



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D.M. Sugimura, Director

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

Project Number: 3008615
Applicant: Kevin Cleary, Baylis Architects for Wallace Properties
Address: 1222 East Madison Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a six story building, containing 6,100 square feet of retail at ground level, 106 residential units, and parking for 50 vehicles to be provided in two levels within the structure. The existing structure is slated to be demolished.

The following approvals are required:

SEPA - Environmental Determination - Chapter 25.05, (SMC).

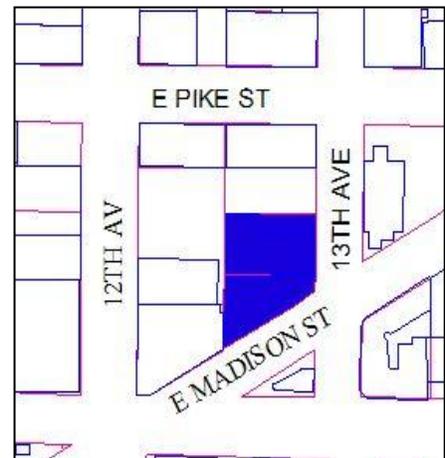
Design Review - Chapter 23.41, departures 23.41.012 (SMC).

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

SITE & VICINITY

The irregular shaped corner site is bounded by East Madison Street to the south and 13th Avenue to the east. There is no alley located on or adjacent to the site. The site is currently occupied by surface parking and a one story automotive repair shop.

The site slopes slightly, with the lowest elevation at the SW corner of the property and sloping upwards to the east and north. The northeast corner of the property is approximately 13 feet higher than the lowest southwest corner.



The site is zoned NC3P-65' (Neighborhood Commercial 3 with a Pedestrian designation). E Madison Street is a designated principal pedestrian street per the Land Use Code and a designated principal arterial per SDOT. The site falls within the "Pike-Pine Urban Center Village," a Pike-Pine neighborhood.

The adjacent zoning to the west and south is also NC3P-65'. The adjacent zoning across the street to the east is NC3-65'. Further to the southwest is the Seattle University Major Institution Overlay MIO-105'-NC3P-65'. The zoning to the southeast is Lowrise 3.

The development in the neighborhood surrounding the site is primarily a mixture of multifamily structures, automobile sales and repair shops, warehouses, retail and restaurants, and surface parking lots. The character of the older buildings in the area, such Trace Lofts, Elysian Brewery and Park Hill Apartments include auto-row and warehouse type buildings constructed of masonry with large fenestration.

PROJECT DESCRIPTION

The proposal includes demolition of the existing building and the construction of a new six-story building. The new structure would include approximately 120 residential units, 5,000 sq. ft. of ground level retail uses and below grade parking for approximately 59 vehicles. (Revised during the MUP process)

DESIGN PRESENTATION

Three alternative design schemes were presented. All of the options include a driveway entrance from 13th Avenue East, a residential lobby off of 13th Avenue, and commercial uses along East Madison Street.

The first scheme (Scheme A) proposed massing to form an irregular "U" opening up to the west with an above grade courtyard open space area. The building face along Madison would have a saw-tooth modulation responding to the angle of the street. This scheme is code-compliant.

The second scheme (Scheme B) also proposed massing to form an irregular "U" shape, but with a less solid presence along the 13th Avenue edge and the residential units are setback at the upper levels along Madison. One departure to allow a second point of access from Madison is proposed with this scheme.

The third scheme, preferred by the applicant, (Scheme C) proposed retail and residential units to form an "L" along Madison and 13th Avenue, opening up a courtyard to the north and west. Additionally, the third scheme (Scheme C) proposed upper level open space located on Level 2 at the northwest corner. On the roof level, the open space is situated on the south side to take advantage of southern exposure. This scheme is code-compliant.

