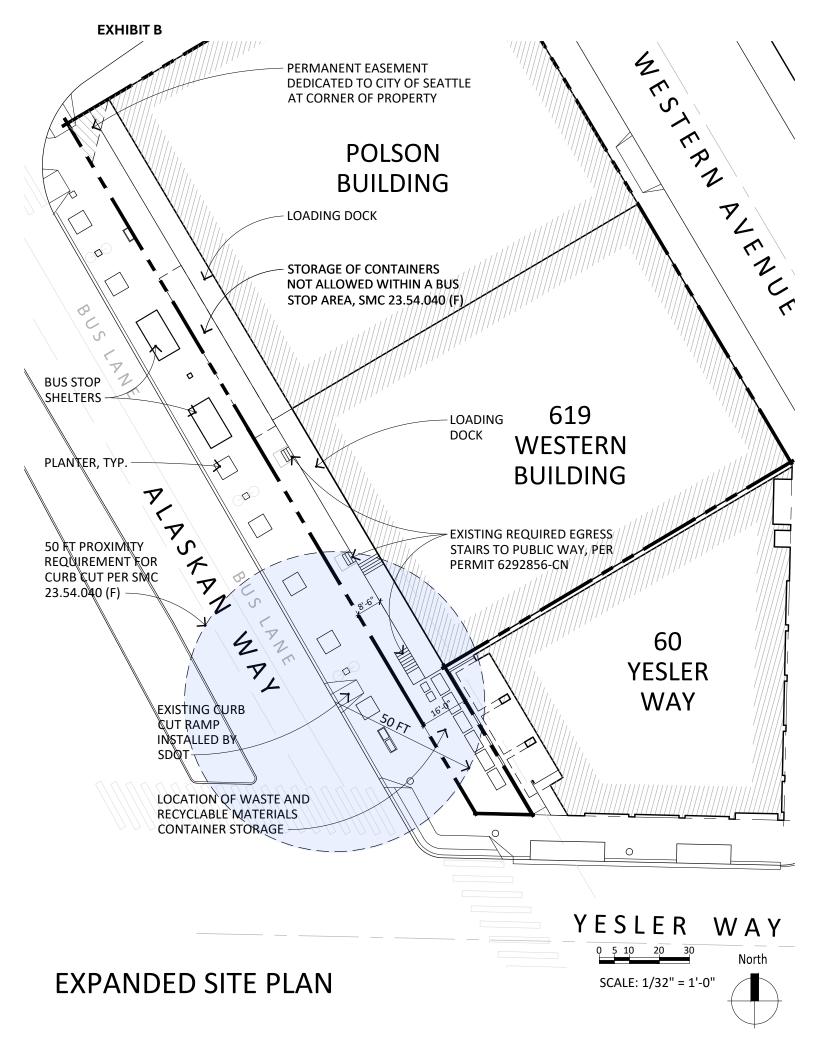


PHOTO SURVEY OF EXISTING BUILDINGS

Both the 619 Western Building and the Polson Building were constructed in 1910 as warehouse/industrial buildings, with utilitarian designs. Each building is six stories tall, both having a single level basement used for parking.

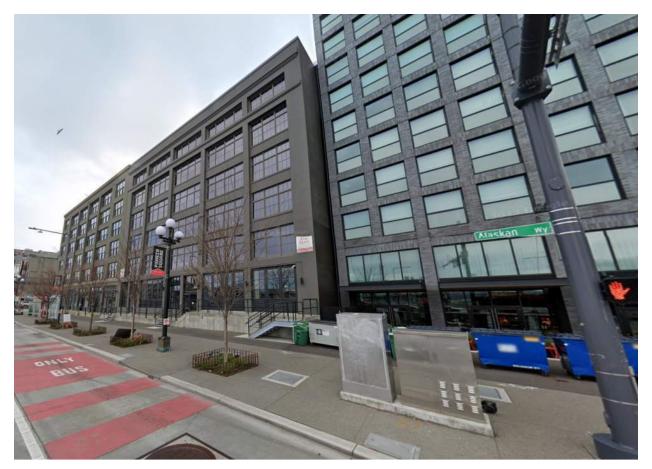
The Polson Building parking garage is below the entire first floor, accessible via ramp within the building to the street level at Western Avenue via a large coiling door. A parking garage area encompassing a portion of the basement of the 619 Western Building was added to the building during the 2014 renovations. This garage area is accessible at the basement level from the Polson Building garage area.

The exterior shell of both buildings is reinforced concrete, the interior construction is heavy timber. The buildings share a common concrete demising wall. A defining feature of both buildings is the large amount of window glazing.

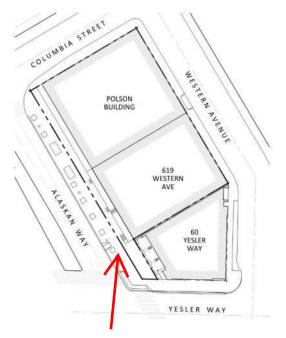
The 2014 renovations to the 619 Western Building were completed using Federal National Park Service Tax Credits.

