



CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS

Project Number: 3032402-LU
Applicant Name: Julian Weber
Address of Proposal: 9037 35th Avenue SW

SUMMARY OF PROPOSAL

Land Use Application to allow a 4-story apartment building with 25 small efficiency dwelling units and retail. Parking for 6 vehicles proposed. Existing building to be demolished. Early Design Guidance conducted under Record #3032405-EG.

The following approvals are required:

Administrative Design Review with Departures (Seattle Municipal Code 23.41)*
Departures are listed near the end of the Design Review Analysis in this document

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 25.05.660, the proposal has been conditioned to mitigate environmental impacts.

SITE AND VICINITY

Site Description: The midblock, rectangular lot is generally flat.

Site Zone: Neighborhood Commercial 2 with a Pedestrian overlay and 55-foot height limit [NC2P-55 (M)].

Zoning Pattern: The NC2P-55 (M) designation continues north, south, and east of the site along the 35th Ave SW



corridor. The zoning transitions to single-family (SF5000) across the alley to the west and east beyond the frontage along 35th Ave.

Environmentally Critical Areas: The site is not located within any mapped environmentally critical area.

Current and Surrounding Development; Neighborhood Character: The subject site contains a one-story single-family residence constructed circa 1947 and a small detached commercial space at the front of the property. The development site, located on the eastern edge of the Fauntleroy neighborhood in West Seattle, is anchored by the southwest branch of the Seattle Public Library (approximately 200 feet north), the Westwood Village shopping center (approximately 1,800 feet east) and Fauntleroy Park (approximately 750 feet southwest). The adjacent property to the north is developed with a three-story mixed-used building containing commercial uses on the ground floor and multifamily residential above. The adjacent property to the south contains a two-story multifamily residence.

The surrounding development primarily consists of two-to-three-story mixed-used and multifamily buildings and commercial ground floors are common. No one architectural style dominates the block; however, midcentury buildings are the most common including both adjacent properties.

PUBLIC COMMENT:

The public comment period began on February 19, 2019. Comments received through the Design Review process are summarized below. No other comments were received.

I. ANALYSIS – DESIGN REVIEW

ADMINISTRATIVE EARLY DESIGN GUIDANCE August 20, 2018

The design packet is available online by entering the record number at this website:

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

The packet is also available to view in the file, by contacting the Public Resource Center at SDCI:

Mailing Public Resource Center
Address: 700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

PUBLIC COMMENT

The public comment period for the project began on July 9, 2018. The following comments were received:

- Concerned about parking and traffic impacts
- Concerned about the state of existing infrastructure
- Prefer massing option number 3

One purpose of the design review process is for the City to receive comments from the public that help to identify feedback and concerns about the site and design concept, identify applicable citywide and neighborhood design guidelines of highest priority to the site and explore conceptual design, siting alternatives and eventual architectural design. Concerns with off-street parking, traffic and construction impacts are reviewed as part of the environmental review conducted by SDCI and are not part of this review.

All public comments submitted in writing for this project can be viewed using the following link and entering the record number: <http://web6.seattle.gov/dpd/edms/>

PRIORITIES & RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, Staff provides the following siting and design guidance.

1. Massing:

- a. Staff supports Option 1 as it provides a strong commercial street frontage and effectively uses modulation and setbacks at the rear to soften the transition to the adjacent single-family zoning. This option provides the greatest amount of commercial floor area, contributing to the prominence and viability of commercial activity in a neighborhood commercial zone. (CS2-D-4)

2. Architectural Concept:

- a. The NC2P zoning district places greater emphasis on the pedestrian experience and creating opportunities for neighborhood-serving businesses. For these reasons, the commercial frontage should be prominent, easily identifiable, and designed to accommodate a variety of business types. Design the commercial space so that it makes a strong connection to the street and provides flexibility for commercial tenants. (CS2-D-1, PL3C, DC2-C-1)
- b. The residential entry should be secondary to the commercial frontage, while still being easily identifiable from the sidewalk. Use lighting, signage, materials, secondary architectural features, such as a canopy, paving, and landscaping to mark the residential entry while remaining subordinate to the commercial space. (PL3-A-2, PL3-A-4)

- c. The use of balconies, as shown in Option 3, helps to reduce the perceived mass of the structure and to define the space above the ground level as residential. Integrate the balcony concept from Option 3 into the MUP plan set. The balconies also provide an opportunity for residents to engage with the activity on the street. (DC2-C-1)

