



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 & DEVELOPMENT**

Application Number: 3003718
Applicant Name: Laura Bachman for Brotman/Barrientos, LLC.
Address of Proposal: 1500 East Madison Street

SUMMARY OF PROPOSED ACTION

Land Use Application to establish use for future construction of a six-story mixed use building, containing 3,474 square feet of retail, 4,143 square feet of restaurant (eating and drinking establishment) use at ground level, with 80 residential units five above. Parking for 92 vehicles will be provided at and below grade.

The following Master Use Permit components are required:

Design Review - Section 23.41, Seattle Municipal Code (SMC) with Development Standard Departure:

- 1) To allow reduction in the amount of *Nonresidential 80% Street Frontage (SMC 23.47.008.B.5)*
- 2) To allow increase in the amount of *Lot Coverage (SMC 23.47.008.D)*
- 3) To allow reduction in *Open Space* quantity (*SMC 23.47.024.A*)
- 4) To allow alternatives to *Screening and Landscaping* standards (*SMC 23.47.016.D.2.a*)
- 5) To allow modifications to *Blank Facades (SMC 23.47.016.E)*
- 6) To allow reduction in *Driveway Width (SMC 23.54.030.D)*
- 7) To allow alternatives to *Parking Aisles (SMC 23.54.030.E)*
- 8) To allow modifications to *Site Triangle (SMC 23.54.030.G)*

SEPA - Threshold Determination - (Chapter 25.05 SMC).

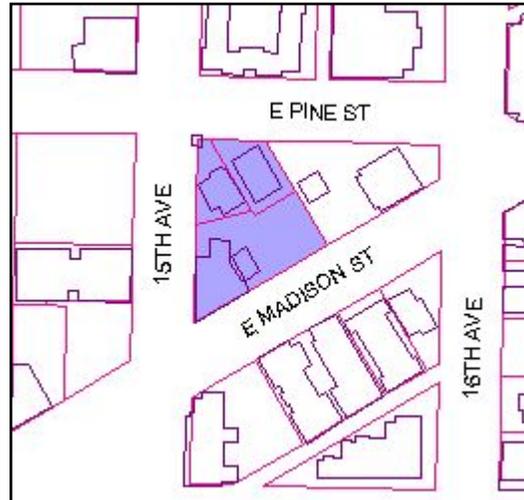
SEPA DETERMINATION: Exempt DNS EIS
 DNS with conditions
 DNS involving non-exempt grading or demolition or
 involving another agency with jurisdiction.

**Early Notice DNS published June 8, 2006.

BACKGROUND DATA

Site Description

The subject site combines three parcels of land to create an irregular shaped corner lot that has frontages along East Pine Street to the north, 15th Avenue to the west, and East Madison Street to the south, in the Capitol Hill neighborhood. The development site occupies a land area of approximately 17,350 square feet in a Neighborhood Commercial Three zone with a Sixty-Five height limit (NC3-65). The site is also located within the Capitol Hill Urban Center Village.



The combined development site is currently developed with residential uses on two parcels, with one structure containing a retail use at ground level. The third parcel has an eating and drinking establishment use (Thumpers) at the corner of 15th and East Madison Street. The existing structures are older buildings, ranging in height between one and three-stories. The development site is modestly landscaped with vegetation concentrated along 15th Avenue.

The site slopes moderately downward from east to west, approximately 12 feet over a distance of 160 feet with slight bowl-like depressions within the site. The site occupies the south half of a truncated triangular-shaped block that fronts upon 15th Avenue East, East Pine Street, 16th Avenue East, and East Madison Street. The remaining part of the block is developed with a modest-sized commercial use; a one-story retail service (7-11) with accessory surface parking. All street rights-of-way are fully developed with asphalt roadways; curbs, sidewalks and gutters. East Madison Street and 15th Avenue are primary arterials streets abutting the subject site. With East Madison Street being the principle arterial connecting the surrounding residential neighborhoods from Lake Washington to Downtown. The site is served by Metro bus routes 10, 11, 12 and 84.

The site is not located in any identified or designated Environmentally Critical Area (ECA); however, as previously mentioned it falls within the guidelines area of the Capitol Hill Neighborhood Plan and abuts the east edge of the Pike/Pine Neighborhood Guidelines area.

Area Development

The site's prominent location is at the northeast corner of the intersection of East Madison Street and 15th Avenue. The site sits near the west crest of Capitol Hill, with views of downtown and the Olympics towards the west, and east to the Cascades. The neighborhood features a mix of older multi-story residential and commercial structures, with a number of new mixed-use developments extending up to the zoned height limits. To the west and northwest, two sites are currently under development, with one slated for occupancy in the near future. To the southwest across 15th Avenue East, a three-story residential building (the Paramount Apartments) is a good

example of older well detailed buildings representative of the Capitol Hill area. Zoning at the site and along this strip of East Madison Street is Neighborhood Commercial Three zone, with a sixty-five (65) foot height limit (NC3-65) within an Urban Village Commercial Zone Overlay. Abutting this commercial zoning band to the north and south are Multifamily Lowrise Three zones (L3). Modest Turn of the Century multi-family and single family structures are prevalent in this area. A landscaped triangular shaped area (commonly referred to as Pleasant Park) is located to the southwest within the right-of-way across East Madison Street, with street frontages abutting East Pike Street and 15th Avenue. The area's skyline is dominated by the three large transmission towers located three blocks to the southeast across Madison Street.

Proposal

The proposal is to construct a mixed use building in an NC3-65 zone, within an Urban Village overlay district. The applicant proposes to combine three parcels of land to construct a six-story mixed-use building on the southern half of the block that is currently occupied by residential, retail, and restaurant uses. The stated goal is to construct a six-story building that contains restaurant, retail and residential use that takes advantage of the unique site conditions to provide a dramatic addition to the Capitol Hill neighborhood. A total of eighty residential units are proposed above approximately 8,175 square feet of street level commercial use. An accessory parking garage will be located at and below grade, accessed off East Pine Street, and will accommodate ninety-two (92) vehicles. Special emphases will be directed towards providing an attractive and inviting pedestrian experience within 15th Avenue and within the residential open space courtyard. The proposal will include below grade storage and three levels of parking.

The design objectives include strengthening the corner with distinctive features and/or uses to make a bold statement primarily along the 15th Avenue and East Madison Street frontage. The project will enhance the robust pedestrian activity along all street frontages; East Pine Street, East Pike Street and 15th Avenue. Exterior façade materials along the street frontage will be primarily metal siding and glazing, with architectural concrete along the east portions of Pine and Madison. The storefront window system includes structural steel to support the canopy and allows for the inclusion of operable doors or windows. The overhead weather protection will be prominently featured along 15th Avenue and will animate the pedestrian experience by alternating light and dark colors to fall upon the sidewalk. Commercial entries and the primary residential entry will be taken off 15th Avenue. Access to parking would be from East Pine Street through a shared driveway access approximately forty feet east from the intersection of Pine and 15th streets.

The following Design Review departures were identified during the recommendation meeting from the Land Use development standards: nonresidential 80% street frontage width per SMC 23.47.008.B; lot coverage allowance SMC 23.47.008; open space quantity per SMC 23.47.024.A; screening & landscaping requirements for specific uses SMC 23.47.016.D.2.a; blank façade length SMC 23.47.016.E; driveway width per SMC 23.54.030.D; parking aisles per SMC 23.54.030.E; and sight triangle standards SMC 23.54.030.G.