Both the 619 Western Building and the Polson Building contribute to the historic fabric of the Pioneer Square Historic District. Modifications to provide interior storage areas for waste and recycling containers would be detrimental to the historic character of the buildings.

The following pages are photos of existing facades for both buildings.

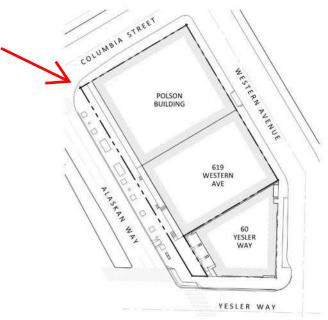


Looking north on Alaskan Way



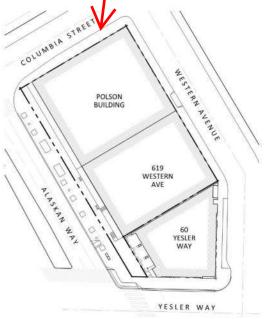


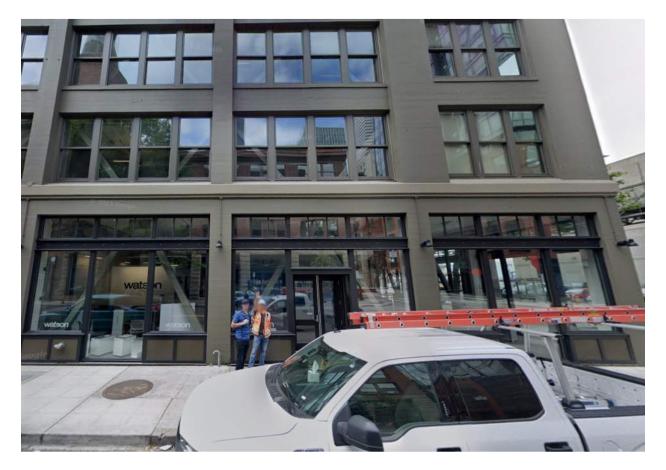
Looking east at the northwest corner of Polson Building.



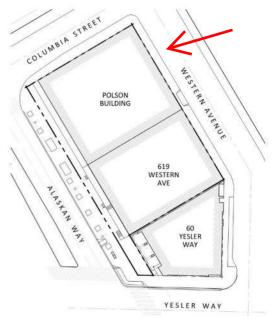


Columbia Street elevation of the Polson Building.



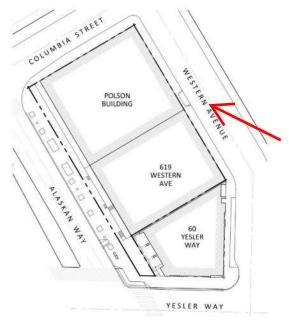


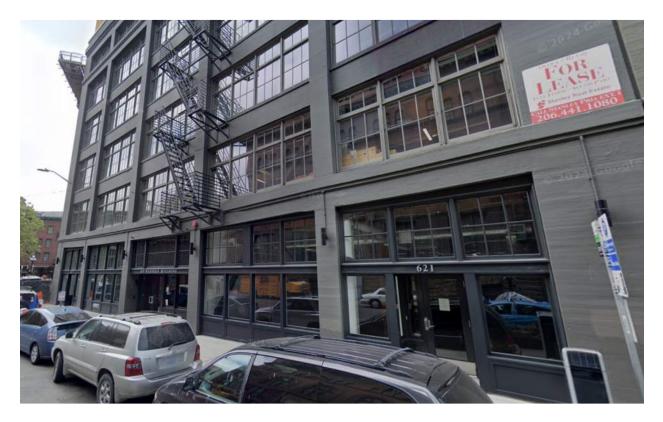
Partial west elevation of the Polson Building.