PUBLIC COMMENT

Approximately seven members of the public attended the Early Design Guidance meeting. The following comments were offered:

- The neighborhood organization, PPUNC, prefers option C and does not want to see two separate garage entries. Full retail height that is fully glazed is also supported along with keeping the modulation simple and restrained (strong bones, extra glazing). The angle of the corner presents an interesting shape that will lend the building a distinctive look without making the architecture too fussy.

- Access off of Madison does allow some advantages in that it is the longer of the two facades, so a garage entry could have less impact and be less of a dominating feature. In this scenario, all of the retail could then be situated along 13th Avenue. If such a scenario is pursued, then the driveway off Madison should be narrower than usual through a departure request.
- Madison is actually a strong pedestrian corridor, as well as a vehicular and transit corridor. The design along Madison should strive to engage pedestrians. Would like to see an additional cross walk near this location.
- Also encourage pedestrian activity along Madison. Finds the saw tooth massing too distracting, wants to see more, smaller sized retail spaces and avoid larger retail tenants. The proposed building materials should borrow from the detailing and character found in the area, particularly around doorways and windows.

DESIGN GUIDELINE PRIORITIES

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 as well as the Pike/Pine Neighborhood Design Guidelines of highest priority to this project:

Site Planning

- A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.
Pike Pine Design Guidelines: Characteristics and opportunities to consider in Pike/Pine include both views and other neighborhood features including a change in street grid alignment causing unique, irregular-shaped lots and “bow tie” intersections at 13th/14th between Pike/Pine/Madison.
- A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.
- A-4 Human Activity. New development should be sited and designed to encourage human activity along the street.
- 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.
- 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.
- 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.
Pike Pine Design Guidelines: Buildings on corner lots should reinforce the street corner. To help celebrate the corner, pedestrian entrances and other design features that lend to

Pike/Pine’s character may be incorporated. These features include architectural detailing, cornice work or frieze designs.

The Board discussed that the parking should be located off of 13th because locating the access off Madison sets a poor precedent and would also continue the blank wall of the south side of the Trace building to the west. The Board also considered the merits of locating the driveway off Madison that include a concern that in the alternate scheme, a commercial space at the southwestern most corner of the building would become wasted space. In the scheme, where access is from Madison, the retail could be concentrated along 13th, a more pedestrian friendly street. If the access is off Madison, the Board warned against the configuration proposed in Scheme B. The Board noted that if SDOT would entertain access from Madison and a traffic study is completed that can support such an access point; the Board would be willing to entertain a departure for a driveway off Madison. In either case, the Board would encourage departure requests from the sight triangle (with the inclusion of other safety measures to ensure visibility) and to reduce the width of the driveway.

The Board strongly agreed that the design should include a well-designed, functional commercial space at the corner that will be a critical and highly visible feature of this design. The corner should include the entry areas and taller height of the commercial space at the ground level. This corner needs to be well-articulated to achieve this commercial height which is a challenge given the topography.

The Board also noted that the southwestern most corner of the building should be designed to be an integrated and functional commercial space and not an empty or blank corner (specifically, the commercial space along Madison needs to meet the face of the Trace building).

The Board felt that the project massing should maintain the continuity of the urban edge, using the Trace Building as a positive example of this street wall. If there are areas of the building that step back at the higher levels, then this massing needs to be a bold, significant setback that reflects the treatment of the new penthouse addition on top of the Trace Building (and not simply a minor modulation).

Architectural Elements

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.

Pike Pine Design Guidelines: 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: similar building articulation at the ground level; similar building scale and proportions; and similar building details and fenestration patterns. Taking architectural cues from the following developments is encouraged:

- Villa Apartments (NE Pike/Boren);
- Wintonia (SW Pike/Minor);
- NW Boylston/Pine;
- Pike Lofts (SW Pike/Bellevue);
- Schuyler (SW Pike/Boylston);
- Monique Lofts (NW Pike and 11th)

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.
- Buildings should exhibit form and features identifying the functions within the building.

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.