Public Comments:

Date of Notice of Application:	July 6, 2006
Date End of Comment Period:	July 19, 2006
# Letters	0
Issues:	

The SEPA comment period for this proposal ended on July 19, 2006. The Department received no comment letters during the public comment period. No letters were received during the Early Design Guidance (EDG) phase either. During the time of the Design Review phase (EDG and Recommendation meetings) community members voiced their desire for maintaining and strengthening their neighborhood's vibrancy by commenting on aspects of the applicant's proposal. A number of their concerns were aired during the design review phase; including modifying the proposed structures massing and façade detailing.

ANALYSIS - DESIGN REVIEW

Early Design Guidance

An Early Design Guidance Public Meeting was held by the At-Large Design Review Board on January 18, 2006. Eleven (11) members of the public attended the January 18th meeting. Public comments included concerns related to impacts of adjacent uses on the development site; a preference for a design alternative that increased the proposal's upper level mass; noise associated with activities within the East Madison right-of-way; and retaining a human scale for the development along 15th Avenue.

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 provided the following siting and design guidance and identified by letter and number those siting and design guidelines found in the City of Seattle's "*Design Review: Guidelines for Multifamily and Commercial Buildings*" and "*Capitol Hill Urban Center Village Design Guidelines*" of highest priority to this project:

A. *Site Planning*

A-1 *Responding to Site Characteristics:* *The siting of buildings should respond to specific site conditions and opportunities.*

Considering the site conditions and the design proposal the Board emphasized a need to provide greater compatibility with the prevalent design pattern along 15th Avenue and East Pine Street. The Board was not satisfied with design treatment adjacent to the 7-Eleven site and requested further studies to achieve a more sympathetic design to neighboring property.

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

The Board emphasized the need for the applicant to increase interaction in the pedestrian environment around the development site. The applicant was encouraged to install public open spaces adjacent to the street to encourage activity. The location and quality of overhead weather protection should be considered as a high value element and should fully serve the needs of its inhabitants while visually activating the streetscape. Create a better scale for the proposed structure by increasing its presence along the north property line – East Pine Street frontage.

A-3 Entrances Visible from the Street: Entries should be clearly identifiable and visible from the street.

The Board stated that neither the residential nor the commercial entrances were readily identifiable and should be emphasized, with sensitivity to adjacent street level uses. The retail entrance should be more prominent along 15th Avenue to create a visual connection to east Madison and East Pine Street frontages. The residential entrance should have a distinctive and attractive presence so that it is readily identifiable to the residents and their guests.

A-4 Human Activity: New development should be sited and designed to encourage human activity on the street.

The establishment of pedestrian activity areas on East Pine Street and 15th Avenue is encouraged at street levels to create greater opportunities for pedestrian interaction with commercial and residential uses and should be incorporated in the design. The Board also encouraged establishing street level public areas to be more interesting and inviting.

A-7 Residential Open Space: Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

The Board emphasized the location and quality of residential open space should be considered as a high value element that serves the needs of its residential inhabitants. Residential open spaces should be functional and connected to residential uses. The design should optimize natural light into the proposed interior courtyard and provide maximum transparency into the building. Glazing and operable windows within corridors should be provided to open up the inside to the outside.

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 proposed location and quality of the access driveway to parking areas was a significant issue raised by the proposed design. The Board stated that reducing the driveway's linear width should be taken into consideration at the development site to lessen potential conflicts between vehicle and pedestrian activity. Access to the parking levels and the loading area should be configured to minimize visual impacts at street level.

A-10 Corner Lots: Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

The Board felt that the building should increase its weight at the north to create a better scale for the proposed structure at the intersection of 15th Avenue and East Pine Street. The proposal will need to hold the corner where two new buildings are planned at the northwest and southwest corners of 15th Avenue and East Pine Street. The proposal should pay attention to the corner by activating residential or commercial uses in this area. Visually, the Madison and 15th Avenue will have the greatest opportunity to establish its presence due in part the topographic conditions.

B. Height, Bulk and Scale

B-1 Height, Bulk and Scale: 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.

The Board encouraged the applicant to take into account structures and uses in the adjacent Lowrise zone to the north, across the centerline of East Pine Street to inform a design that reflects greater sensitivity to the existing scale on this block front.

C. Architectural Elements and Materials

C-2 Architectural Concept and Consistency: Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.

The Board noted vertical modulation should be substantial and carried through along the entire length of the street facing facades. The mass of the upper level should follow down to base.

C-3 Human Scale: The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

The Board encouraged establishing a stronger cohesiveness at the development site with the addition of nuanced detailing, glazing, and location of pedestrian entry points to enhance the proposed development.

C-4 Exterior Finish Materials: Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close.

The Board did not offer any specific guidance as to building materials, but did note that quality materials which corresponds to the existing neighborhood character be reflected in the final design.

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 encouraged the applicant to design the entrance(s) to the parking structures so that they are not blank void spaces into a parking area. The Board suggested artwork, lighting and/or unique paving types at the garage entrances to add interest and to alert pedestrians to the presence of vehicles.

D. Pedestrian Environment

D-1 Pedestrian Open Space and Entrances: Convenient and attractive access to the building's entry should be provided.

The Board recommended that the proposed pedestrian entries should be well defined with detailing to help create a lively, pedestrian experience around the thresholds. Additionally, canopies or other weather protection devices for pedestrians along the street facades should be incorporated into the design to activate the sidewalk. The applicant should seriously consider installing operable windows or roll-up doors along 15th Avenue to enhance the pedestrian experience along East Madison Street.

D-5 Visual Impacts of Parking Structure: The visibility of all at-grade parking structures or accessory parking garages should be minimized.

The number and size of proposed garage doors must be minimized to better achieve a thoughtful integration in relation to surrounding properties.

D-7 Personal Safety and Security: Project design should consider opportunities for enhancing personal safety and security in the environment under review.

The Board recommended the use of specific landscaping materials which add attractiveness to the building and the site, but which allows protection of person safety for the internal users along the rear property line. Additionally, lighting should be incorporated into the facades to illuminate pedestrian areas but which does not spillover onto the street or impact the residential tenants above.

E. Landscaping

E-2 Landscaping to Enhance the Building and/or site: Landscaping, including living plants, special pavement, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

The Board stressed the importance of enhancing a planting area on the deck court yard with quality landscaping in permanent containers that are nicely designed to create the focal point within the interior court yard from the vantage of units looking down into the space and from neighboring properties.

E-3 Landscaping Design to Address Special Site Conditions: The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors or existing significant trees, and off-site conditions such as greenbelts, ravines, natural areas and boulevards.

The Board emphasized the need for street level landscaping to create urban gardens to help offset the buildings scale in a predominant residential city block. The northwest and southwest corners present opportunities at street level to provide landscaping and this opportunity should not be squandered.

Summary

The recommendations of the Board reflected their concern as to how the proposed project would better integrate into the existing and developing neighborhood.

