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Pike/Pine Urban Conservation Strategy: Changes to Proposed Amendments after October Public Forum

Below is a summary of the most significant changes to the amendments to the Pike/Pine Overlay District presented at the October forum. The goals of the proposal remain the same:

- Continue to promote new mixed use and residentially-oriented development;
- Expand the scope of the overlay to promote new development that is more compatible in scale with existing conditions in the area;
- Provide incentives to retain “character structures”—buildings that are 75 years old or older—as part of new development;
- Increase flexibility in the zoning regulations to encourage the continued use of existing buildings;
- Promote conditions that allow small, diverse local businesses to continue to operate in the area; and
- Provide incentives for retaining existing art and cultural uses and attracting similar new activities to the area.

Proposed Changes:

1. Replace the limit on lot size with a limit on the size of the upper floors in a structure.

Original proposal. The draft proposal was to limit the size of a lot permitted for new development to a maximum of 18,000 square feet, with provisions for limited increases to maintain character buildings and accommodate certain uses.

Reason for change. The proposal raised concerns, both internally from the City and from the public, about restrictions on future property transactions, penalizing certain uses such as performing arts theaters, and the difficulty of administering a provision that relied on maintaining valid documentation of ownership and defining a lot established at a given point in time.

Current proposal. The issue of bulk and scale is addressed by limiting the maximum size of floors above 35 feet in height in new structures to 15,000 square feet, with similar provisions for limited increases. The 15,000 square foot limit is an approximation of the size of a residential floor likely to be accommodated on an 18,000 square foot lot, given the FAR limit and need to limit coverage to provide access to light and air to all units. There is no limit on lot size, or the size of floors below 35 feet in height. However, on larger lots, portions of structures exceeding the floor size limit must be separated by 40 feet. These provisions reduce the bulkiness of the upper floors of structures while allowing the lower floors to maintain the continuous street facades and height characteristic of existing development in the area. With the required separation between portions of the structure above 35 feet in height, large lot redevelopment is less attractive than more optimal development on lots that are closer in size to the upper floor size limit.

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On Pike and Pine Streets, the width of new structures is limited to half the width of the block, as originally proposed, preventing structures from developing a full-block frontage on these streets.

2. Distinguish among character buildings to prioritize buildings considered to be of greater historic value.

Original proposal. The original proposal defined all building existing for 75 years or more as character buildings, and included provisions to encourage the retention of these structures, or portions of these structures, in new development and to discourage demolition.

Reason for change. To focus conservation efforts on buildings of greatest value, a distinction among the inventory of all older structures in the area was necessary.

Current proposal. The Code will include a list of 26 structures that are either currently designated landmarks or are included on the City's inventory of historic resources as likely candidates for nomination as landmarks. Development that maintains these structures will be eligible for added flexibility, including a 25% increase in the floor size limit, a 10' height exception in zones with a 65 foot height limit, and exemptions from FAR limits. Projects that maintain other character structures not included on the list will be eligible for an increase in the floor size limit above 35 feet in height.

3. Eliminate the provision that exempts development from limits on non-residential use in specified area.

Original proposal. The original proposal expanded the boundaries of the Pike/Pine Overlay District along Broadway and in an area south of Pike Street and east of Broadway. Within this area, a block and a half on either side of Broadway was identified as "Area A". The intent was to maintain the current higher FAR limits for non-residential uses in this area, which includes recent commercial development.

Reason for change. By maintaining current FAR limits for non-residential use in areas with relatively recent commercial development, the proposal was intended to avoid making the existing development nonconforming in Area A. The provision added complexity to the overlay, and the same objectives could be achieved by adjusting the boundaries of the expanded overlay to exclude Area A.

Current proposal. The current proposal does not include the "Area A." Instead, the small block bounded by Broadway, E. Union Street, E. Madison Street, and Broadway Court remains outside the overlay. This block is on the edge of the Pike/Pine neighborhood, across Broadway from a block in First Hill with the same commercial zoning, and includes recent commercial development, such as the Silver Cloud Hotel.

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4. Allow auto retail sales and service uses in existing structures

Original proposal. Auto retail sales and service uses are restricted at street level in commercial zones with a pedestrian (P) designation. The P designation is intended to encourage a pedestrian-friendly environment, and discourages auto-oriented uses that often need multiple curbcuts that cut across sidewalks. This limitation on auto-oriented uses would have applied to areas in the existing Pike/Pine overlay area proposed to be rezoned to a P designation (NC3 P).

Reason for change. Auto retail sales and service uses, including auto dealerships, are uses with a long history in Pike/Pine and are very much a part of the area's existing character. Further restricting these uses would be inconsistent with proposals to promote the conservation of the area's existing character.

Current proposal. Auto sales and service uses are identified as a permitted street level use if located within existing structures inside the boundaries of the Pike/Pine Conservation Overlay District.