Pike Pine Design Guidelines: 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.

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

The Board agreed that the architecture should strive for simplicity along the facade that relies on strong, bold bones. The detailing and quality of the materials (concrete and masonry) will provide the visual interest.

The effort to design the proposed massing in response to the Trace massing is well-conceived. The Board would like to see further studies of this relationship in terms of sections and how the open spaces and landscaping for each project work together.

The Board strongly stressed that the proposed material palette should include durable materials, such as masonry, metal, etc. The Board noted that hardi-panel will not be acceptable. The Board felt that Scheme A was too busy, while Scheme C was far more simplified. Any modulation should be contemplated as bold steps. The Board also encouraged a strong horizontal character for the roofline (unlike that shown on Scheme B). They supported stepping the retail plates to address the site slope. The Board agreed that creating at least the 13' height for the commercial spaces is critical and that they would not support a departure request to decrease this height.

Pedestrian Environment

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

Pike Pine Design Guidelines: Lighting installed for pedestrians should be hooded or directed to pathways leading towards buildings.

D-9 Commercial Signage. Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.

- D-10 Commercial Lighting. Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts after hours.
- D-11 Commercial Transparency. Commercial store fronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.

The Board discussed the configuration of the commercial spaces and encouraged the design to allow for flexibility for the division of the space into multiple, smaller commercial spaces. To maximize this flexibility, the commercial space should include multiple openings.

The Board noted that the articulation of the commercial space along Madison should inform the vertical rhythm and consistency of the façade as it extends upwards. The Board warned against a design that appears simply as a base with a top.

Landscaping

- E-2 Landscape 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.

Pike Pine Design Guidelines: 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. *Street greening* is specifically recommended along the avenues between Pike and Olive Streets from 11th Ave. on the east to 14th Ave. on the west including Pine from 14th and 15th and Olive from 11th to 15th (except along 14th Ave. from Pine to Pike).

Permit approval from Seattle Transportation (SDOT) is required in most cases for features placed within the City Right-of-Way and early coordination with SDOT is recommended.

The Board was very supportive of the proposed improvement to the existing curb bulb and the increased opportunities for landscaping at this corner location. The landscape along the right-of-way design should integrate the curb bulb planting with that planned along the building and/or in the planting strip. The Board looks forward to seeing more detail and thought on the pedestrian improvements of the streetscape along Madison, how it relates to the commercial spaces and how it wraps from Madison onto 13th Avenue, a quieter street. The Board is interested in reviewing a landscape plan that wraps onto both street fronts and maintains a continuity of concept, while responding to the different conditions of the two streets.

The Board was supportive of the open space configuration as it relates to the Trace Building residential units, creating a visual, open buffer between the proposed building mass with that of the Trace. See also C-2. The Board expressed concern that the visible blank wall portion of the westernmost façade of the proposed schemes facing the Trace must be addressed with sensitivity and interest.

DEVELOPMENT STANDARD DEPARTURES

No design development standard departure requests are anticipated at this time.

FIRST RECOMMENDATION MEETING – June 3, 2009

Architect's Presentation

Kevin Cleary made the presentation to the Board and Public. He briefly reviewed the project site, vicinity uses, opportunities and constraints of the project site. The site is zoned NC3P-65' (Neighborhood Commercial 3 with a Pedestrian designation). E. Madison Street is a designated principal pedestrian street per the Land Use Code and a designated principal arterial per SDOT. The site falls within the "Pike-Pine Urban Center Village," a Pike-Pine neighborhood.

The proposal is to retain the project as workforce housing costs, provide good residential units, usable retail space and provide outdoor landscaped open areas. The designer walked the Board through the different uses; retail and residential. He explained the vehicle access, pedestrian access and the vertical building circulation in the building. He showed the architectural treatments on the different facades. He explained how the built forms address the changes in grade along the facades and around the corners. He showed the proposed landscaped open areas.

