



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning & Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3003123
Applicant Name: The Justen Company
Address of Proposal: 1111 East Pike Street

SUMMARY OF PROPOSED ACTION

Land Use Application to establish the use for the future construction of a six-story building containing 4,917 square feet of retail at ground level with 27-units above. Parking for 24 vehicles to be provided in a below grade garage.

The following approvals are required:

SEPA - Environmental Determination – Chapter 25.05 SMC.

Design Review – Chapter 23.41 SMC.

SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

*Early DNS Notice published December 8, 2005.

BACKGROUND DATA

Project and Site Description

The applicant proposes a six-story, mixed-use building on East Pike Street between 11th and 12th Avenues. Uses would include street level retail, five floors of apartments, and a below grade parking garage. The site comprises two vacant parcels previously excavated to approximately 11 feet below E. Pike Street. Zoned Neighborhood Commercial Three with a 65 foot height limit (NC3 65), the property lies within the Pike/Pine overlay district and possesses a Pedestrian One (P-1) zone designation. Applicable neighborhood specific guidelines are the Pike/Pine Urban Center Village Design Guidelines.

Surrounded by adjacent buildings, the vacant site's (the former building was destroyed by fire) neighbors include the handsome brick, Aria building with its expansive windows to the west; a small three story mixed use building to the east, and two, two-story buildings to the south. A four foot wide egress easement runs east and west separating the proposal site from a building to the south.

At the Early Design Guidance meeting (September 9, 2005), the architect presented essentially one massing alternative with slight variations for this tight, in-fill site of 5,376 square feet. Options # 1 and 2 respected the 65 percent residential lot coverage requirement in NC zones for mixed use buildings above the 13 foot limit. At street level and above, option #1 set back from the continuous street wall. Option #2 had a deeper set back on the south side from the four foot egress easement. Option #3 maintained the 65 percent residential lot coverage and broke the continuity of the street wall at ground level. The preferred option #4 had full lot coverage similar to its neighboring buildings and introduced a setback at upper levels to mitigate building height. In each scheme, vehicular access occurred on E. Pike St. due to the absence of an alley.

Vicinity



The neighborhood represents an eclectic mix of primarily commercial structures built close to their property lines. Uses include retail, office, light manufacturing, art studios and residential above the first floor. Some of the newer buildings were designed specifically for residential or office space over street level retail. Many of the older structures, however, were constructed as auto repair shops and later adapted for retail, restaurant and night clubs establishments. The light industrial “auto row” district with its high ceiling heights and extensive glazing, particularly at street level, provides a sense of precinct and scale that lends itself to the

type of small and idiosyncratic commercial activities that revitalized this area. Architecturally noted structures include the adjacent Aria building at the corner of E. Pike and 11th St. and the First AME Church and Firehouse No. 25 Condominiums several blocks away.

NC3 65 zoning predominates in the immediate vicinity. The zoning classification changes as one crosses south to E. Madison St. at Seattle University, two blocks from the subject site. The university has underlying zonings of Commercial Two (C2) and Midrise (MR) with a Major Institutional Overlay with a 105 height limit (MIO 105). To the southeast, portions of First Hill have a Highrise (HR) zone. One block to the north of the site lays the newly redesigned Cal Anderson Park/Lincoln Reservoir. The pedestrian oriented, Pike/Pine corridor remains an important arterial and commercial couplet. Broadway, two blocks to the west, is an equally significant commercial and pedestrian corridor.

The site and its surroundings lie within the First Hill Station Overlay. The Capital Hill Station Overlay begins across E. Pike St. This designation, in particular, affects uses at street level, open spaces, first floor height, and lot coverage. A project within this area with residential uses above 13 feet is not limited to a specific lot coverage percentage.

DPD recognizes three other projects at various stages of development within the same block bounded by E. Pike St, 11th and 12th Avenues and E. Union Street. These include new construction of a mixed use building and a rehab of other structures.

Public Comments

Eleven members of the public signed in at the Early Design Guidance meeting. Three individuals spoke in support of the lot coverage departure. Other requests supported a reduction or elimination of the curb cut and driveway on Pike St., the selection of quality materials, the need for carving out small areas for landscaping between structures, and the desirability of a well designed and useable roof garden. One individual encouraged the use of shallow balconies on E. Pike St. Another person disapproved of placing a refuse storage area on E. Pike St.