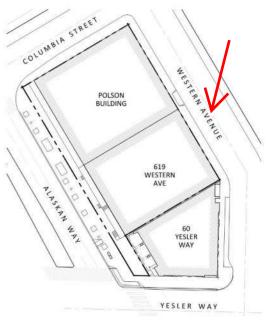


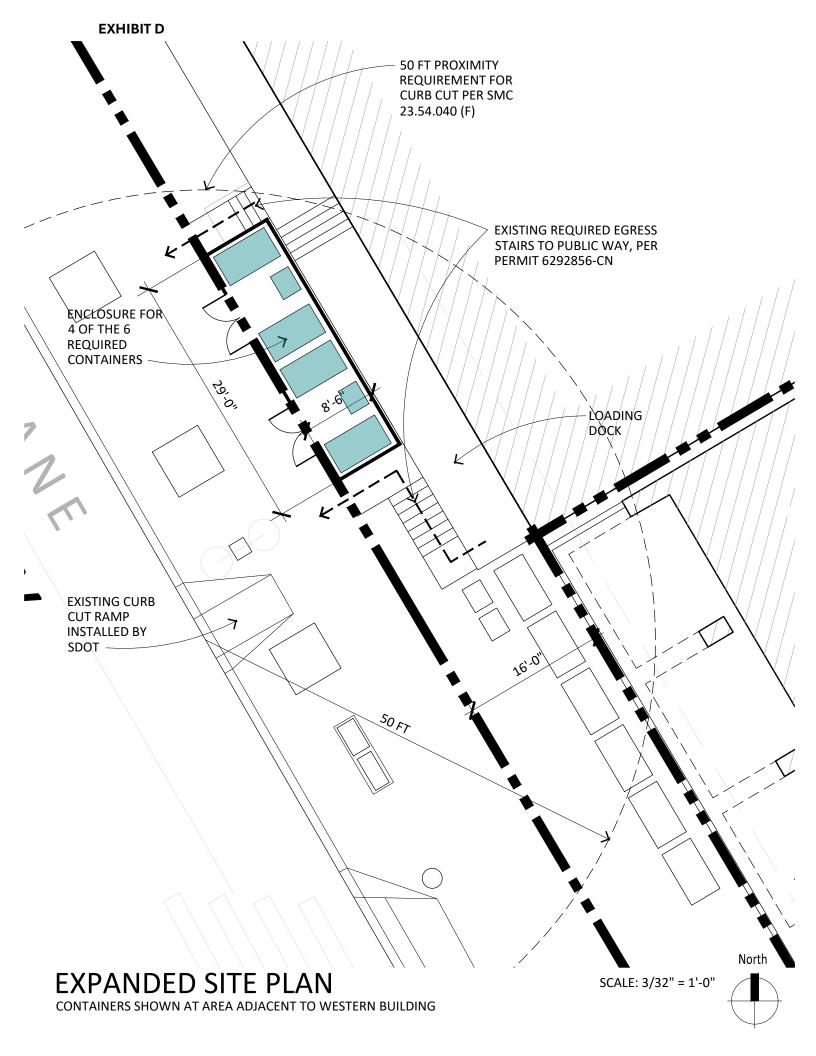
Polson Building looking north on Western Avenue.

