



City of Seattle

**Department of Planning and Development**

D. M. Sugimura, Director

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

**Application Number:** 3009249

**Applicant Name:** Michele Wang, Runberg Architects for SRM  
Development

**Address of Proposal:** 230 Broadway East

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a 7-story structure containing 17,378 sq. ft. of retail and 5,672 sq. ft. of office at ground level with 235 residential units above. Parking for 362 vehicles will be located on three levels below grade. Project includes 45,600 cu. yds. of grading. Six existing structures to be demolished.

The following Master Use Permit components are required:

**Design Review** – Seattle Municipal Code Section 23.41 with Development Standard Departures:

1. Access (SMC 23.47A.032.A.1.c)
2. Driveway Width (SMC 23.54.030.D)
3. Sight Triangle (SMC 23.54.030)
4. Street Level Development Standards (SMC 23.47A.008.D.3)

**SEPA Environmental Review** - Seattle Municipal Code Section 25.05

**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS

DNS with conditions

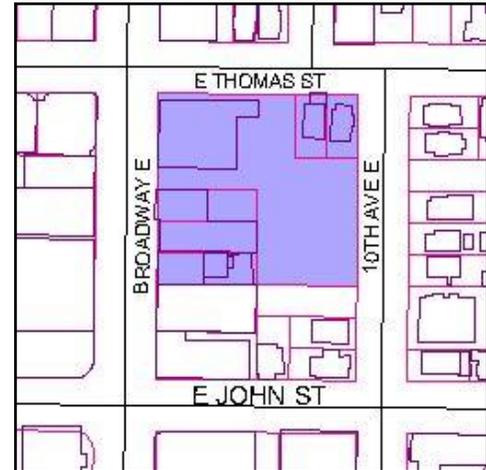
DNS involving non-exempt grading, or demolition,  
or involving another agency with jurisdiction.

## **SITE AND VICINITY**

The 61,000 square foot site contains six parcels and is located in Capital Hill.

The western half of the site is zoned NC3-40 and can be increased to 65 feet provided that portions of the structure above 40 feet contain only residential uses. The eastern half of the site is zoned NC3/R-40. The site lies within a Pedestrian (P1) zone as well as the Capitol Hill Urban Village Commercial Zone Overlay and a Light Rail Station Overlay.

The site meets the corner of Broadway East to the west, East Thomas Street to the north and 10th Avenue East to the east. East John Street defines the block to the south. Abutting the site to the south is a two story commercial building; the site abuts a pedestrian easement immediately to the south between the subject site and the site to the south.



## **PROJECT DESCRIPTION**

The construction of a 6-story structure containing 17,378 sq. ft. of retail and 5,672 sq. ft. of office at ground level with 235 residential units above. Parking for 362 vehicles will be located on three levels below grade. Project includes 45,600 cu. yds. of grading. Six existing structures to be demolished. The proposed building will have six stories facing Broadway and four stories facing 10th Ave East.

## **PUBLIC COMMENTS**

Approximately 12 members of the public attended the Early Design Guidance meeting on September 3, 2008. The following comments were offered:

- Clarification that the pedestrian access from Broadway connects to a destination and not become a dark passageway to nowhere.
- Clarification of whether proposed parking is available to the public.
- Preference for Option B as being more sensitive to the houses on the northeast corner of the block. Options A and C dwarf these houses.
- Pleased to see development occur on this site.
- Concerned with the entry to the garage, particularly at Thomas Street as it creates an awkward pedestrian circulation.
- The intersection of the two building masses looms over the houses in the northeast corner of the block and need to have greater separation and windows to diminish the relative scale of the existing and proposed context. Suggest a longitudinal courtyard through to 10<sup>th</sup> Avenue to create this separation.
- Farmers Market is pursuing street closures at different locations. Encourage designing streets that can accommodate this type of program.
- Prefer modern design over a more traditional design since that is not often successfully achieved.

- Does not want to see corrugated metal.
- A wider pedestrian easement from Broadway would be desirable.
- Excited with the redevelopment of the property, but is concerned with the ten foot easement to access the back of the building and parking area. Safety and security concerns in this area need to be dealt with, especially during evening hours.
- Service vehicles to the building through the garage may be problematic.
- Concerned with the two blank walls bordering the houses at the corner.
- Capitol Hill Design Guidelines express a desire for 10<sup>th</sup> Avenue to be residential and not commercial in character.
- Abutting property owner to the south is concerned with adherence to the existing easement agreement.
- Clarification of number of units.
- Like the new US Bank Building across Broadway. Concerned with interruption to pedestrian traffic caused by construction activities. Many businesses along Broadway rely on this foot traffic.