The proposed building vehicle access is on 13th as well as the residential lobby. The retail entry is at the corner of Madison and 13th. There are additional retail entries along Madison for the other retail spaces. Trash and recycling will be wheeled out to the curb on 13th on collection days. A sidewalk bulb is proposed at the corner of 13th and Madison. Additional parking strip planting is proposed at the pedestrian bulb.

The landscape plan was also described for the Board. There will be mid-level trees throughout the development as well as low level shrubs and perennials. There is an open space courtyard to the rear of the site, balconies for upper level units on 13th, and there is residential open space on the rooftop. Street trees will be protected and maintained.

Departures are not being sought at this time.

Board Comments and Questions

The Board asked for further clarification on open space location and amount. They asked for clarification on the north façade treatment. The Board asked for more information on the retail entry configuration at the corner. They asked about the window configuration, and proposed materials. The Board asked for clarification on retail entries along 13th and the residential units along 13th. The Board confirmed that the proposal is for two units that are about eight feet above the sidewalk at that location.

Public Comments

Public comments included the following:

- The proposal is next to two attractive brick buildings. This project should avoid stucco if possible and use more brick to fit into the urban context. This is a big building so the choice of materials will stand out as good if they are good, undesirable if they are the wrong choice.

- The corner awning is not a good fit for the building form. The awning element needs more design work. Please consider dirt, birds, exhaust dirt which will collect on the awning element. An awning drainage and maintenance plan should be considered during the design phase.
- The building looks like it is shaping up to be a good design, except the corner element, awning, and sidewalk to sky form do not complement the building. More design finesse should help strengthen the forms and their relationship to the rest of the building.
- Live work units should be incorporated along 13th street to better fit with the uses and grades.
- The concrete framework should be continued across the building facades.
- A special defining architectural treatment should crown the lower materials and separate the upper materials as older buildings would use terra cotta. The material and form should relate to the language of the building.

Board Deliberations

The Board discussed the project in their deliberations starting with their initial reactions. Initial reactions included the following: the retail seems squished especially on 13th Avenue, the stucco material may not be the best solution, trash and recycling haul out area may need a dedicated area off of the sidewalk on 13th, live work units might be a good solution for 13th Avenue and the Board would consider development standard departures to accommodate such a solution, the residential units on 13th are too close to the ground, the north façade needs more design consideration. The Board discussed stucco and other materials and understood that the cost of materials is a driving factor on the choice of materials. The Board thought that stucco could be used and suggested that any material that is ultimately chosen should show some panelized expression.

The Board thought the 13th Avenue sequence of entries, service and retail should be reconsidered. The Board requested the designer bring the residential lobby closer to the sidewalk, provide a trash holding area, move the residential units higher, and open up the retail.

The Board requested that the corner awning be redesigned to relate to the other facades. They suggested exploring alternate materials and new forms. They suggested that the awning could continue in some form along 13th to demonstrate the pedestrian nature of the street. The retail entries on Madison could also be incorporated into similar overhead weather protection.

The Board asked the designer to consider vertical elements at the retail lobby to connect the building, sidewalk to cornice.

The Board was mixed on its opinion of the corner building element. The wedge shape presented should be reexamined to explore alternative forms. The architect should explore pushing the corner element around to 13th Avenue and leave the Madison façade in its strong form.

The Board would like to see the project team return with further design solutions on several issues.