Design Review Board Recommendations

On May 12, 2006, the applicant submitted the full Master Use Permit application, and on July 12, 2006, the scheduled recommendation meeting was cancelled due to the lack of a Board quorum. On August 16, 2006, the Capitol Hill/First Hill Design Review Board (Area 7) convened for the official recommendation meeting. The applicant presented elevation renderings, site plans that responded to design guidelines set forth by the Board during the previous meetings. The applicant requested eight departures from the City's Land Use Code.

Developer's Presentation:

Laura Bachman, Project Manager, began the presentation with a brief overview of the updated proposal that includes outcomes from meetings held with SDOT and other City agencies. She acknowledged that a neighborhood group, Pike/Pine Council, was instrumental in evolving the project into its current configuration with the building wrapping around onto East Pine Street. Lesley Bain used a scaled model, slides, presentation boards, and 11 x 17 colored packets to describe the design response. Barb Swift, Landscaped Architect, addressed responses to residential open space.

Specific responses to Board Guidance:

1. Readable residential entry: The primary residential entry will be distinguishable by the facade composition and use of glazing treatments. The entry will be recessed and marked by a glass gasket of units above with color accent differentiation. Both horizontally and vertically the entry will be distinct from the multiple commercial entrances along 15th Avenue.
2. Street level pedestrian activity areas: Activities areas are maximized along 15th Avenue that turns the corner onto both East Pine and East Madison Streets. The updated design proposes to establish opportunities for sidewalk café's buffered by landscaping in the planting strip to screen out vehicles. The overhead weather protection on 15th will alternate between clear and solid sections to enliven the sidewalk environment with the interplay of light and dark. Commercial uses will dominate the entire length of 15th Avenue with operable storefronts windows and/or doors, featuring non-reflective glazing extending the full height of the street level.
3. Open space detail shall be provided to clearly identify departure request: The landscape architect presented an open space plan that included a solar analysis within the residential courtyard. Residential open space would be provided exclusively on the building's terrace above the parking level. Timber Bamboo that grows to forty feet at maturity will be a dominating vertical element that will infuse this courtyard with its defining character. The bamboo will be densely planted to create an urban forest effect. On

maturity, as viewed from the upper level units and corridors the timber bamboo will function like a green screen. During the summer months, owing in part to reflective façade materials the courtyard will maximize natural light into the open space. Approximately 3,000 square feet will be landscaped, with an additional 850 square feet in pavers. Access to the courtyard will be limited to residential tenants and their guests from the internal corridors.

4. Optimize natural light into building's core and maximize transparency:

Light colored hardi-panel and glazing will be employed on the façade surrounding the courtyard to optimize light bouncing down into the courtyard. As previously mentioned a solar analysis was conducted within the courtyard that among other things demonstrated that light could be found year round within the building's open core. Within the building, several areas have been opened up to allow views into the courtyard. Each residential level will have at least two units with operable windows into the courtyard. Along the corridor glazing with operable windows will be installed to stream in natural light and air on each floor. Visual interest will be enhanced with the maturing of the Bamboo trees that will draw ones attention to what lays on the other side of the windows.

5. Attractive and distinctive designed building:

Exterior materials along all street facades will be primarily metal siding and glazing, with architectural concrete at the base along the north and south facades due in part to site topography. Along 15th Avenue, which establishes the floor plate height, there are storefront windows to maximize floor area without splitting the floor levels into segments on a sloping lot. These windows extend to the concrete "plinth" between the commercial and residential level. The intent of the glazing is to create visual interest and promote successful commercial use. The residential level above employs a generous amount of glazing framed around metal siding and hardi-panels.

6. Pay attention to corner by locating active uses of a strong presence at the corner:

The updated design proposes both corner street facades to allow for outdoor seating areas. The overhead metal and glass canopy wraps each corner, projecting the corner outward toward the sidewalk. The corner would be designed to accommodate pedestrian activity as people move through the neighborhood. The acute angle at the corner of 15th and Madison will establish a dramatic presence form the south and west approach with its 17 foot high ceiling.

7. Detailed colored landscape plan: Provided in plan set.

Public Comments

During the August 16, 2006, Final Recommendation meeting one member from the public commented that the building's fenestration is of concern; "even with high quality vinyl windows the building could look cheesy if not done right." Several members liked the solid and glazed canopies overhanging into the right-of-way. A follow-up comment stated that the rhythm of exterior façade materials enhanced the building's articulation, befitting its unique location. The public picked-up on the street level experience and had several comments to add - Including the

proposal's lack of establishing a pedestrian friendly environment along East Madison. Along East Pine the garage entranced façade appeared under designed. The garage door may be problematic, creating potential vibrations and noise for the units above. Additionally, large delivery trucks could be a nuisance with idling engines and alarms. Traffic congestion impacts should be looked into. Traffic impacts are part of SEPA analysis and will be examined during that phase by assigned planner. The rest of the comments supported the addition of the proposed building in the neighborhood and its street improvement elements.

Design Analysis

The Board thanked the applicant for their patience in having to reschedule the recommendation a second time due in part to the demands of Board conflicting summer schedules. It was noted at the outset that the Board members felt that the overall presentation and design of the proposal has successfully achieved a high level of integration of modernized urban form into the existing neighborhood fabric.

The Board noted two areas that stood out that needed additional attention. The street level pedestrian experience along East Pine and East Madison Street was not fully realized affecting a number of guidelines. As opposed to 15th Avenue where activities areas were maximized; the overhead weather protection on 15th stretches to corner to corner, and alternate between clear and solid sections to enliven the sidewalk environment with the interplay of light and dark. Commercial uses will dominate the entire length of 15th Avenue with operable storefronts windows and/or doors, featuring non-reflective glazing extending the full height of the street level. Contrasting 15th with East Pine's street level experience, greeting the pedestrian within the sidewalk area is a concrete base wall, two-car garage door, a secondary pedestrian access door, and windows into the corner commercial use. The street level façade has not achieved a sense openness and engagement for pedestrians. Additionally, East Madison was seen to be a significant conveyor of pedestrian traffic moving east and west. The street level façade appeared underdeveloped within the transparency zone. The Board wanted to know how the small square windows would function, were they intended to provide screening of activities within the building or treated as an architectural feature to open up the structure to external activities. The Board determined that the small square windows should be reexamined to enhance the external façade. They would leave it up to the applicant and land planner to find the best solution to work through the façade design details adjacent to East Pine and East Madison Streets. The Board was encouraged by the design team's street level proposal along 15th Avenue to make the proposal more distinguishable and interesting. **The Board felt their suggested design improvements did not warrant another meeting, but instead the assigned planner would be entrusted to finalize design details prior to issuing a MUP permit. (Guidelines A-1, A-2, A-4, A-8, C-3, C-5)**