ANALYSIS-DESIGN REVIEW

Design Guidelines Priorities

The project proponents presented their initial ideas at an Early Design Guidance meeting on September 21, 2005. After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members identified the following Citywide Design Guidelines as high priorities to be considered in the final proposed design. Pike/Pine Urban Center village Design Guidelines are in italics.

A. Site Planning

A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

The Board favored a strategy of pushing the north façade to the property line similar to the adjacent buildings.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

Because the zoning allows a taller building than the structures on the east and west, the Board asked for a design that would not overwhelm its neighbors. Several potential techniques could be used: stepping back the upper floors, modulating the facade, and notching the structure among others. Of all four alternatives suggested, the Board preferred massing option #4 which illustrated a setback from E. Pike St. at the upper level.

A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

Although there is some possibility at a later date to have garage egress from future neighboring development, vehicular access must occur from E. Pike St. due to the lack of an alley. The curb cut and driveway should be reduced as much as possible in order that it does not disrupt the pedestrian activity that occurs along E. Pike St.

A-9 Location of Parking on Commercial Street Fronts. Parking on a commercial street front should be minimized and where possible should be located behind a building. *Garage entryways facing the street should be compatible with the pedestrian entry to avoid a blank façade. Steel mesh is a preferred alternative to solid doors.*

See A-8.

B. Height, Bulk and Scale

B-1 Height, Bulk and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

The Board requested that the upper floor(s) should not loom over its adjacent neighbors. Techniques, such as terracing, should be used to reduce the future building's bulk.

C. Architectural Elements and Materials.

C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings. The Pike/Pine "vernacular" architecture is characterized by the historic auto-row and warehouse industrial features of high ground floor ceilings and display windows, detailed cornice and frieze work, and trim detailing.

New buildings should echo the scale and modulation of adjacent buildings in order to preserve both the pedestrian orientation and consistency with the architecture of nearby buildings. Architectural styles and materials that reflect the light-industrial history of the neighborhood are encouraged. Examples of preferred elements include: 1) similar building articulation at the ground level; 2) similar building scale and proportions; and 3) similar building details and fenestration patterns.

The architect clearly understood the auto-row and warehouse industrial vernacular and conveyed his interest in composing a building sympathetic to its context. Datum lines, industrial materials, and large amounts of glazing would be signifiers for connecting the proposed structure with its commercial corridor.

C-4 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. *New development should respond to the neighborhood's light-industrial vernacular through type and arrangement of exterior building materials. Preferred materials include: brick, masonry, textured or patterned concrete, true stucco (Dryvit is discouraged), with wood and metal as secondary or accent materials.*

See comments from C-1.

C-5 Structured Parking Entrances. The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

The Board urged the design of a discreet garage door reduced in size in order that pedestrian traffic are not imposed upon and which maximizes commercial space at the street front. The Board suggested using a car lift to reduce the amount of space in the building devoted to ramping.

D. Pedestrian Environment.

D-6 Screening of Dumpsters, Utilities and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

Since trash storage and recycling retrieval would occur on E. Pike St., the Board strongly urged that the storage areas be placed in the garage and taken up to the street on the appropriate day. Believing that a storage area on E. Pike St. would deter commercial activity for the proposed building and the corridor in general, the Board sought placement of the storage area below-grade within the garage itself.

E. Landscaping.

E-2 Landscaping to Enhance the Building and/or Site. Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project. The creation of small gardens and art within the street right-of-way is encouraged in the Pike/Pine neighborhood in order to enhance and energize the pedestrian experience. This is especially desirable for residential and mixed use developments as well as a means to distinguish commercial areas from institutional areas. Providing vertical landscaping, trellises or window boxes for plants is also desirable.

The architect indicated his interest in requesting a departure from the landscape requirements due to the narrowness of the site and the desire to build to the property line. Although the Board understood the limitations of the infill sight, the same architecture firm's Pike and Virginia

Building has a significant amount of landscaping on the roofs, balconies and canopies. The tightness of the site should not necessarily preclude rich and abundant landscaping on the vertical plane. The roof should have plenty of landscaping with sustainable features.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a design review component on November 2, 2005.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation Meeting on August 9, 2006 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meeting, site plans, elevations, floor plans, landscaping plans and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

Public Comments

Eleven people signed-in at the Recommendation meeting. Comments and questions addressed balcony depths (should be deeper), need for mirrors at the garage entrance, location of trash and recycling receptacles at street level, proposed type of and quality of the exterior surface materials if the highway signs are unavailable, the type of materials for the west and east elevations, and the floor to ceiling heights (nine feet). Other questions focused on the access to and size of the roof gardens as well as the lack of specificity for the landscaping.