3. Open Space:

- a. Amenity areas are not shown. The quality of common amenity areas is especially important on SEDU buildings due to the constrained living space within individual units. Plan the sizes, uses, activities, and features of common amenity areas to meet the needs of expected users, ensuring each space has a purpose and function. (DC3-B)

4. Parking:

- a. Bike parking is not shown. Integrate bike parking into the design with an emphasis on convenience, safety, and security. Consider how bike parking can be designed as a gathering point to encourage social interaction between residents. (PL4-B, DC1-C-3)

5. Privacy:

- a. Provide window studies for the north and south property lines. Minimize privacy impacts on adjacent properties by avoiding direct lines of sight between windows on the subject site and those on adjacent properties. (CS2-D-5)

ADMINISTRATIVE RECOMMENDATION April 21, 2020

PUBLIC COMMENT

The public comment period for the project began on February 19, 2019. No comments were received.

PRIORITIES & RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, Staff provides the following siting and design guidance.

1. Streetscape:

- a. The commercial frontage has responded well to the guidance provided at EDG, with a strong presence at the street edge and a floor plan that can accommodate a variety of uses. (CS2-B-2, PL3-C-1)
- b. Consistent with the guidance provided at EDG, the residential entry is subordinate to the commercial frontage and effectively uses secondary details to draw visitors in. The canopy, which wraps the northern corner adjacent to the residential entry but does not wrap the southern corner where the egress door is located, provides a clear navigational cue. A bench, shown in perspective renderings but not on floor plans, is located adjacent to the entry, further defining this as the primary residential entry.

Staff recommends a condition that this bench be shown on the plan set or that an alternative secondary element be proposed in its place to maintain the level of entry definition shown in the renderings. (PL3-A, DC2-E-1)

2. Architectural Concept and Materials:

- a. The architectural concept utilizes a well-organized, simple form. The success of this architectural concept is dependent on a high-quality installation of the fiber cement paneling, which has been rendered in the Recommendation packet as flat, plumb, square and true. Staff recommends a condition that complete details demonstrating the requisite high-quality installation be included in the building permit application. (DC4-A)
- b. Staff recommends approval of the brick cladding utilized at the ground level. The use of brick adds texture and visual interest to the streetscape and further distinguishes the commercial uses from the residential uses. (DC2-D, DC4-A)

3. Open Space:

- a. Staff recommends approval of the balconies and patios which provide private amenity spaces for residents (particularly valuable for SEDUs), create opportunities for engagement with the public realm, and add depth to the facades. (PL3-B-4, DC2-C)
- b. The centralized roof deck pulls activity away from the perimeter of the site, improving privacy relationships with adjacent properties. (CS2-D-5)
- c. The courtyard area behind the residential entry provides a visual amenity visible from within the lobby and circulation areas, adding interest and increasing daylight access in these areas. The inclusion of a tree in this area, as shown in the landscape plan, provides an attractive focal point. (CS1-B-2, DC4-D-4)

DEVELOPMENT STANDARD DEPARTURES

At the time of the RECOMMENDATION review, no departures were requested.

DESIGN REVIEW GUIDELINES

The Citywide guidelines recognized by Staff as Priority Guidelines are identified above. All guidelines remain applicable and are summarized below. 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-A Energy Use

CS1-A-1. Energy Choices: At the earliest phase of project development, examine how energy choices may influence building form, siting, and orientation, and factor in the findings when making siting and design decisions.

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.

CS1-D Plants and Habitat

CS1-D-1. On-Site Features: Incorporate on-site natural habitats and landscape elements into project design and connect those features to existing networks of open spaces and natural habitats wherever possible. Consider relocating significant trees and vegetation if retention is not feasible.

CS1-D-2. Off-Site Features: Provide opportunities through design to connect to off-site habitats such as riparian corridors or existing urban forest corridors. Promote continuous habitat, where possible, and increase interconnected corridors of urban forest and habitat where possible.

CS1-E Water

CS1-E-1. Natural Water Features: If the site includes any natural water features, consider ways to incorporate them into project design, where feasible

CS1-E-2. Adding Interest with Project Drainage: Use project drainage systems as opportunities to add interest to the site through water-related design elements.

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-A Network of Open Spaces

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

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

PL1-B Walkways and Connections

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

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

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

PL1-C Outdoor Uses and Activities

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

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

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

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

PL2-A Accessibility

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

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

PL2-B Safety and Security

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

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

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

PL2-C Weather Protection

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

PL2-C-2. Design Integration: Integrate weather protection, gutters and downspouts into the design of the structure as a whole and ensure that it also relates well to neighboring buildings in design, coverage, or other features.