With the establishment of an "unabashed" modernist structure, the Board agreed that the proposal is generally compatible with surrounding buildings and has taken cues from its location, topography, and adjacent buildings. The architect established a distinctive residential appearance on the upper levels with vertical connection to the commercial base, creating a "beautiful crisp look." (Guidelines A-1, A-2, A-10 & C-2). The architect took advantage of an upper level City Light setback requirement and turned it into an opportunity to modulate the upper level to make the residential entrance more readable from a distance. In addition, the

architect has chosen to use Hardi-panel, exposed concrete, metal siding and vinyl windows to carry through a design composition that is both modern and with subtle rustic flourishes. The play of light and shade underneath the street canopy invokes walking within an urban forest. The proposed metal canopy will partially wrap around both corners. The Board also felt that additional detailing is needed to create greater opportunities to enhance the pedestrian experience. **Along the East Madison and Pine Street frontages the Board Recommended that the pedestrian experience needed additional refinements with well defined detailing, entrances with canopies and other amenities. Along the East Pine Street, the garage entry should not have a visual impact or create a nuisance to both tenants visitors. Guidelines A-1, A-2, A-3, A-4, A-10, C-2, C-3, C-5, D-1 & D-5)**

The Board was encouraged by the building's mass anchoring the 15th Avenue and East Pine Street intersection. Its scale is in keeping with development in the NC3-65 zone, and is sympathetic to surrounding properties including proposed new development. (*Guidelines B-1 & D-1*)

The Board agreed that the proposed materials including concrete, metal siding, and hardi-panel reflected materials found within the immediate area and suited the development site. (*Guidelines C-2 & C-4*). The color renderings in the design review packet conveyed a sophisticated look that should be carried through to the construction phase. With the exception of additional manipulation of façade treatments along the East Pine and Madison Street frontages, the Board was pleased that the proposal had successfully strengthen the building's presence. (*Guidelines C-4, C-5, D-1, D-5 & D-7*). **The Board recommended that the applicant explore greening up and softening the street level façade along Madison is a priority item. This area should be more welcoming owing in part to the volume of individuals who use this street. The Board encouraged the design team to consider texturing the concrete portion of the Madison Street façade. Additionally, a reexamination of the design of the street level windows is in order. (Guidelines A-4, A-10, C-1, C-3, D-1, E-2 & E-3)**

The Board would like to see careful attention directed towards creating a more subtle garage entry with equal time devoted to opening up the façade with attractive flourishes. If feasible, sidewalk textured surfacing should be employed on either side of the driveway to decrease potential conflicts with motorists. The architect is encouraged to work with DPD and SDOT, on the details for improvements in the East Pine and 15th Avenue ROW. (*Guidelines A-8, C-2 & D-5*). **Therefore, the Board recommended an attractive facade system be employed along the East Pine frontage that actuates design form over a standardized parking entry. Further, the applicant is instructed to work with SDOT and DPD to introduce paving changes through color and texture at the vehicle access points along East Pine Street. (Guidelines A-8, D-1 & D-5)**

The landscape design includes placement of street trees along the 15th Avenue and East Madison Street frontages. East Pine has limited linear frontage to accommodate street trees. The open space courtyard will be landscaped with approximately 56 trees with dense shrubbery to create an urban forest experience for building residents accessible on all floors. The interior courtyard located above the parking and commercial level will be open to the sky, with two access points. The residential floors above will have windows place along the corridors and in some cases several units will have direct views into the courtyard below. It is anticipated that when the trees

are fully mature they will reach a height in excess of 35 feet. (*Guideline A-7, E-2*) Street level landscaping has been incorporated to frame the building to provide visual contrast to a modernist styled facade, with strong vertical elements to enhance the pedestrian corridor. The Board was thoroughly satisfied with landscaping within the courtyard, but the building's East Pine and Madison perimeters needed additional refinement. Landscaping elements should be considered to soften the facade to provide a pedestrian friendly buffer between the building and the property to the north and south. (*Guidelines E-1 & E-2*) **The Board recommended that the applicant use quality materials, greening up and soften the street level façades along East Pine and Madison Street.**

Departure Analysis

1. To allow reduction in the amount of *Nonresidential 80% Street Frontage (SMC 23.47.008.B.5)*

Where a lot fronts on two or more streets and only abuts lots which are zoned commercial, all street frontages shall be calculated to determine required nonresidential use. After subtracting twenty-two (22) feet for driveway entrance the total linear feet of street frontage is 403.98. The eighty percent nonresidential use requirement would therefore be 323.2 feet¹. The Board has concurred with the applicants desire to focus accessible nonresidential attention along 15th Avenue, which has limited the functional street level use along East Pine and Madison Streets. Due in part to the site's topography and irregular shape, opening up East Madison frontage for commercial pedestrian access has proven to be an insurmountable challenge with floor plate heights and the preferred location of vehicle access to lower levels. The proposal will feature an active pedestrian experience along the 15th Avenue that wraps around each corner. During the recommendation meeting, the Board enthusiastically supported a reduction to 290.66 or 71%.

2. To allow increase in the amount of *Lot Coverage (SMC 23.47.008.D)*

In mixed use developments, a building's footprint above 13 feet from finished grade shall be limited to maximum lot coverage of 64%. The site combines three parcels of land totaling 17,350 square feet, when factoring the coverage limit; the applicant is limited to coverage of no more than 11,104 square feet. After meeting with a neighborhood community group to present the development proposal prior the EDG meeting, the applicant was encouraged to increase the building's upper level presence along the north façade to strengthen its presence along the East Pine frontage. This concept created a "C"-shaped design that was supported by the Board at the time of the EDG meeting. The building has evolved with finer detailing which has served to establish a well portioned building that will be an asset to neighboring properties. The result of increasing the building's mass on the upper level has increased the lot coverage to 13,325 square feet, an increase of approximately 2,221 square feet.

3. To allow reduction in *Open Space* quantity (*SMC 23.47.024.A*)

¹ A Design Reviewed Board approved reduction in driveway width to 20 feet, has resulted in an actual required length of 324.8 feet.

Required residential open space is based on a percentage (20%) of the gross floor area dedicated to residential use. Additionally, depending on location, at or above grade, open spaces shall have minimum area and horizontal requirements. In this instance the applicant has proposed 67,901 square feet dedicated to residential use, which in turn would require 13,580 square feet of open space. The applicant has proposed 4.9% or 3,312 square feet for residential open space. This represents an open space shortfall of approximately 10,268 sq. ft. Open space provides opportunities for residential dwellers to experience the outdoors in a secured environment. The applicant has successfully argued that each unit is afforded operable windows with views outdoors. Additionally, the community driven increase in the upper level mass or coverage has impacted available space that could be designated for residential open space. The common courtyard deck open space has been designed to visually create a sense of calm from a number of vantage points, and to encourage social interaction with window facing units and amenities to activate use.