DPD did not receive comment letters.

Development Standard Departures

The applicant requested departures from the following standards of the Land Use Code:

1. Sight Triangle. Ten foot sight triangle from sidewalk.
2. Landscaping. Five percent of lot area and visible to pedestrians.
3. Open Space. 20 % of the structure's total gross floor area in residential use.
4. Refuse Area. 150 sq. ft. front load configuration.
5. Uses in Pedestrian Zone. 80% of street-level frontage must be occupied by commercial use.
6. Parking. 60% of parking spaces shall be medium size stalls.
7. Street level use. 80 % of street level shall be occupied by nonresidential use.

Recommendations

A Site Planning

A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

The Board did not expand upon its earlier guidance.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

The design presented to the Board showed a portion of the upper floor set back from the façade at the property line. The Board did not expand upon its earlier preferences.

A-8. Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

The architects located the garage entrance on the west end of the street facade. With the departure request from the 10 foot sight triangle and a minimum required driveway width, the architects have maximized the amount of potential retail space on a narrow infill site. The lack of an alley forced the applicant to place access to the garage on Pike St.

A-9 Location of Parking on Commercial Street Fronts. Parking on a commercial street front should be minimized and where possible should be located behind a building. *Garage entryways facing the street should be compatible with the pedestrian entry to avoid a blank façade. Steel mesh is a preferred alternative to solid doors.*

Although the architects specified a steel mesh garage door in compliance with this neighborhood guideline, the Board recommended an opaque door to prevent pedestrian views into the garage and at the bulkhead. The garage door should be in keeping with the light industrial, auto-row character of the Pike / Pine neighborhood yet possess artfulness in keeping with the building design.

B. Height, Bulk and Scale

B-1 Height, Bulk and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

In response to the earlier design guidelines, the applicant set back the upper-most floor from the façade at the property line.

C. Architectural Elements and Materials.

C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings. *The Pike/Pine “vernacular” architecture is characterized by the historic auto-row and warehouse industrial features of high ground floor ceilings and display windows, detailed cornice and frieze work, and trim detailing.*

New buildings should echo the scale and modulation of adjacent buildings in order to preserve both the pedestrian orientation and consistency with the architecture of nearby buildings. Architectural styles and materials that reflect the light-industrial history of the neighborhood are encouraged. Examples of preferred elements include: 1) similar building articulation at the ground level; 2) similar building scale and proportions; and 3) similar building details and fenestration patterns.

The Board did not expand upon its earlier comments. Discussion focused on potential alternative materials for the two major elevations. See C-4.

C-4 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. *New development should respond to the neighborhood's light-industrial vernacular through type and arrangement of exterior building materials. Preferred materials include: brick, masonry, textured or patterned concrete, true stucco (Dryvit is discouraged), with wood and metal as secondary or accent materials.*

The north and south elevations presented at the Recommendation meeting showed green and white highway signs artfully covering the two façades in a patchwork or collage. During the presentation, the architect's admitted their consternation that they would not be able to acquire enough signs. The Board members like the concept of the signs but expressed their dismay that an alternative design / materials was not presented. In response, the architects stated that large panels of painted hardiboard were being considered. They referred to the building at 1310 E. Union St. as an example.

The Board recommended that alternative materials and design to those shown at the meeting would need to be reviewed and approved by the land use planner. It further recommended that a materials board would need to be prepared and a photograph or image of it delivered by DPD staff to the Board members in attendance. Large panels of painted hardiboard, depending upon the design and detailing, would be acceptable to the Board. Review and approval would be subject to the DPD land use planner.

Staff wonders whether the architect could procure enough highway signs to surface just the Pike St. elevation. The south elevation could then be another material that responds to the new projects behind the building. Another alternative is to create facsimiles of the highway signs. This would, at least, give the designers more control of the signs and the text which would add the opportunity to layer a second level of meaning and potential whimsy onto the project.

The Board recommended that windows at street level should be operable to provide for ventilation and foster a greater relationship between building uses and the pedestrian.

C-5 Structured Parking Entrances. The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

See A-9.

D. Pedestrian Environment.

D-6 Screening of Dumpsters, Utilities and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

The applicant responded to the early design guidance by locating the trash and recycling storage in the garage. The Board considered and recommended a departure to allow for a reduction in the size of the storage area. Building maintenance will need to equip the building with a vehicle or device to pull the dumpsters up the garage ramp.