PL2-C-3. People-Friendly Spaces: Create an artful and people-friendly space beneath building.

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

PL3-A-3. Individual Entries: Ground-related housing should be scaled and detailed appropriately to provide for a more intimate type of entry.

PL3-A-4. Ensemble of Elements: Design the entry as a collection of coordinated elements including the door(s), overhead features, ground surface, landscaping, lighting, and other features.

PL3-B Residential Edges

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

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

PL3-B-3. Buildings with Live/Work Uses: Maintain active and transparent facades in the design of live/work residences. Design the first floor so it can be adapted to other commercial use as needed in the future.

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.

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

PL4-A Entry Locations and Relationships

PL4-A-1. Serving all Modes of Travel: Provide safe and convenient access points for all modes of travel.

PL4-A-2. Connections to All Modes: Site the primary entry in a location that logically relates to building uses and clearly connects all major points of access.

PL4-B Planning Ahead for Bicyclists

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

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

PL4-B-3. Bike Connections: Facilitate connections to bicycle trails and infrastructure around and beyond the project.

PL4-C Planning Ahead for Transit

PL4-C-1. Influence on Project Design: Identify how a transit stop (planned or built) adjacent to or near the site may influence project design, provide opportunities for placemaking.

PL4-C-2. On-site Transit Stops: If a transit stop is located onsite, design project-related pedestrian improvements and amenities so that they complement any amenities provided for transit riders.

PL4-C-3. Transit Connections: Where no transit stops are on or adjacent to the site, identify where the nearest transit stops and pedestrian routes are and include design features and connections within the project design as appropriate.

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 Facade Composition

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

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

DC2-C Secondary Architectural Features

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

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

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

DC2-D Scale and Texture

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

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

DC2-E Form and Function

DC2-E-1. Legibility and Flexibility: Strive for a balance between building use legibility and flexibility. Design buildings such that their primary functions and uses can be readily determined from the exterior, making the building easy to access and understand. At the same time, design flexibility into the building so that it may remain useful over time even as specific programmatic needs evolve.

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

DC3-A Building-Open Space Relationship

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

DC3-B Open Space Uses and Activities

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

DC3-B-2. Matching Uses to Conditions: Respond to changing environmental conditions such as seasonal and daily light and weather shifts through open space design and/or programming of open space 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.

DC3-C Design

DC3-C-1. Reinforce Existing Open Space: Where a strong open space concept exists in the neighborhood, reinforce existing character and patterns of street tree planting, buffers

or treatment of topographic changes. Where no strong patterns exist, initiate a strong open space concept that other projects can build upon in the future.

DC3-C-2. Amenities/Features: Create attractive outdoor spaces suited to the uses envisioned for the project.

DC3-C-3. Support Natural Areas: Create an open space design that retains and enhances onsite natural areas and connects to natural areas that may exist off-site and may provide habitat for wildlife.

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.

DC4-E Project Assembly and Lifespan

DC4-E-1. Deconstruction: When possible, design the project so that it may be deconstructed at the end of its useful lifetime, with connections and assembly techniques that will allow reuse of materials.

RECOMMENDATIONS

The analysis summarized above was based on the design review packet dated Wednesday, March 11, 2020. After considering the site and context, considering public comment, reconsidering the previously identified design priorities and reviewing the materials, the Recommendation phase of the subject design is APPROVED with the following conditions:

1. Show the bench depicted in renderings at the residential entry in the MUP plan set or propose an alternate secondary element that maintains or increases the level of definition depicted. (PL3-A)
2. Show complete details demonstrating the requisite high-quality installation of fiber cement materials in the building permit application. Siding details should include; typical wall assembly, material transitions, corner details (inside and out), typical window and door (head/jamb/sill), type and spacing of furring material, flashing type and gauge, siding flatness tolerance (an industry standard is <math><3/16\text{''}</math> over 8'-0"), and dimensioned panel layout (can be partial if global notes included). (DC4-A)

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

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

1. A decision on an application for administrative design review shall be made by the Director as part of the overall Master Use Permit decision for the project.
2. The Director's decision shall be based on the extent to which the proposed project meets applicable design guidelines and in consideration of public comments on the proposed project.
3. Projects subject to administrative design review must meet all codes and regulatory requirements applicable to the subject site, except as provided for in Section 23.41.012.