1. The Board would like to see a revised 13th Avenue street sequence. Elements to review include a trash and recycling holding area for weekly pickups which would be on site yet accessible for the trash recycling contractor, the residential lobby should be closer to the property line and it should be a visible element of the façade, a reduced garage entry would be a good aspect to explore.
2. The Board is interested in seeing a revised design for the corner of the building. The change of materials is acceptable to the Board. The change of forms is also welcomed by the Board. However, the Board noted that both the change of materials and change of forms has not come to a design resolution. The Board would like to see further exploration of the corner form, sidewalk to top; the large canopy, materials and form and its relationship to the building facades. The Board asked the architect to explore alternative locations for the retail entry at the corner. For instance it could slide around to the 13th Avenue side opposite the proposed landscape bulb. The Board understands that ramping into the retail spaces may be necessary.
3. The Board would like the applicant to examine the location of two residential units that are currently located above the 13th Avenue. The Board would like to know if there is a better location for the two units that would not “squish” the retail space and that would allow the units to be higher above the sidewalk level.
4. The Board asked the architect to re-examine the large corner canopy. They directed the architect to think about the form, the material, and maintenance. They asked the architect to decide how it will look from units looking down on it and to describe how it will look from sidewalk level. The Board thought that it would work better if it had a strong relationship to other façade elements from either or both street facades.
5. The Board was split on using stucco for an upper level siding element. Some found it to be an acceptable material. Others thought that a panelized system of some other material would better marry with the brick units. The Board is open to alternatives that the architect may propose.

After considering the proposed design and the project context, hearing public comment, and reviewing the design priorities, the Board feels that the guidance has been partially addressed by the applicant. The Board requested that the architect return for further discussion with the Board.

FINAL RECOMMENDATION MEETING – July 1, 2009

Architect’s Presentation

Kevin Cleary made the presentation. He briefly reviewed the project site, vicinity uses, opportunities and constraints of the project site. The site is zoned NC3P-65’ (Neighborhood Commercial 3 with a Pedestrian designation). E Madison Street is a designated principal pedestrian street per the Land Use Code and a designated principal arterial per SDOT. The site falls within the “Pike-Pine Urban Center Village,” a Pike-Pine neighborhood.

The architect reviewed the design exploration requests from the previous meeting; the corner treatment, the 13th Avenue pedestrian experience, residential units on 13th, the residential entrance, the proposed street side trash area, the north façade.

The architect showed how the corner architecture was changed to a simpler form from sidewalk to parapet. The notched form and large awning is now a squared-off form with several levels of small awnings. The glazing remains a dominant feature of the element in contrast to the heavy framework of the rest of the facades. The framework façade grid is offset, one façade to the other, with the corner element acting as a sort of knuckle. The result is a nuance in form that shapes and frames the interior uses and presents a well-ordered exterior.

Commercial entrances are located on 13th and Madison, but no corner entrance is proposed.

The two residential uses on the second floor were troublesome to the Board. They are now removed and the 13th Avenue retail base is now higher along that façade. The residential entry on 13th had been moved back to create a small entry. The awning over the entry will be different than the awnings over the rest of the commercial areas along 13th and Madison. This may be a difference in form and materials to mark the residential use.

The north façade has been simplified. The orange colored grid has been removed.

Board Questions and Comments

The Board asked clarifying questions to understand several evolving aspects of the design. The Board asked about the new corner element: It is more squared to the orthogonal grid, distinctive, but in harmony with the building forms. The largely glass wall treatment of the corner has been retained. The awnings are expressed in new smaller forms and continue to help create a distinctive corner element. The trash collection area had been redesigned to hold trash near the sidewalk for the collection vendor. Overhead weather protection along the facades is continuous except for a break over the parking garage entrance. The Board also asked about the awning colors and material, retail uses, and including an exhaust chase for possible restaurant uses. Departures are being sought to help the project better meet the early design guidelines.

Design Departure Matrix

	DEVELOPMENT STANDARDS	REQUIRED	PROPOSED	DEPARTURE AMOUNT	DESIGN PRIORITY GUIDELINES
1	23.47a.008 D 2 Residential entry requirements	Residential entry to be 10'-0" from property line	Propose residential entry setback between 3'-6" to 4'-0" from property line	6'-6" to 6'-0" from required	Departure to better meet A-1 & A-2, C-2 and engage the residential entry to the street
2	23.54.030 G 2 Site triangle requirement	10x10 site triangle	Convex mirrors and warning device	At both sides no site triangle; See proposed.	Reduction of residential entry setback, to better meet C-1, C-2 & C-5
3	23.54.030 F2b2	Minimum 22"	Less than 22"	3 feet	Departure to better meet guideline C-5 structured parking entrances and D-7 pedestrian safety

Public Comments

No member of the public attended the meeting.