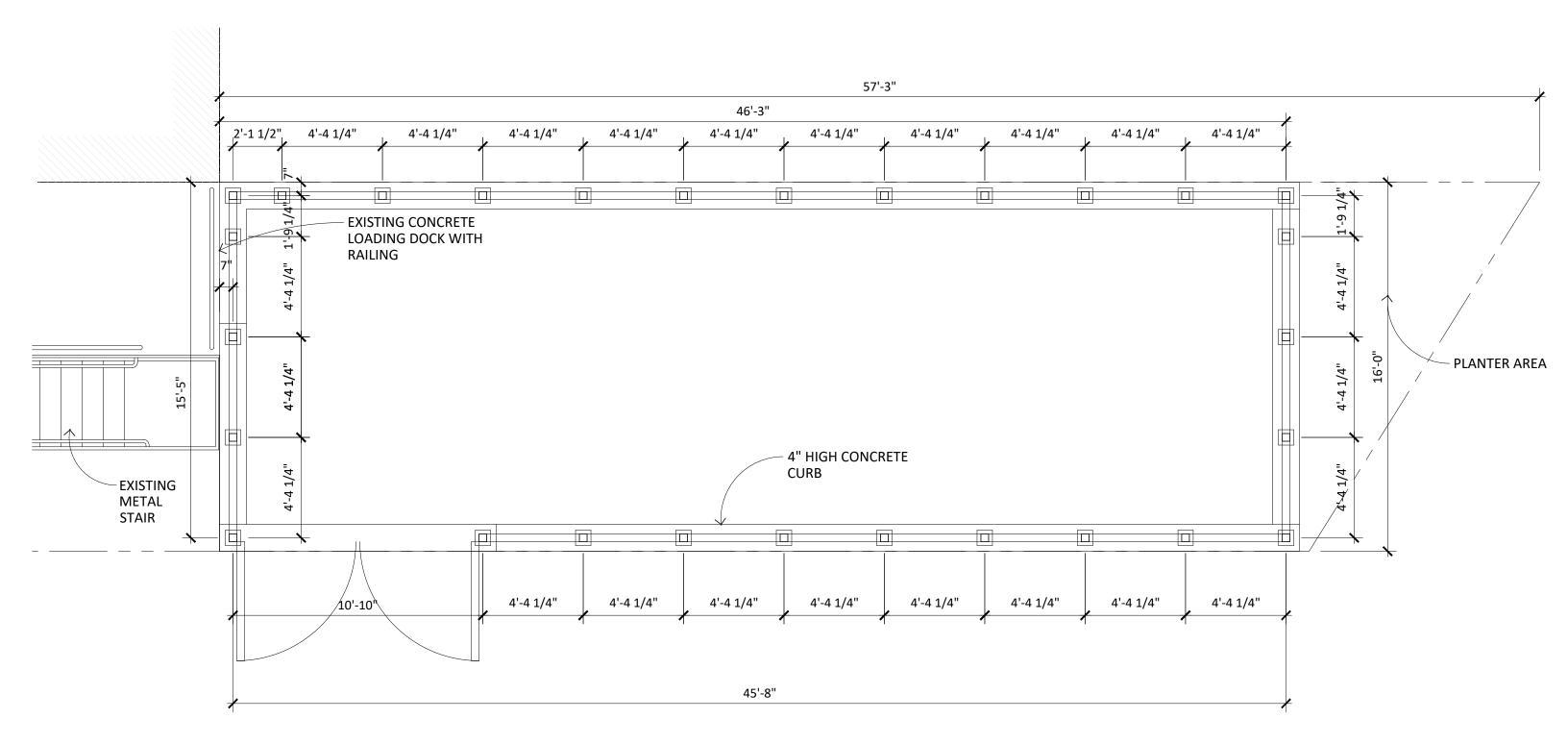




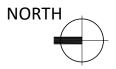
619 Western building from Western Avenue.







TRASH CONTAINER ENCLOSURE



WESTERN BUILDING

Seattle, Washington

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

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

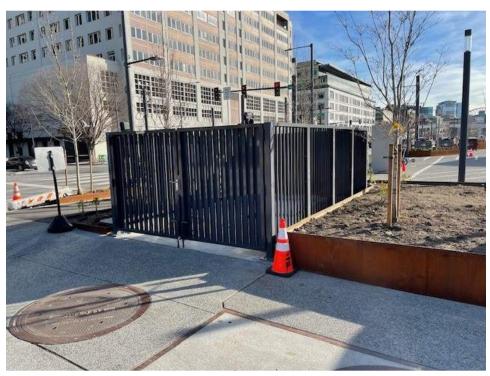
Gate Detail

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.

CASE NO. 1054987-VI Order of the Director Page 2 of 4

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 continuedly 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"¹ and that "the storage space must be located on the lot of the structure it serves."²

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

¹ 23.54.040.D.3 ² 23.54.040.E.1 CASE NO. 1054987-VI Order of the Director Page 3 of 4

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."³ 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.⁴

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; <u>scott.thiessen@seattle.gov</u>) when the corrections have been completed so that he may verify compliance.

K. Michale Hetts

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)

³ 23.54.040.D.3

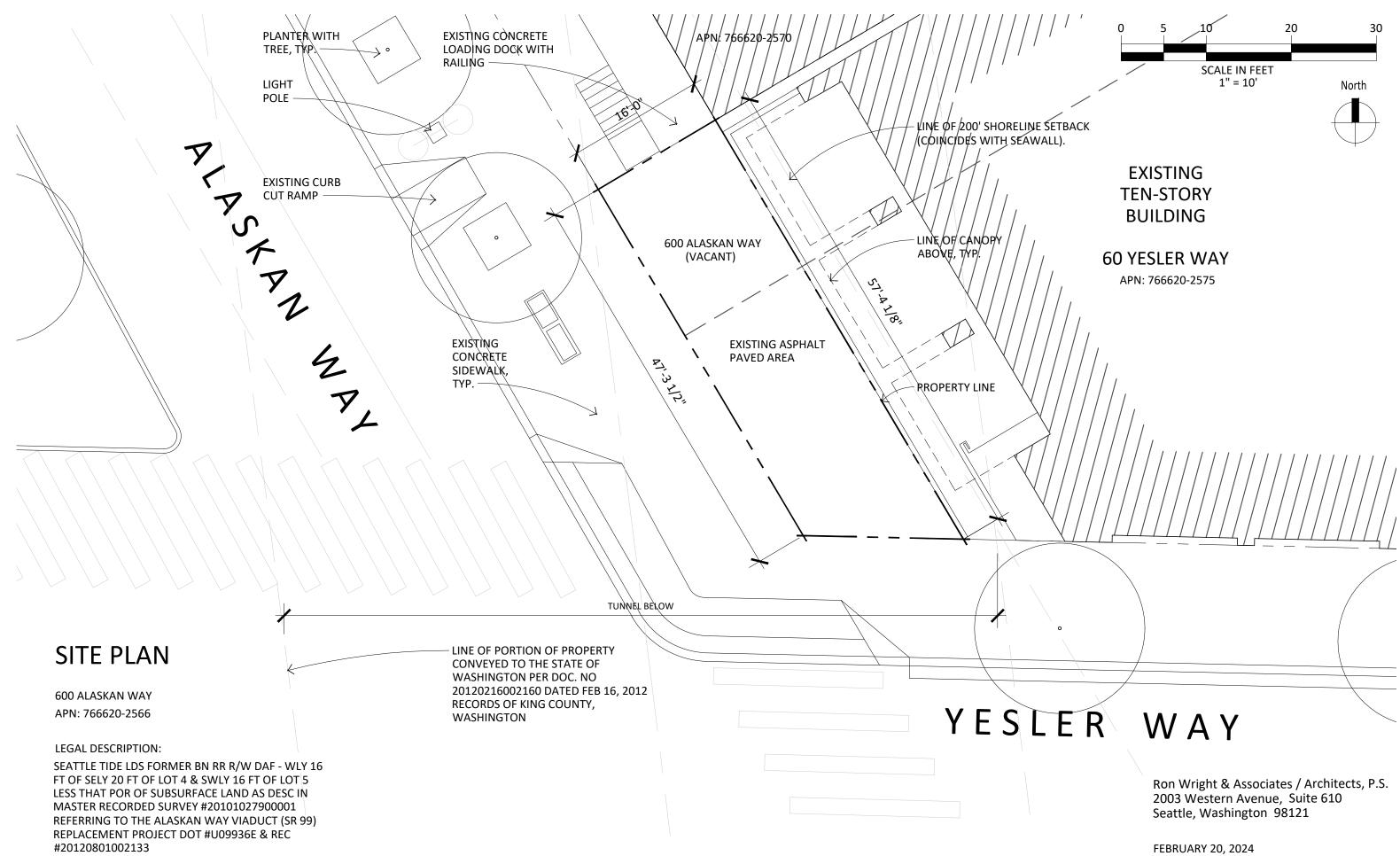
⁴ 23.40.002, "The establishment or change of use of any structures, buildings or premises, or any part thereof, requires approval..."