E. Landscaping.

E-2 Landscaping to Enhance the Building and/or Site. Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project. The creation of small gardens and art within the street right-of-way is encouraged in the Pike/Pine neighborhood in order to enhance and energize the pedestrian experience. This is especially desirable for residential and mixed use developments as well as a means to distinguish commercial areas from institutional areas. Providing vertical landscaping, trellises or window boxes for plants is also desirable.

The proposal has reduced amounts of landscaping and open space in which the Board recommended two related departures. Staff suggests the possibility of a green screen on the south façade if the highway sign façade is unrealized.

Board Recommendations: The recommendations summarized below were based on the plans submitted at the August 9, 2006 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the August 9th public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the three Design Review Board members present unanimously recommended approval of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed below).

STANDARD	REQUIREMENT	REQUEST	JUSTIFICATION	RECOMMENDATION
1. Sight Triangle. SMC 23.54.030G	10' sight triangle from sidewalk.	Use mirrors at garage entrance.	<ul style="list-style-type: none"> ▪ Increases the amount of retail on a busy commercial corridor. 	Approval
2. Landscaping. SMC 23.47.016B	Equivalent of 5% of lot area to be landscaped. Shall be visible to pedestrians.	3% visible from Pike St.	<ul style="list-style-type: none"> ▪ Façade echoes historic light industrial auto-row architecture of Pike St. ▪ Modulations in bldg. to provide landscaping would detract from flat façade. 	Approval
3. Open Space. SMC 23.47.024	20 % of the structure's total gross floor area in residential use.	9% of structure's gross floor area in residential use.	<ul style="list-style-type: none"> ▪ Open space on terraced roof. ▪ Small infill site without setbacks on busy corridor has little room for open space. 	Approval
4. Uses in Pedestrian Zone. SMC 23.47.042C2	80% of street-level frontage must be occupied by commercial use.	62.9%.	<ul style="list-style-type: none"> ▪ Accommodates garage entrance (no alley). 	Approval
5. Parking. SMC 23.54.030B1b	60% of parking spaces shall be medium size stalls	Provide 25% medium stalls. Balance of stalls for accessible and small autos.	<ul style="list-style-type: none"> ▪ Narrow width of building site. ▪ Maintains regulation size aisle width. 	Approval
6. Street level use SMC 23.48.008B	80 % of street level shall be occupied by nonresidential use.	77% street level use.	<ul style="list-style-type: none"> ▪ Minimum parking drive aisle and minimum accessible residential entry. ▪ Narrow lot. 	Approval

The Board recommended the following **CONDITIONS** for the project. (Authority referenced in the letter and number in parenthesis):

1. Provide an opaque garage door in keeping with the historic, light industrial, auto-row aesthetic of the Pike / Pine neighborhood. (A-9, C-5)
2. Develop and submit a materials board for the Board members consideration. The planner shall distribute the material board by email or post. (C-4)
3. Alternatives to the materials and façade designs to those presented at the meeting will need to be reviewed and approved by the land use planner. (C-4)
4. Specify operable windows for the storefronts on Pike St. (C-4)

DIRECTOR'S ANALYSIS - DESIGN REVIEW

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. The Director agrees with the conditions recommended by the three Board members and the recommendation to approve the design, as stated above.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS-SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant's agent (dated April 1, 2005) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant, and the experience of the lead agency with review of similar projects, form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665D) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, 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 (SMC 25.05.665D1-7) mitigation can be considered.

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, and a small increase in traffic and parking impacts due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise, air quality, earth, grading, streets and parking impacts as well as mitigation.

Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to these residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M.:

- A. Surveying and layout.
- B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
- C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protection, water dams and heating equipment.

In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:00 A.M and 6:00 P.M.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule; thus the duration of associated noise impacts. DPD recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety. Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case by case basis by approval of the Land Use Planner prior to each occurrence.

As conditioned, noise impacts to nearby uses are considered adequately mitigated.

Air Quality

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the adjacent residential building.

Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

An excavation to construct the lower level of the structure areas will be necessary. The maximum depth of the excavation is approximately 18.5 feet below Pike St. (much of this already exists) and will consist of an estimated 1,550 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Traffic and Parking

Construction of the project is proposed to last approximately 12 months. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require 155 round trips with 10-yard hauling trucks or 78 round trips with 20-yard hauling trucks. Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near a major arterial and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC 11.62.