4. To allow alternatives to *Screening and Landscaping* standards (SMC 23.47.016.D.2.a)

When parking occupies any portion of the street-level frontage of a structure between a height of five feet and eight feet above sidewalk grade, a five foot setback shall be provided. Additionally, the setback area shall be landscaped. The building is pushed out to the property line where parking and access is located. The applicant would like the building's façades where parking is located to be treated as a screening device. The Board supported a design that efficiently deployed parking within the structure and maximized nonresidential presence along 15th Avenue. Owing in part to topography and holding the site's edges the Board approved removing the required setback with the understanding that additional measures to soften the street-level façade will need to be work out with the assigned planner. (A-4, A-10, C-1, C-3, D-1, E-2 & E-3)

5. To allow modifications to *Blank Facades* (SMC 23.47.016.E)

Blank facades are discouraged in NC zoned areas. Blank façade are not transparent areas of external walls, the requirements shall apply to the area of the façade between two and eight feet above sidewalk grade, when the blank façade is greater than 30 feet width a number of treatments shall be installed including; vegetation, setbacks, or artwork to mitigate solid walls. Along the east half of the Madison Street frontage, the floor height is approximately 11 feet below sidewalk grade due in part to the sloping topography. The applicant has chosen to animate the façade with 2 foot 9 inch square windows proposed at 16'-6" intervals along Madison. The Board agreed that the site conditions provided a significant challenge to warrant granting the departure request. However, further refinement will be needed, and instructed the design team to work with DPD using quality materials to green up and soften the street level façades and East Pine and Madison Streets. (A-4, A-10, C-1, C-3, D-1, E-2 & E-3)

6. To allow reduction in *Driveway Width* (SMC 23.54.030.D)

Nonresidential driveway widths for two-way traffic shall be a minimum of 22 feet and a maximum width of 25 feet. To limit the amount of visual intrusion of a driveway along East Pine Street and emphasize the design's pedestrian oriented character the applicant has proposed to reduce the garage door opening into the basement level to 20 feet in width, if needed a further

reduction to 18 feet is granted. The reduced opening allows for vehicles to safely pass each other without negatively compromising pedestrian safety. On the other hand the design stimulated a healthy conversation. The Board felt that the street level façade along East Pine needed more attention. How will the garage door function, what will it look like, are just two of the concerns along the façade which the design team will resolve with the assigned planner. The Board approves the applicant's design with the understanding that careful attention shall be directed towards creating a more subtle garage entry with equal time devoted to opening up the façade with attractive flourishes. If feasible, sidewalk textured surfacing should be employed on either side of the driveway to decrease potential conflicts with motorists. The architect is encouraged to work with DPD and SDOT, on the details for improvements in the East Pine and 15th Avenue ROW. (A-2, A-8, C-3, C-5, E-1)

7. To allow alternatives to *Parking Aisles* (SMC 23.54.030.E)

Minimum aisle widths shall be provided for largest vehicles served by the aisle. The development proposes large parking stalls (8.5 feet by 19 feet) for a nonresidential use which requires 24 feet horizontal clearance. The applicant acknowledges that the triangular geometry of the site presents challenges to maximize available on-site parking. Parking stalls will be distributed over three levels with two-way ramps accessing each level. The proposed alignment of ramps poses design challenges which has impacted parking layout in the underground garage. The request is to reduce the aisle width by approximately 2 feet, which will result in a 22 foot 2 inches minimum aisle width. The ramp width is proposed to be reduced to 20 feet 2 inches. The small number of vehicles affected by this request will not have a significant adverse impact; it will merely require an additional maneuver or two in an area not affecting driveway thresholds. The benefit to maximize on-site parking outweighs any minor inconvenience maneuvering in and out of the stalls. The Board felt that the design objectives expressed during EDG were achieved in the proposed design.

8. To allow modifications to *Site Triangle* (SMC 23.54.030.G)

The area between 32 inches and 82 inches is required to be kept clear of visual obstruction on the side of the driveway used as an exit shall be provided, ten (10) feet from the intersection of driveway with the sidewalk. The applicant proposes to hold the building's edges to emphasize the pedestrian oriented character of the proposed design, and provide warning devices in lieu of a site triangle. The East Pine Street frontage has a more residential feel along the streetscape with the number of residential uses and moderate vehicle traffic in comparison to East Madison Street. Vehicle and pedestrian traffic moves through this block front which would allow partial obstruction of the view area for exiting vehicles. Due to the location of the curb cut serving the proposal and the 15th Avenue and East Pine Street intersection, tenant vehicles are not anticipated to create safety conflicts. However, the concern lies from the east to minimize the potential pedestrian vehicle conflicts. The Board approves removing the site triangle so long as the applicant provides other means to secure exiting visibility and/or warning systems to minimize the potential for pedestrian vehicle conflicts. The architect will provide alternative means to warning pedestrians and vehicles, such as mirrors, warning lights and or buzzers. (A-2, A-8, C-5, D-5, D-7)

Summary of Board's Recommendation

<i>Development Standard</i>	<i>Requirement</i>	<i>Proposed</i>	<i>Applicant rationale</i>	<i>Recommendation</i>
<i>1. 80% Street Frontage occupied by nonresidential use. 23.47.008.B.5</i>	<i>Street front façade requirement shall be calculated by totaling the combined street front facades. 425.98' – 22.00' = 403.98' x .80 = 323.2'</i>	<i>290.66' or 71%</i>	<i>Due in part to the sloping topographic conditions the proposal maximizes useable nonresidential street frontage.</i>	<i>▪ Board Approved</i>
<i>2. Lot coverage 23.47.008.D</i>	<i>Above 13 feet from finished grad, the structure shall be limited to maximum lot coverage of 64%. 11,104/17,350 = .64</i>	<i>13,325/17,350 = 77% or .768</i>	<i>The proposed “C”-shaped design was a direct result of community group input to maintain a presence along all street frontages</i>	<i>▪ Board Approved</i>
<i>3. Open space quantity. 23.47.024.A</i>	<i>Usable open space shall be equal in amount to 20% of all residential uses. Equals 13,580 sq. ft (67,901 sq. ft. x .20)</i>	<i>4.9% (3,312/67,901 = .049.</i>	<i>See above comments. The project in turn will create a high quality internal courtyard as a focal point for its residents.</i>	<i>▪ Board Approved</i>
<i>4. Screening & landscaping when parking within a structure. 23.47.016.D.2.a</i>	<i>When parking occupies any portion of the street-level frontage of a structure between a height of five feet and eight feet above sidewalk grade, a five foot setback deep landscape area shall be provided.</i>	<i>No setback.</i>	<i>In order to preserve the street edge as was requested by community groups no setbacks are proposed. Additionally, the sloped lot provides design challenges to create usable spaces.</i>	<i>▪ Board Approved</i>
<i>5. Blank facades 23.47.016.E</i>	<i>Blank façade requirements shall apply to the area of the façade between two and eight feet above sidewalk grade, when the blank façade is greater than 30 feet width. Vegetation, setbacks, or artwork shall be installed to mitigate solid walls</i>	<i>2'-9" square windows are proposed at 16'-6" intervals along Madison.</i>	<i>Behind the exterior wall façade is a parking level, to secure internal activity and animate the experience along East Madison small windows have introduced and scored concrete to create more interest and soften the concrete base.</i>	<i>▪ Board Approved</i>
<i>6. Driveway width 23.54.030.D</i>	<i>Two-way driveways for nonresidential use are 22 feet.</i>	<i>18 feet.</i>	<i>Narrowing the garage entry minimizes the presence of the garage, while emphasizing the design's pedestrian character.</i>	<i>▪ Board Approved</i>
<i>7. Parking aisles. 23.54.030.E</i>	<i>Nonresidential uses, when parking is proposed for large vehicles parking aisles need to be a minimum width of 24 feet</i>	<i>22'-2' feet for aisles and 20'-2" for ramps.</i>	<i>The triangular configuration and lot size presented challenges with the location of the driveway which was supported by SDOT.</i>	<i>▪ Board Approved</i>
<i>8. Site triangle 23.54.030.G</i>	<i>The area between 32 inches and 82 inches shall be kept clear of visual obstruction 10 feet from the intersection of driveway with the sidewalk on both sides of the driveway.</i>	<i>No site triangle.</i>	<i>To create a greater street presence by locating proposed structure along East Pine Street property line. Warning devices will be employed to safeguard the pedestrian environment.</i>	<i>▪ Board Approved</i>