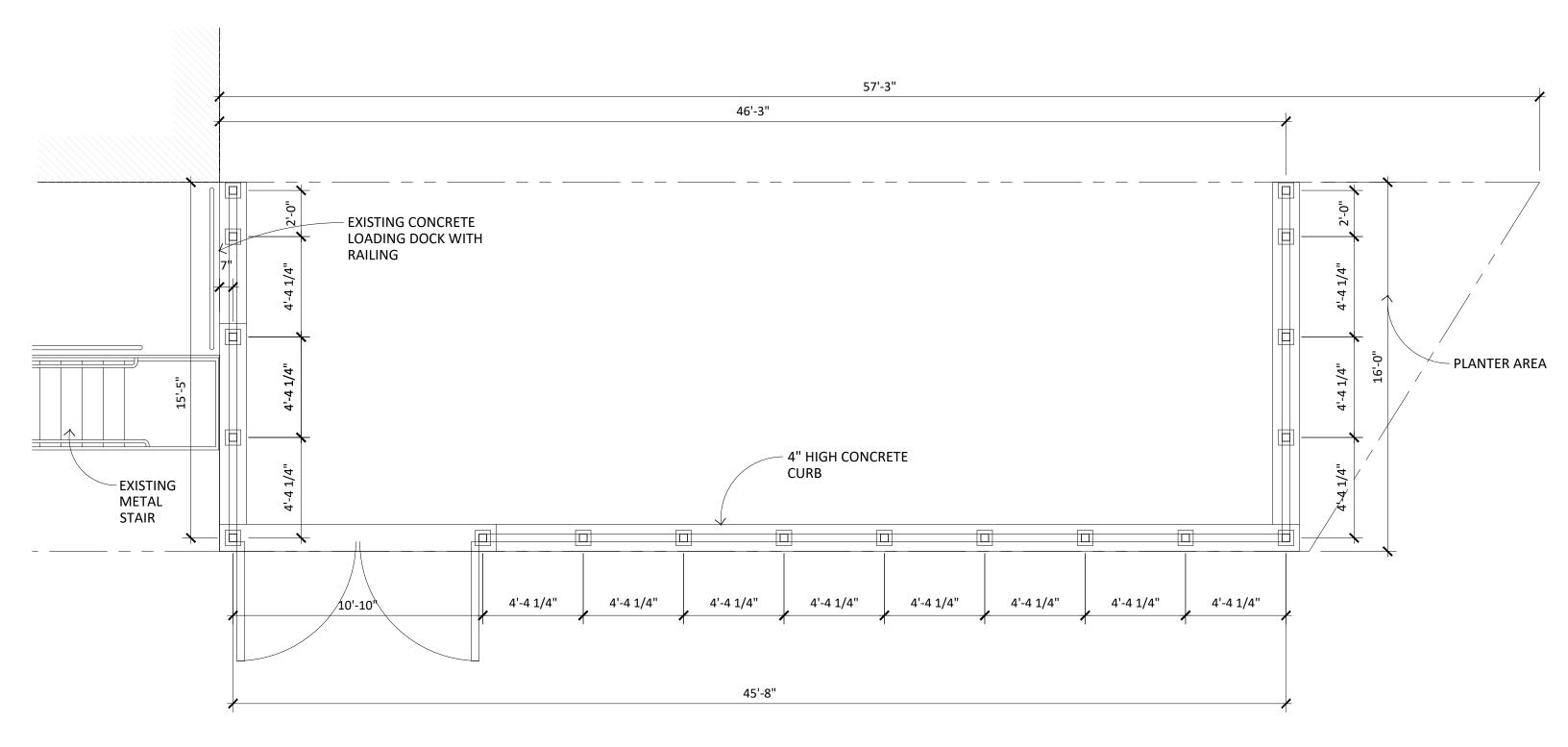
CASE NO. 1054987-VI Order of the Director Page 4 of 4