Subject to the preliminary conditions identified during the recommendation phase of review, the design of the proposed project was found by the SDCI Staff to adequately conform to the applicable Design Guidelines.

Staff identified elements of the Design Guidelines which are critical to the project's overall success. SDCI staff worked with the applicant to update the submitted plans to address the preliminary design review conditions identified during the recommendation phase of review:

1. The applicant added a bench at the main residential entry to the MUP plan set, satisfying recommended condition #1.
2. Recommended condition #2 requires the applicant to show installation details of the fiber cement material at the building permit phase. A condition has been added to this decision to ensure compliance at the building permit phase.

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 SDCI finds that the proposal is consistent with the City of Seattle Design Review Guidelines.

DIRECTOR'S DECISION

The Director **CONDITIONALLY APPROVES** the proposed design with conditions listed at the end of this document.

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 initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 12/20/2018. The Seattle Department of Construction and Inspections (SDCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations.

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

Short Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes construction-related noise, air quality, greenhouse gas, construction traffic and parking impacts, as well as mitigation.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A.

Construction Impacts - Parking and Traffic

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

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. Additional mitigation is not warranted per SMC 25.05.675.B.

Construction Impacts - Noise

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

If extended construction hours are necessary due to emergency reasons or construction in the right of way, the applicant may seek approval from SDCI through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated. The limitations stipulated in the Noise Ordinance and the CMP are sufficient to mitigate noise impacts and no additional SEPA conditioning is necessary to mitigate noise impacts per SMC 25.05.675.B.

Environmental Health

The Washington State Department of Ecology ("Ecology") submitted comment stating that the proposed project is located in an area that may have been contaminated with heavy metals due to the air emissions originating from the old Asarco smelter in north Tacoma. If not properly handled, existing contamination could have an adverse impact on environmental health.

Mitigation of contamination and remediation is in the jurisdiction of 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. Ecology has provided recommended conditions that will be included in this MUP decision.

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

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. The City acknowledges PSCAA's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination. No further mitigation under SEPA Policies 25.05.675.F is warranted for asbestos impacts.

Should lead be identified on the site, there is a potential for impacts to environmental health. Lead is a pollutant regulated by laws administered by the U. S. Environmental Protection Agency (EPA), including the [Toxic Substances Control Act \(TSCA\)](#), [Residential Lead-Based Paint Hazard Reduction Act of 1992 \(Title X\)](#), [Clean Air Act \(CAA\)](#), [Clean Water Act \(CWA\)](#), [Safe Drinking Water Act \(SDWA\)](#), [Resource Conservation and Recovery Act \(RCRA\)](#), and [Comprehensive Environmental Response, Compensation, and Liability Act \(CERCLA\)](#) among others. The EPA further authorized the Washington State Department of Commerce to administer two regulatory programs in Washington State: The Renovation, Repair and Painting Program (RRP), and the Lead-Based Paint Activities Program (Abatement). These regulations protect the public from hazards of improperly conducted lead-based paint activities and renovations. No further mitigation under SEPA Policies 25.05.675.F is warranted for lead impacts.

Long Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, greenhouse gas, historic resources, height bulk and scale, parking, public views, and traffic warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with 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.

Historic Resources

The existing structures on site are more than 50 years old. These structures were reviewed for potential to meet historic landmark status. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and indicated the structures on site are unlikely to qualify for historic landmark status (Landmarks Preservation Board letters, reference number LPB 101/20). Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and no further conditioning is warranted per SMC 25.05.675.H.

Height, Bulk, and Scale

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

Section 25.05.675.G.2.c of the Seattle SEPA Ordinance provides the following: "The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project."

The height, bulk and scale of the proposed development and relationship to nearby context have been addressed during the Design Review process. Pursuant to the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate height, bulk and scale impacts are adequate and additional mitigation is not warranted under SMC 25.05.675.G.

Parking

The proposed development includes 24 small efficiency dwelling units (SEDUs) with six off-street vehicular parking spaces. The traffic and parking analysis (Jake Traffic Engineering, Inc., October 22, 2018) indicates a peak demand for approximately six vehicles from the proposed residential development. Peak residential demand typically occurs overnight. The number of proposed parking spaces accommodates all the anticipated residential parking demand, and no additional mitigation is warranted per SMC 25.05.675.M.