The recommendations summarized below were based on the plans submitted at the August 16, 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 submitted for review on June 28, 2006. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the four Design Review Board members who were present recommended approval of the subject design with conditions. Several departures were requested. The four Board members unanimously made the following recommendations. (Authority referred to in letter and numbers are in parenthesis):

1. Design and appoint a well defined the garage entry that will visual enhance the pedestrian experience along the East Pine Street, subject to the approval by the DPD. *A-3, D-1 & D-7*
2. Design and install treatments using quality materials to green up and soften the street level façades along East Pine and Madison Street to be reviewed and approved by the DPD planner. *A-1, A-6, C-1, C-3*
3. Along East Pine Street, the applicant is instructed to work with SDOT and DPD to introduce paving changes through color and texture at the vehicle access point to the parking garage subject to approval by DPD planner. *A-8, D-1 & D-5*
4. Design an attractive facade system to be employed along the East Pine frontage that actuates design form over a standardized parking entry to be approved by the DPD planner. *A-8, D-1 & D-5*
5. Design and use more detailing (texturing, etc.) upon the street level concrete base along East Madison Street. Additionally, a reexamination of the design of the street level windows is in order details to be reviewed and approved by the DPD planner. (*Guidelines A-4, A-10, C-1, C-3, D-1, E-2 & E-3*)
6. Along the East Madison and Pine Street frontages design and install a more celebratory facade that enhances the pedestrian experience with well defined detailing, entrances with canopies and other amenities, details to be reviewed and approved by the DPD planner. *A-1, A-2, A-3, A-4, A-10, C-2, C-3, C-5, D-1 & D-5*
7. The applicant was instructed to work with SDOT and DPD to introduce paving changes through color and texture at the vehicle access point along East Madison Street. The architect is encouraged to work with DPD and SDOT on the details for right-of-way improvements, details to be reviewed and approved by the DPD planner. *A-8, D-1 & D-7*

Director's Analysis and Decision: Design Review

The Design Review Board recommended that the assigned planner should work with the applicant to resolve several Board recommendations prior to DPD approval. DPD is equally pleased with the overall building design but as was noted in the recommendation meeting by the Board, the street level pedestrian experience needs additional design development. Further, the Director is authorized to provide additional analysis and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F) to advance the proposal forward. The Design Review Board identified elements of the Design Guidelines (above) which are critical to the project's overall success with concurrence of the Director.

The location of the new development site presents a unique design opportunity given its three street frontages that each have distinct pedestrian activity demands that requires individual attention. The architect has responded to the comments and concerns of both the public and the Design Review Board and has established a more distinct commercial character along 15th Avenue which is well thought out and executed. To strengthen the streetscape experience overhead weather protection was initially designed to have alternating glazed and solid materials to light up and animate the sidewalk below which DPD considered to be a high quality design response. During the course of conversations to resolve other design details the applicant proposed to change the overhead weather protection material to use a solid, all opaque marquee with accent light colors and electric lighting to animate the sidewalk. The use of light and dark colors underneath the overhang effectively achieves the original design objective. The façade residential accent color will be employed as the lighter color that will add a further refinement along west elevation; 15th Avenue. The building has been designed to integrate into the existing collection of buildings in the area and responds to its corner location. The building facade has been broken down into elements which break up the bulk of the building, creating a distinctive residential and commercial presence with good solar exposure and views.

The design of the proposed mixed-use building (with 80 residential units above 3,474 square feet of ground level retail, and 4,143 square feet restaurant use) has similar good overall scale and proportion of mixed use structures in the zone. The design has incorporated influences of the surrounding vernacular within a modern context to provide visual interest that creates a sense of individuality. As viewed from the 15th Avenue street frontage, the proposed structure will feature a strong glazed commercial base extending above overhead weather protection canopy. A “gasket” horizontal belt-course will separate the commercial from the residential level. Above the second level, the building’s character becomes more distinctly residential with its interplay of metal siding, hardi-panel and fenestration. The shared residential open space will be more generously landscaped on the first level roof deck; with visual access into the interior courtyard from all floors, and when the trees reach maturity the courtyard will be a central asset. Two units per floor will have direct views into the courtyard. All units will have views out onto the city.

On October 18, 2006, the design team met with DPD to finalize street level changes to enhance the pedestrian experience along East Pine and East Madison. East Pine provided several challenges along the north façade that features a prominent vehicle access garage door set between blank walls. East Pine is a calmer street in comparison to vehicle activity along 15th and East Madison. At street level, the concrete base will be softened with three two-foot deep vine pockets against the building to allow vines to grow on the concrete portions of the façade. Additionally, a four-foot deep planting strip will be installed at the curb line in the right-of-way near the Pine and 15th corner to further green up this area. The actual length of the planting strip will be between 14 to 20 feet, actual length will be determined after consulting with SPU. Low growing ground cover will be placed in this area to allow unaffected site visibility. Changes to the garage entry include narrowing the access width by six inches, to 19 feet 6 inches. The ventilation grill will be relocated from the Pine façade to the driveway ramp. The ceiling at the garage entry will be painted a light color to bounce light within to lighten recessed entry. Replacing the site-triangle will be strobe lighting devices installed on inside ramp walls near East Pine to warn pedestrian traffic in the right-of-way. The driveway will be scored differently to provide a tactile and visual cue to inform pedestrians that they are entering a zone that may have vehicles. The precise scoring pattern will be decided at a later date.

East Madison's façade and street improvements will be similar to East Pine. Due to the heavily traveled roadway system, creating a secure pedestrian experience with amenities is a key design objective. East Madison generates noise and dust from vehicle activity. Initially DPD felt extending the overhead weather protection further east from the building's southwest corner would achieve a desired element to provide a safe and welcoming street experience. However, after several rounds of discussion it became apparent that focused attention needed to be directed towards the spatial relationship of the building, sidewalk, and roadway to achieve the desired outcome to create a more pedestrian friendly experience. The applicant proposed two four-foot deep planter strips measuring approximately 60 feet each to be planted with low growing ground cover to help reduce the amount of dust spilling into the sidewalk and establish a visual and physical buffer. Placed within the planting strip lighted bollards could be installed to provide additional security along Madison. Four one-foot vine pockets will be sited along the building's east façade between metal screen openings into the building's parking level. The openings in the concrete wall along the Madison façade will be treated with a simple metal screen with an attractive pattern, set in a metal frame. The screen will be located back within the opening to emphasize the opening and the shadow lines. The screen will also allow light and ventilation into the garage. This will result in a more pedestrian friendly streetscape.

The applicant requested departures from development standards related to nonresidential 80% Street Frontage, lot coverage, open space quantity, screening and landscaping, blank facades, driveway width, parking aisles, and site triangle requirements and the Board recommended approval. After evaluating the DR Board recommendations and meeting with the design team to resolve all outstanding design concerns, the Director has no objections and concurs with the Board's decisions. The assigned planner was given authorization to approve additional departures if any were uncovered during the final zoning review phase. The planner has authorized a further decrease in driveway width to 19 feet 6 inches from Land Use development standards. The Director has no further conditions to add. The previously stated Board conditions will be made a part of decision approval.