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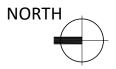
www.seattle.gov/sdci

cc: Melissa Balais via email to *citizenmelissa@citizenm.com*





TRASH CONTAINER ENCLOSURE1/22/241/4" = 1'-0"

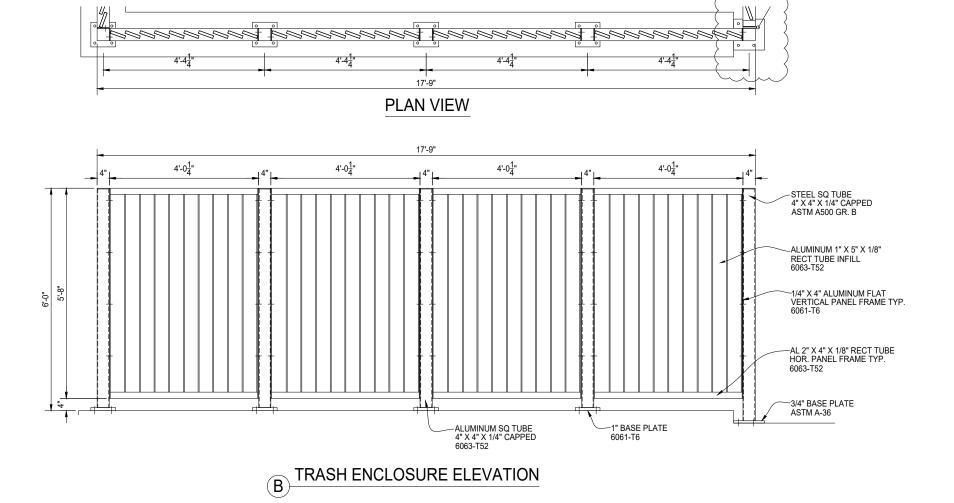


WESTERN BUILDING

Seattle, Washington

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





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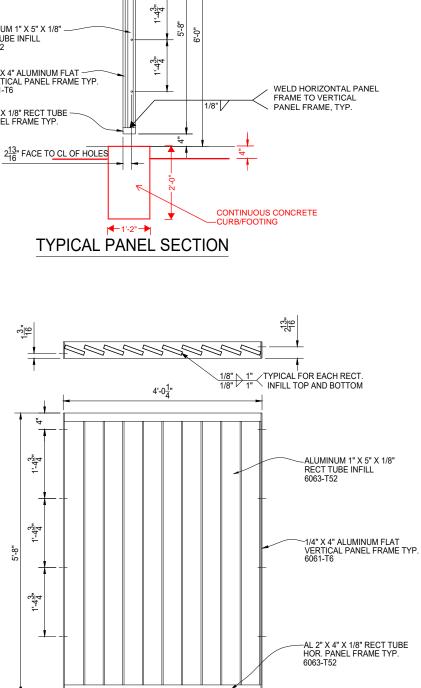
AL 2" X 4" X 1/8" RECT TUBE -HOR. PANEL FRAME TYP. 6063-T52

1/4" X 4" ALUMINUM FLAT VERTICAL PANEL FRAME TYP. 6061-T6

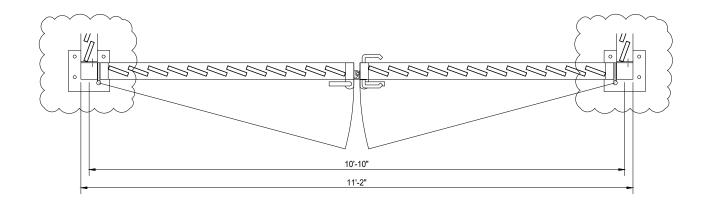
ALUMINUM 1" X 5" X 1/8" RECT TUBE INFILL 6063-T52