Board Deliberations

The Board discussed the project in their deliberations starting with their initial reactions. The Board asked that there be continuous weather protection including protection over the garage entry. The Board thought the corner awnings were interesting and appropriate. There was discussion on the Madison façade change of color and its effect on the façade. The Board thought that a curb cut that is smaller than the 22 foot minimum would be a good thing for the 13th Avenue pedestrian experience and approves, in advance, a departure to allow a smaller curb cut.

After considering the proposed design and the project context, hearing public comment, and reviewing the design priorities, the Board feels that the guidance has been addressed by the applicant. The Board unanimously **recommends conditional approval** of the project and the departure requests to the Director. Conditions in the decision should include the following:

Possible conditions include:

1. Provide overhead weather protection over the vehicle garage entry.
2. Reduce the curb cut width at the property line as much as possible.

3. The corner awnings are good as shown, please review the construction details for these awnings and check that the retail awnings are protective and appropriate for retail entries along the facades.
4. Provide notes on the MUP plans for a “pedestrian safety plan” at the vehicle garage entry. Mirrors, lights, stop signs, and change in paving should be considered.

ANALYSIS AND DECISION - DESIGN REVIEW

The Board gave early design guidance, responded to the architect’s guidance response at the recommendation meetings, gave additional direction focused on several salient aspects of the design, and reviewed the final proposal. The Board carefully weighed the departure requests against the early design guidance given to the applicant to understand how the departure would help the project better meet the intent of the priority guidance given by the board (SMC 23.41.012). The Board recommended approval of the design to the director with some conditions. They also approved three development departures.

Departure 1 listed in the matrix above meets priority guidelines A-1, A-2, and C-2. The request is to bring the residential entry closer to the property line than code allowed. The Board recommended that the residential entry be more visible on the 13th Avenue façade and this departure helps achieve that goal. The departure request helps the project better meet the intent of the guidelines in that there is more response to site conditions (A-1); that the building acknowledges and reinforces the spatial characteristics of the right of way (A-2); and that the building present features to achieve a good human scale (C-2).

Departure 2, a site triangle departure, relates to the residential entry. If the residential entry is moved forward the site triangle at the garage is partially obstructed. The Board recommended that the garage entry be minimize, so any additional openings that blend with the residential entry to create a large opening is contrary to the recommendation. Departure 2 helps the project better meet the design guidance, C-1, C-2 & C-5.by allowing alternatives to the site triangle

Departure 3 is a departure request to allow a curb cut that is less than 22 feet wide. The request helps the project better meet early design guidance, C-5 reducing the presence of parking entrances, D-7 Pedestrian Safety, and A-2, streetscape compatibility.

The Director of DPD has reviewed the recommendations of the Design Review Board and finds that they are consistent with the City of Seattle Design Review *Guidelines for Multifamily & Commercial Buildings* and that the development standard departures present an improved design solution, better meeting the intent of the Design Guidelines, than would be obtained through strict application of the Seattle Land Use Code. Therefore, the Director **approves** the proposed design as presented in the official plan sets on file with DPD, and as conditioned below. The design as presented at the design review board meeting and the recommended **development standard departures** described above are **approved**.