The Director of DPD has reviewed the recommendations and conditions of the Design Review Board. The Director finds that the proposal is consistent with the "*City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings and Capitol Hill Urban Center Village Design Guidelines.*" The Director **APPROVES** the subject design consistent with the Board's recommendations above. This decision is based on the Design Review Board's final recommendations and on the plans submitted at the public meeting on August 18, 2006. Design, siting or architectural details not specifically identified or altered in this decision are expected to remain substantially as presented in the plans submitted to DPD on May 12, 2006 in response to the outcome of the August 18, 2006 meeting.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist prepared by the Maria Barrientos (dated May 12, 2006) 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 the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) 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 25.05.665) 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 workers’ vehicles. 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, would mitigate several construction-related impacts. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

Historic and Cultural Preservation

Construction of the proposed six-story residential and commercial building will necessitate the demolition of the three existing structures one of which was constructed in 1896 (common address; 1505 East Pine Street). In accordance with the *Department of Planning and Development – Department of Neighborhoods Interdepartmental Agreement on Review of Historic Building during SEPA Review*; the planner referred potential landmark eligibility approval to the Historic Preservation Officer. The Historic Preservation Officer evaluates criteria for designation of historic landmark structures (in response to the SEPA Historic Preservation Policy (SMC 25.05.675.H.2.d). The review of the information associated with the status of the existing structure (addressed 1505 East Pine Street) did not warrant landmark status, as determined by the Historic Preservation Officer, (LPB 198/06) in a letter dated June 21, 2006.

Traffic

Construction of the project is proposed to last for several months. The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) would be adequately controlled with a street use permit through the Transportation Department, and no further SEPA conditioning would be needed.

The hauling of excavated material will entail approximately 125 truck loads. The site is adjacent to East Madison Street, a principal arterial, which provides access to Interstate 5 and Interstate 90, 23rd Avenue East. Truck haul routes are available consistent with the existing City code provision (SMC 11.62) which requires truck activities to use arterial streets to every extent possible. Traffic impacts resulting from the truck traffic associated with the hauling of debris will be of short duration and mitigated by enforcement of SMC 11.62.

For the removal and disposal of the spoil materials, the 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 minimizes the amount of spilled material and dust from the truck bed enroute to or from a site.

Noise

The development site is located adjacent to a residential area where construction of this scale would impact the noise levels. The SEPA Noise Policy (Section 25.05.675B SMC) lists mitigation measures for construction noise impacts. It is the department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance is necessary to mitigate impacts that would result from the proposal on surrounding properties, because existing City ordinances do not adequately mitigate such impacts. This is due to the density of residential units in the area and the proximity of these structures to the subject site. The proposal is, therefore, conditioned to limit construction activity to non-holiday weekday hours between 7:30 A.M. and 6:00 P.M. and Saturdays between 9:00 A.M. and 6:00 P.M. After the structure is enclosed, interior construction may be done in compliance with the noise ordinance. The department may modify this condition to allow work of an emergency nature or which cannot otherwise be accomplished during these hours by prior written approval of the Land Use Planner.

Air and Environmental Health

Given the age of the existing structures on the site, it may contain asbestos, which could be released into the air during demolition. The Puget Sound Clean Air Agency (PSCAA), the Washington Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. In addition, federal law requires the filing of a demolition permit with PSCAA prior to demolition. Pursuant to SMC Sections 25.05.675 A and F, to mitigate potential adverse air quality and environmental health impacts, project approval will be conditioned upon submission of a copy of the PSCAA permit prior to issuance of a demolition permit, if necessary. So conditioned, the project's anticipated adverse air and environmental health impacts will be adequately mitigated.

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction 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). No unusual circumstances exist, which warrant additional mitigation, per the SEPA Overview Policy.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of mixed use structures (containing residential and commercial uses), and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); Land Use Code (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption). Additional land use impacts which may result in the long-term are discussed below.

Height, Bulk, and Scale

The area of development is located near a hill crest over looking downtown to the west in the Capitol Hill neighborhood. The proposal will occupy the south half of a block that is bounded by East Madison, 15th Avenue, and East Pine Street. Across each right-of way measuring 66 feet in width are structures of varying heights. The proposed six-story project will rise to approximately 67 feet to the top of the flat roof from the lowest elevation grade along the 15th Avenue street frontage, with the stair and elevator penthouse extending an additional 12 feet. The development site is located within a Neighborhood Commercial Three zone with a height limit of 65 feet (NC3-65). Across the centerline of East Pine Street to the north of the development site, the height limit decreases to 30 feet within a Multifamily Lowrise Three zone (L-3). Currently a multifamily use (Courtyard on Capitol Hill condominium) occupies the entire site. The residential uses across East Pine to the north will not experience the full weight of the proposed structure; nearly fifty percent of 71 foot wide north façade will be glazed. With a few exceptions the remaining area surrounding the development site is occupied by a mix of new and old structures with significant presence. Several projects under construction to the west will extend to the 65 foot height limit of the underlying zone. A number of existing buildings in the immediate area have a visual presence that will be unaffected by the addition this proposal. Topography and site location have helped to scale the building within the neighboring bulk context, while taking advantage of unique corner angle at 15th and East Madison. To the west of the development site, looking eastward along East Madison the elevation at the building's southwest corner establishes a prow-like feature with glazing soaring skywards. After project completion several existing structures further east along Madison will still maintain a presence in the immediate area. The proposed project is being developed to NC3-65 standards, as allowed by the Land Use Code, and is thereby in keeping with the scale of the potential of the zone as well as that of several existing structures in the vicinity.

The SEPA Height, Bulk and Scale Policy (Sec. 25.05.675.G, SMC) states that *“the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies set forth in Section C of the land use element of the Seattle Comprehensive Plan for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.”*

In addition, the SEPA Height, Bulk and Scale Policy states that *“(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.”* Since the discussion in the previous paragraph indicates that there are no significant height, bulk and scale impacts as contemplated within this SEPA policy, and since the Design Review Board approved this project with conditions, no mitigation of height, bulk and scale impacts is warranted pursuant to this SEPA policy.

Traffic

The applicant submitted a Traffic Analysis, prepared by Heffron Transportation, Inc., that addressed on-site parking demand and mode of travel. The report contrasted existing and proposed uses at the development site with impacts associated with personal trip generation. Trip generation for the proposal was determined by employing figures derived from Trip Generation (*Institute of Transportation Engineers' [ITE], Trip Generation Manual, 7th Edition, 2003*). Quantitative values found within the reference document reflect nationwide studies in suburban communities that are not necessarily representative of urban trends. Adjustments were made to more accurately capture urban demands for residential, retail, and restaurant (Quality and Café²) uses proposed for the mixed-use building. After the numbers of personal trips were identified in the trip generation manual, personal trips then were separated by mode of travel. The mode of travel data were derived from survey results adapted from 2000 census data figures provided by the Puget Sound Regional Council. Three surrounding transportation analysis zones (111, 112, and 118) were identified and quantified into a ratio to interpret potential impacts. Due in part to activity associated with specific uses it is expected that vehicle activity would be different between residential and commercial uses. The residential use is estimated generate 49% vehicle trips, 30% transit trips, and 21% will bike or walk to and from the site. The mode of travel estimates for retail use catering to the local neighborhood is expected to disperse out between 60% vehicle trips, 35% will choosing to either walk or bike, with 5% relying on transit. Quality restaurant use would be dispersed as follows; 65% vehicle, 0% transit, and 35% would either walk or bike. The café space is expected to have a higher turnover and draw local customers to the establishment who are expected bike or walk in greater numbers. It is anticipated approximately 35% of the café clientele will drive with the remaining 65% choosing to walk or bike.