(3/8"-16 UNC BOLTS FOR STEEL POSTS) (3/8"Ø SELF-TAPPING SCREWS FOR ALUMINUM POSTS) 4

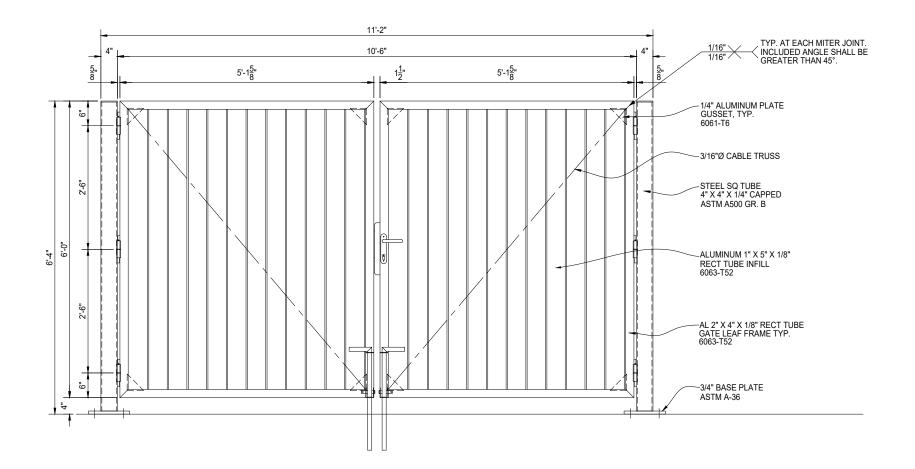
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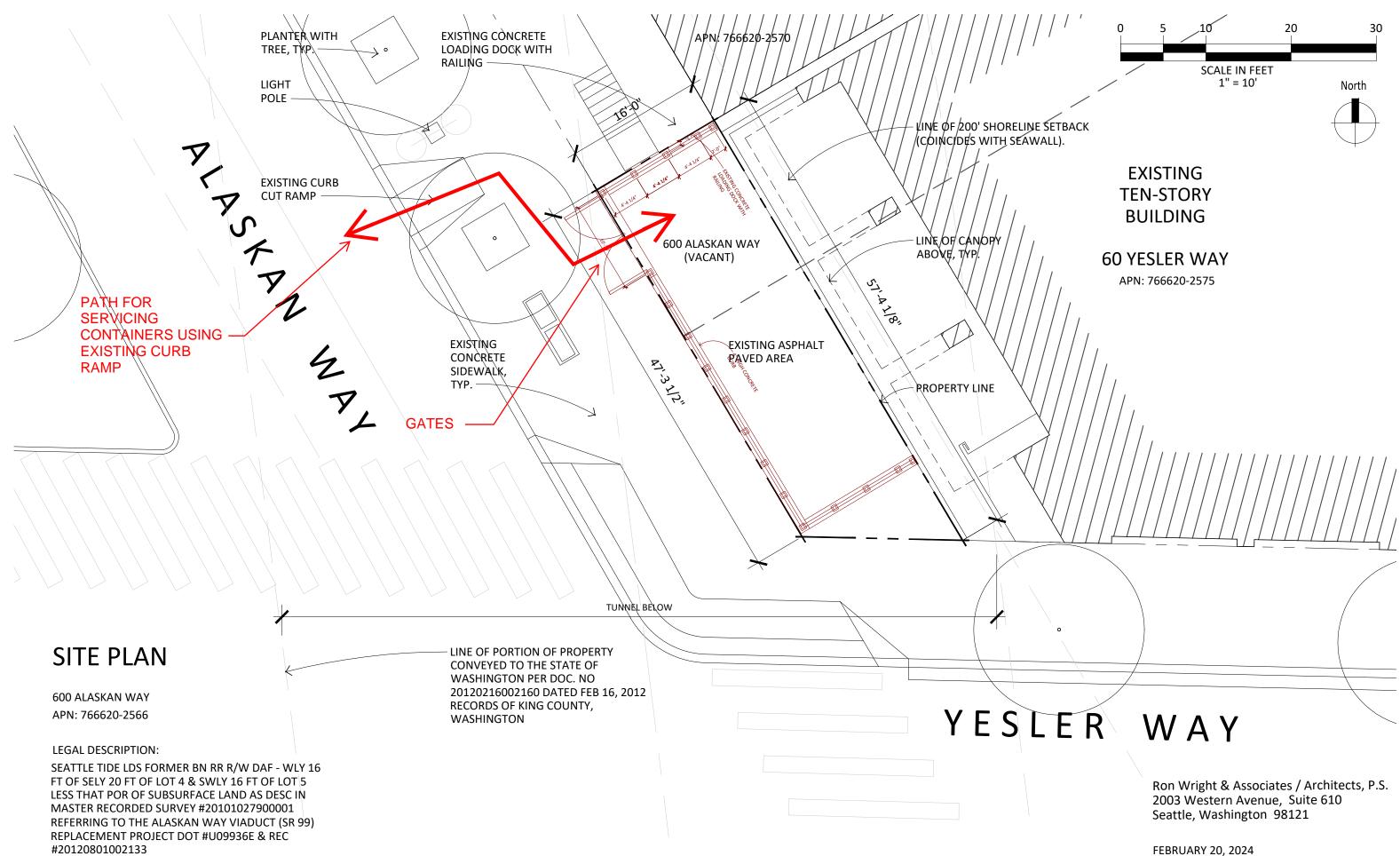