The proposed development also includes approximately 839 square feet of commercial space. The traffic and parking analysis (Jake Traffic Engineering, Inc., October 22, 2018) indicates a peak demand for approximately three vehicles from the proposed commercial development. The traffic and parking analysis notes that this peak demand is likely to occur during daytime hours when residential parking demand is lower. Although the proposal does not include off-street parking for the commercial use, on-street parking is available. No additional mitigation is warranted per SMC 25.05.675.M.

Public Views

SMC 25.05.675.P provides policies to minimize impacts to designated public views listed in this section. 35th Avenue SW is a SEPA Scenic Route. The applicant provided view studies showing the proposed development in relation to the designated public views in SMC 25.05.675.P. The proposed development is located in a manner that does not impact protected views along 35th Avenue SW.

The proposed development does not block views of any nearby historic landmarks.

Additional mitigation is not warranted under SMC 25.05.675.P.

Transportation

The Traffic Impact Analysis (Jake Traffic Engineering, Inc., October 22, 2019) indicated that the project is expected to generate a net total of 131 daily vehicle trips, with 11 net new PM peak hour trips and nine AM peak hour trips.

The additional trips are expected to distribute on various roadways near the project site, including 35th Avenue SW and SW Barton Street, and would have minimal impact on levels of service at nearby intersections and on the overall transportation system. A small number of project trips that would have used the West Seattle Bridge will shift to other routes while the Bridge is closed; this slight increase in traffic volumes on alternate routes also will have minimal impact on the transportation system and on any individual intersection or roadway. The SDCI Transportation Planner reviewed the information and determined that no mitigation is warranted per SMC 25.05.675.R.

DECISION – SEPA

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

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

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

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

CONDITIONS – DESIGN REVIEW

Prior to Issuance of a Construction Permit

1. Show complete details demonstrating the requisite high-quality installation of fiber cement materials in the building permit application. Siding details should include; typical wall assembly, material transitions, corner details (inside and out), typical window and door (head/jamb/sill), type and spacing of furring material, flashing type and gauge, siding flatness tolerance (an industry standard is <3/16" over 8'-0"), and dimensioned panel layout (can be partial if global notes included).

For the Life of the Project

2. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Wayne Farrens, wayne.farrens@seattle.gov).

CONDITIONS – SEPA

Prior to Issuance of a Construction Permit

3. Sample the soil and analyze for arsenic and lead following the 2012 Tacoma Smelter Plume Guidance. The soil sampling results shall be sent to Ecology for review. If the project includes open space areas, contact the Technical Assistance Coordinator, Eva Barber, for assistance in soil sampling methodology within the open space area. Submit confirmation that Ecology has received the soil sampling results to the SDCI Land Use Planner (Wayne Farrens, wayne.farrens@seattle.gov).
4. If lead or arsenic are found at concentrations above the Model Toxics Control Act (MTCA) cleanup levels (Chapter 173-340 WAC); the owners, potential buyers, construction workers, and others shall be notified of their occurrence. The MTCA cleanup level for arsenic is 20 parts per million (ppm) and lead is 250 ppm. If lead, arsenic and/or other contaminants are found at concentrations above MTCA cleanup levels, the applicant shall:
 - a. Develop soil remediation plan and enter into the Voluntary Cleanup Program with Ecology. For more information on the Voluntary Cleanup Program, visit Ecology website at: <https://ecology.wa.gov/Spills-Cleanup/Contaminationcleanup/Cleanup-process/Cleanup-options/Voluntary-cleanup-program>.
 - b. Obtain an opinion letter from Ecology stating that the proposed soil remediation plan will likely result in no further action under MTCA. The applicant shall provide to the local land use permitting agency the opinion letter from Ecology.
 - c. Prior to finalizing site development permits, provide to the Land Use Planner (Wayne Farrens, wayne.farrens@seattle.gov) “No Further Action” determination from Ecology indicating that the remediation plans were successfully implemented under MTCA.

During Construction

5. If soils are found to be contaminated with arsenic, lead, or other contaminants, extra precautions shall be taken to avoid escaping dust, soil erosion, and water pollution during grading and site construction. Site design shall include protective measures to isolate or remove contaminated soils from public spaces, yards, and children’s play areas.

Contaminated soils generated during site construction shall be managed and disposed of in accordance with state and local regulations, including the Solid Waste Handling Standards regulation (Chapter 173-350 WAC). For information about soil disposal contact the local health department in the jurisdiction where soils will be placed.

Wayne Farrens, Land Use Planner _____ Date: September 28, 2020
Seattle Department of Construction and Inspections

WF:bg

Farrens/3032402-LU Decision

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 SDCI 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.