Truck access to and from the site shall be documented in a construction traffic management plan, to be submitted to DPD and SDOT prior to the beginning of construction. This plan also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular consideration given to maintaining pedestrian access along E. Pike St. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Parking utilization along streets in the vicinity is near capacity and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. Due to the large scale of the project, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. In order to minimize adverse impacts, construction workers will be required to park in the garage as soon as it is constructed for the duration of construction. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

Long-term Impacts

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

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these 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, due to the size and location of this proposal traffic and parking impacts warrant further analysis.

Traffic and Transportation

The Institute of Transportation Engineers (ITE) Trip Generation Manual estimates that units in residential mid-rise apartment structures units generate 0.39 vehicle trips in the P.M. peak period per unit. The 27 apartment units would generate approximately 11 vehicle trips per P.M. peak period. A specialty retail center may conservatively generate approximately 2.59 vehicle trips per 1,000 square feet of floor area. The proposed 4,917 square feet of retail would produce approximate 13 vehicle trips in the weekday p.m. peak hour. Total new trips in the peak hour for the proposed structure would approximate 24 trips, which likely over represents the true impact.

The new trips added to the p.m. peak hour traffic will not seriously affect operations of the nearby intersections, so no SEPA mitigation of traffic impacts to this intersection is warranted.

Parking

The project would include a 24-space below grade parking garage accessed from East Pike Street. These spaces would be reserved for residential tenants. On-site parking for the commercial uses of the project would not be provided.

Residential parking demand was estimated based on the number of apartment units and the average peak parking demand rate published in Parking Generation (ITE, 3rd Edition, 2004) for an urban “low/mid-rise apartment”. Multiplying the size of the project (27 units) by the average peak parking demand rate for an urban low /mid-rise apartment building (1.00 vehicles per dwelling unit), the peak parking demand is estimated at 27 vehicles for the residential units. A conservative multiplier of 2.65 vehicles per 1,000 sq. ft of commercial space is used for the proposed 4,917 square feet of retail. The retail component would generate a demand for approximately 13 parking spaces during the p.m. peak period. The total demand for 40 parking spaces would exceed the amount provided in the garage by 16 spaces. However, it is unlikely that this cumulative peak demand would ever be achieved, as the residential peak parking demand likely would occur in the evenings and overnight, while the commercial parking demand would peak during the day. An analysis of parking utilization rates indicates that an estimated 93 percent of on-street spaces are already utilized. This limited availability in the neighborhood would provide little on-street parking for potential spill over parking.

Although the proposed 24 spaces would exceed the City’s minimum code based requirements, they would likely accommodate the project’s anticipated peak parking demand. Based on the type of tenants expected, the location of the site near transit and near essential services (grocery, medical, retail, restaurant, and recreational), these are all likely to contribute to lower auto ownership for residential tenants. The site’s close proximity to employment centers on First Hill and downtown as well as its nearness to entertainment on First and Capitol Hills would significantly reduce tenants’ dependence on automobiles, and likely would also result in lower auto use and parking demand for commercial tenants. Based on this analysis, no SEPA mitigation of parking impacts is warranted.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

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.

- [X] 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 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 (2) (C).

CONDITIONS-DESIGN REVIEW

Prior to Issuance of a Master Use Permit

Update plans according to the following conditions:

1. Provide an opaque garage door in keeping with the historic, light industrial, auto-row aesthetic of the Pike / Pine neighborhood.
2. Develop and submit a materials board for the Board members consideration. The planner may distribute the material by email or post.
3. Alternatives to the materials and façade designs to those presented at the meeting would need to be reviewed and approved by the land use planner.
4. Specify operable windows for the storefronts on Pike St.

Non-Appealable Conditions

5. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bruce P. Rips, 615-1392). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
6. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, 615-1392), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least three (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
7. Embed the MUP conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.

CONDITIONS-SEPA

During Construction

8. Condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

9. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M.:
 - A. Surveying and layout.
 - B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
 - C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

10. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:00 A.M and 6:00 P.M.

Hours on weekdays may be extended from 6:00 P.M. to 8:00 P.M. on a case by case basis. All evening work must be approved by DPD prior to each occurrence.

Once the foundation work is completed and the structure is enclosed, interior construction may be done in compliance with the Noise Ordinance and is not subject to the additional noise mitigating conditions.

11. Construction workers shall park in the on-site garage as soon as it is constructed, following approval from the DPD Building Inspector.

Signature: (signature on file)
Bruce P. Rips, AICP, Senior Project Planner
Department of Planning and Development

Date: September 28, 2006