The proposed project is anticipated to generate 700 vehicle trips per day, 41 vehicle trips during the AM peak hour, and 56 vehicle trips during the PM peak hour. The residential use accounts for approximately 41% (290) of the daily vehicle trips. The net increase in total daily vehicle trips to the combined development site is 390. With an increase of approximately 25 trips during the AM peak hour and 20 trips during the PM peak hours anticipated from the existing uses, this increase is not expected to have a substantial impact on the surrounding roadways.

Circulation within the area includes bus routes providing access to downtown and other employment destinations. There are also many dining, shopping, educational, medical and entertainment opportunities within walking/bicycling distance and along the public transit routes. The proposed commercial uses at the development site are expected to draw clientele from the surrounding neighborhood. It is anticipated that East Madison Street, a primary arterial, will handle the increase demand falling within its capacity. Secondary local streets which can be used to access the site will experience slight increased volumes.

² Quality restaurant is a more formal sit-down restaurant with patrons dining at least an hour on average. Cafés would have a higher turnover ratio where wait staff may not be present.

Parking

The project proposes a total of 92 parking stalls for the entire development site. On May 10, 2005 Mayor Nickels signed Ordinance 121792 adopting new minimum residential parking requirements for multifamily uses within Capitol Hill Urban Center Village, among other Centers, which reduced the required parking for residential uses to one (1) spaces per unit. This legislation is a manifestation of policy changes the City is implementing to encourage alternative modes of travel (i.e., public transit, bicycle) for urban city dwellers. The applicant has proposed to meet the Code required 1 stall per unit, for a total of 80 residential parking spaces at the development site. Additionally, the Ordinance modified SEPA Parking Policy (Sec. 25.05.674M, SMC) removing SEPA authority to mitigate residential parking impacts within the Capitol Hill Urban Center Village.

Peak parking demand for the proposed commercial (restaurant and retail) use (we have assumed apparel store, quality restaurant, and high-turnover (café) restaurant uses to capture the entire development site) was based on empirical studies from the *ITE Trip Parking Generation Report, 3rd Edition*, with peak demand for the apparel store occurring on Saturdays between 2:00 – 3:00 p.m., quality restaurant occurring on Saturdays between 6:00 – 9:00 p.m., and sit down restaurant (no bar or lounge) occurring between 10:00 – 2:00 p.m. and 7:00 – 8:00 p.m. on Saturdays.

Based on the mode-share survey results within the Capitol Hill neighborhood, approximately 35% of the local residents will choose alternative modes of travel for commercial uses, which is assumed, will reduce on-site parking demand. Based on these estimated rates, the peak commercial parking demand would occur on Saturdays between 7:00 and 8:00 p.m. In general, the peak parking demand times of these uses partially complement each other, allowing for a sharing of parking spaces. The applicant is proposing to meet the Code required parking stalls for retail and restaurant uses. Any shortfalls can be accommodated on-street or in nearby lots. It is assumed approximately seven parking spaces are available within the 15th Avenue right-of-way abutting the site of the new development. On balance, the adverse parking impacts of the project are likely to be infrequent and transitory.

The parking policy in Section 25.05.675M of the Seattle SEPA Ordinance states that parking impact mitigation may be required only where on-street parking is at capacity as defined by the Seattle Transportation Department or where the development itself would cause on-street parking to reach capacity. Parking utilization in the vicinity appears to be near capacity. Parking can be found during the daytime with limited availability during evening hours. Ninety-two (92) vehicle off-street parking spaces will be provided on-site for the new development. Residential parking will be at a ratio of one (1) space per each unit which meets code requirements and is expected to accommodate parking demand most of the day. In the Capitol Hill Urban Center Village, no SEPA authority is provided for the decision maker to require more parking than the minimum required by the Land Use Code which is equivalent 1 space for each dwelling unit; per Section 25.05.675M(2bii).

On-street parking capacity in the surrounding area is sufficient to meet any additional spill-over parking that might be generated from the proposed commercial uses, if any actually occurs. Therefore, no mitigation of parking impacts is necessary pursuant to SEPA.

CONCLUSION - SEPA

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 DPD as the lead agency of the 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 with respect to transportation, circulation, and parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030(2)(C).

CONDITIONS – DESIGN REVIEW

Non-Appealable Conditions

1. Embed all conditions of approval into the cover sheet on the updated MUP plan set and all subsequent building permit drawings.
2. Embed colored elevation and landscape drawings into the MUP and building permit drawings.
3. Any proposed changes to the external design of the building, landscaping or improvements in the public right-of-way must first be reviewed and approved by the DPD planner prior to construction.

Appealable Conditions Prior to Issuance of MUP Permit

The owner/applicant shall update plans to show:

4. Include lighting and a white ceiling for the garage entry that will visually enhance the pedestrian experience along the East Pine Street.

5. Install quality landscaping using durable plants and materials to green up and soften the street level façades along East Pine and Madison Street to be reviewed and approved by the DPD planner.
6. The applicant should work with DPD and SDOT to design and install bollards within the planting strip along East Madison Street, details to be reviewed and approved by the DPD planner.
7. Use more detailing (texturing, etc.) upon the street level concrete base along East Madison Street - Reexamine and propose a design of the street level windows that visual engages pedestrians, subject to approval of DPD.
8. Along the East Madison and Pine Street frontages design and install a more celebratory facade that enhances the pedestrian experience with well defined detailing, entrances with canopies and other amenities, details to be reviewed and approved by the DPD planner.
9. The applicant is instructed to work with DPD and SDOT to introduce paving changes through color and texture at the vehicle access point along East Pine Street. The architect shall work with DPD and SDOT on the details for right-of-way improvements, including street landscaping and bollards, details to be reviewed and approved by the DPD planner.
10. Update the landscape plan to illustrate dimensions for vine pockets and planting strips, to be reviewed and approved by the DPD planner.
11. An attractive screening system (grills in the garage, ramp windows, etc.) shall be employed to create an attractive element on the parking level that does not allow vehicle headlight to spill out onto adjacent street frontages subject to the approval by the assigned DPD planner.

Prior to Groundbreaking (During Construction)

12. Arrange a pre-construction meeting with the building contractor, building inspector, and land use planner to discuss expectations and details of the Design Review component of the project.

SEPA CONDITIONS

Prior to issuance of Demolition or Construction Permits

13. The owner(s) and/or responsible party (ies) shall submit a copy of the PSCAA permit prior to issuance of a demolition permit, if a PSCAA permit is required.