ANALYSIS - SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. 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 (SMC25.05.665) mitigation can be considered. Thus a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: minor decreased air quality due to suspended particulate from building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; conflict with normal pedestrian movement adjacent to the site; increased noise, and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. Additionally, these impacts are minor in scope and are not expected to have significant adverse impacts (SMC 25.05. 794). However, due to the residential density and close proximity of neighboring businesses, further analysis of construction impacts is warranted.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Noise

Noise associated with construction could adversely affect the surrounding uses, thus the limitations of the Noise Ordinance are found to be inadequate. Pursuant to the SEPA Overview

Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B), additional mitigation is warranted. Thus, limit the hours of any construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. Limited work on Saturdays between 9:00 a.m. and 6:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner at DPD. Such after-hours work would include emergency construction necessitated by safety or street use (traffic) concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Limited work at other times or on Sundays may also be allowed if necessary to align with SDOT or utility requirements. Such limited after-hours work may be authorized only if the owner(s) and or responsible party(s) provide 3-days prior notice to allow DPD to adequately evaluate the request pursuant to SEPA authority to mitigate construction impacts (SMC 25.05.675B).

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 a mixed-use structure and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Storm water, Grading and Drainage Control Code (storm water 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.

Drainage and Water Quality

Rain water on roofs and roof decks are the major sources of water runoff on this site. The rainwater will be collected in gutters and connected to the storm drainage system. Therefore, drainage will be directed away from adjoining residential properties. No additional mitigation measures will be required pursuant to SEPA.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Height, Bulk and Scale

Section 25.05.675G2c of the Seattle SEPA Ordinance provides the following: "The Citywide Design Guidelines (and any council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these

Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project.”

There are no sensitive height, bulk or scale impact issues which have not been addressed during the Design Review process in the design of this project. Therefore, no additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

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. 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 43.21.030(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 2C.

CONDITIONS – DESIGN REVIEW

Prior to building permit issuance

1. Provide notes for DPD review on the MUP plans for a “pedestrian safety plan” at the vehicle garage entry. Mirrors, lights, stop signs, and change in paving should be considered.

For the Life of the Project

2. Landscaping shall be hardy and attractive with low maintenance and low water usage choices. Use native plants as much as possible. All landscaping areas shall be irrigated.

3. The building style and materials are to remain the same as shown in the recommendation packet and the MUP plans and these conditions, through the construction and building phase. If there are changes then the architect must contact the land use planner (Holly Godard at 615-1254) in advance to discuss the proposed changes.
4. 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 (Holly Godard 206-615-1254).
5. 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 (Holly Godard 206-615-1254), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least three 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 all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings and embed the colored MUP recommendation drawings in the building permit plan sets.
8. Provide overhead weather protection over the vehicle garage entry.
9. Reduce the curb cut width at the property line as much as possible.
10. The corner awnings are good as shown, please review the construction details for these awnings and check that the retail awnings are protective and appropriate for retail entries along the facades.

CONDITIONS – SEPA

Prior to Issuance of Demolition Permits

11. The applicant shall submit to DPD a copy of the PSCAA Notice of Intent to Demolish prior to issuance of the DPD demolition permit.
12. Provide an SDOT approved haul route plan for excavation and truck traffic. Show staging areas and routes to major arterials and freeways.

During Building Demolition, Site Work and Building Construction

The following 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. If more than one street abuts the site, conditions shall be posted at each street. 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 waterproofing material and shall remain posted on-site for the duration of the construction.

13. The owner's and/or responsible party(s) shall: Limit the hours of any construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. Limited work on Saturdays between 9:00 a.m. and 6:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner at DPD. Such after-hours work would include emergency construction necessitated by safety or street use (traffic) concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Limited work at other times or on Sundays may also be allowed if necessary to align with SDOT or utility requirements. Such limited after-hours work may be authorized only if the owner(s) and or responsible party(s) provide 3-days prior notice to allow DPD (holly.godard@seattle.gov) to adequately evaluate the request.

Signature: _____ (signature on file) Date: August 24, 2009
Holly J. Godard, Land Use Planner
Department of Planning and Development

HJG:bg

H:\projects..godardh\SEPA\3006000+ files\3008615 1222 East Madison Street decision.doc