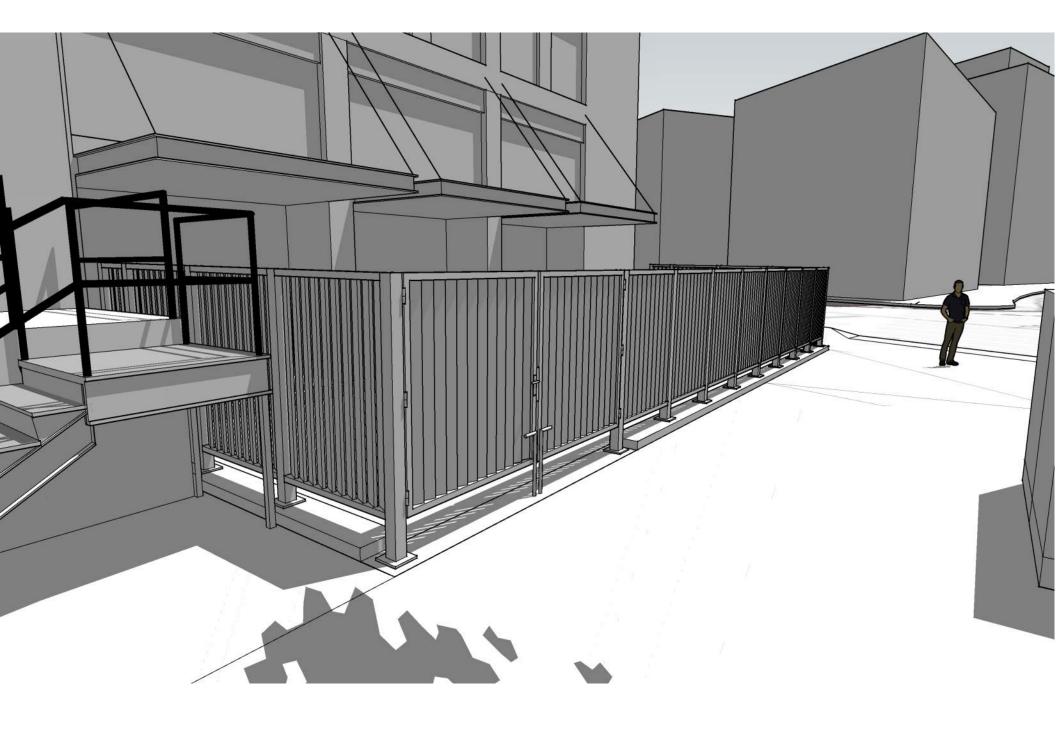
ALUMINUM ENCLOSURE PANELS ENCLOSURE FOR WASTE AND RECYCLABLE MATERIAL BINS



PLAN VIEW









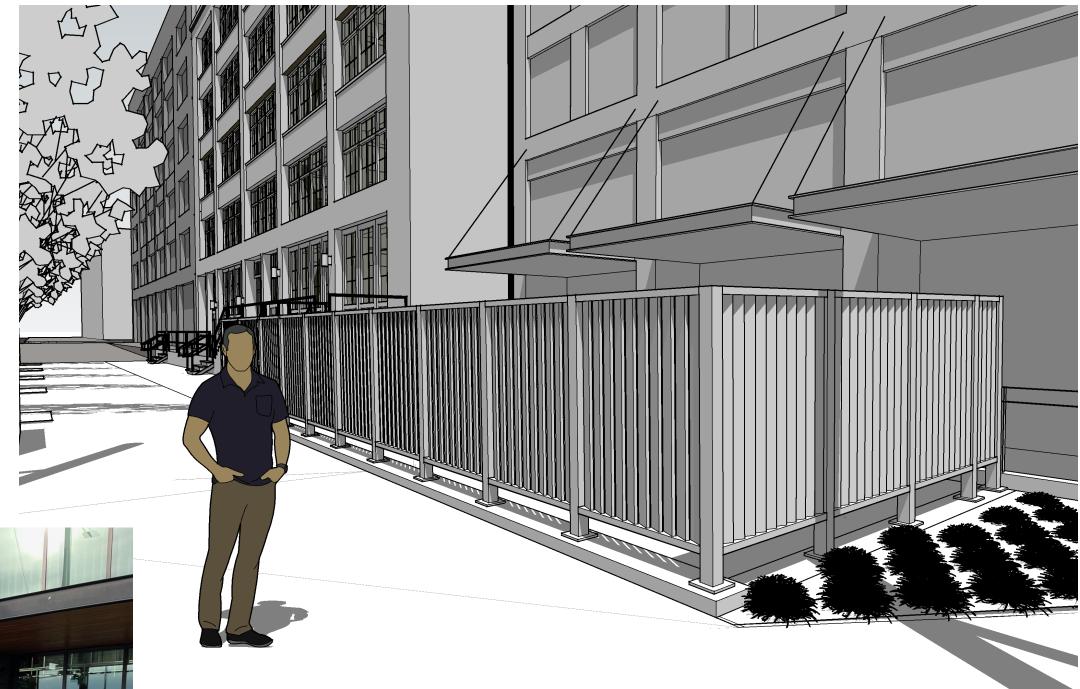
VIEW FROM SOUTH LOOKING NORTH AT EYE LEVEL



VIEW LOOKING NORTH FROM YESLER STREET



VIEW LOOKING NORTHEAST FROM ALASKAN WAY SIDEWALK





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VIEW LOOKING SOUTHEAST FROM ALASKAN WAY SIDEWALK



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