A second Early Design Guidance meeting was held November 18, 2009. Approximately ten members of the public attended this meeting. Four comment letters were also received. The following comments were offered:

- The landscaping on 10th Avenue should include more significant trees. Commend the analysis of the rhythm and granularity of Broadway streetscape. The Capitol Hill and Broadway design guidelines are all important to apply to this site. The corner of Thomas and 10th should provide a better transition from commercial to residential uses – this transition should occur on the Thomas Street side, not 10th. Pursuing a LEED goal is good and should be addressed early on in the process. Caution that the rain garden feature shown on Broadway may become a litter trap.
- The variety of uses surrounding the proposed courtyard needs to be further explored. Also, the service entry proposed on the south side of the site should be clarified both in terms of the safety and security of the ramp area, as well as the quality of the private patios fronting onto the ramp area. Perhaps this access ramp area should be enclosed. The proposed massing is well done.
- The massing on Broadway should be simplified into two buildings, rather than one to respect the cadence of building dimensions along the street. Consider including access to the courtyard from Broadway.
- Proposal looks great and suggests that the massing on 10<sup>th</sup> Avenue and Thomas Street soften at the corner, particularly at the top floor to reduce bulk and scale to the lower zone across the street.
- The design proposal is too similar to the Brix and other recent buildings. A new building prototype should blend the existing retail character of Broadway into a new building form.
- Supportive of the analysis and the effort to consolidate the courtyard spaces into one large open area. Not a fan of the symmetry shown along the Broadway façade.
- Concern that the new building will not be completely used. Also object to the loss of the farmers market.
- Does not support the loss of older neighborhood buildings for larger, boxier buildings that have undesirable retail uses.

- Suggests that the dumpsters and recycling containers are stored internally and will not be visible to neighbors. Does not want to see these containers left out in the right of way creating a visual blight.
- Clarification of the access to the courtyard and street tree retention.

Approximately 13 members of the public attended the Initial Recommendation meeting on May 5, 2010. The following comments were offered:

- The design doesn't fit the character of the neighborhood and seems out of scale with Broadway. Prefer building limited to 40' tall because a 65' high building will block views and reduce property values. Concerned that the proposed building will be just another empty building on Broadway.
- Project doesn't fit the neighborhood context and looks the same as other large projects on Broadway. The character of Broadway is small buildings with small footprints. This building does not fit that scale. The flat roofs should instead be pitched and the courtyard will be too shaded. The ground floor residential entries should be located on Broadway.
- Supportive of the project in general and commend the project for design of signage, choice of materials, design of the neighborhood office spaces and the small scale of retail spaces.
- One speaker was concerned about the pedestrian experience, particularly because the elevations don't show the pedestrian's perspective. Would like to see the proposed entries closer to the street and not so recessed. The stairs up to the courtyard on 10<sup>th</sup> Ave. are similar to the nearby Joule and would be improved if the views were directly into the courtyard. Would like to see more brick materials incorporated into the site. Appreciate the wide sidewalk on Thomas St., but would like to see a wider paved area with less planting. Support preservation of the First Savings Bank façade.
- Concerned that the project is removing four existing buildings, which will take away from the character and diversity of Broadway and the proposed projects lacks diversity of existing buildings.
- Supportive of the changes to the project since the EDG meeting. Encourage the applicants to preserve as many existing trees as possible.
- The proposed project looks like every other new building on Broadway and the design is bland, generic and not very creative. The elevations are still too cluttered and over-modulated. The project uses too many materials. However, appreciative of the variety of uses, particularly the office spaces. The retail tenants need to be able to express their individuality.
- The design of the 10<sup>th</sup> Ave sidewalk and streetscape should be a larger neighborhood consideration – sidewalk location should not be dictated by one project.
- Would like to see the visibility of storefronts and signage more carefully considered.
- Would like the applicants to consider how future development to the south will affect the project.
- Concerned that this project will take away from the retail "vibe" of Broadway.
- Concerned that the character of this project, like other large projects, is discouraging to Broadway merchants. Existing merchants will not locate in these buildings.

Approximately ten members of the public attended the Final Recommendation meeting on June 16, 2010. The following comments were offered:

- Building should be shorter and have a smaller footprint. The façade should incorporate the facades of the existing buildings on Broadway, particularly the bank.
- The proposed office space on Thomas should be further explored to better understand how it will be divided and will appear active and inviting to the public.
- The balconies shown on the vertical bays along Broadway should be a single color, rather than multiple colors.
- The scale of the proposed building is out of context and the storefronts appear as if they are part of a massive, uniform building. The building storefronts should come directly to the property line and the balconies should be eliminated. No departures should be granted because the project does not better meet the design guidelines. Not in favor of the proposed sidewalk realignment. Concern that the proposed landscaping will grow over the sidewalk. The proposed preservation of the bank facade into the landscape plan is a mockery of the preservation effort.
- Appreciate the design changes since the previous meeting. Supports the proposed balconies on Broadway; the colored glass panes add a fun element to the design. The individual retail spaces are good and allow for individual expression within a larger building.
- There should be less projects of this scale along Broadway. More individuality is needed, as well as eclectic expression.

The applicant applied for a Master Use Permit on February 1, 2010. Notice of Application was published on March 4, 2010 and a 14-day comment period ended on March 17, 2010. Approximately 25 letters were received and the following comments and sentiments were offered:

- Request to be a Party of Record.
- Concerned new building will be too large and will displace the existing Farmer's Market.
- The Farmers Market function is important and should remain in the neighborhood.
- Too many new buildings have been built on Broadway and the street is losing many unique older buildings.
- Broadway is becoming too bland and losing its distinct character.
- Too much parking is being provided in the proposed development given the close proximity to transit— the money being used to build parking would be better spent contributing to the vitality of Broadway.
- Concerned about the affects of construction on nearby businesses and the negative impact on pedestrian circulation (ie, reduced foot traffic) if there are sidewalk closures. This is particularly difficult given the extension construction that is occurring with the light rail station.
- Would like to see the garbage and recycling containers located within the building and out of sight from passers-by. Direct access to the service area during collection is desirable.
- The provision of so much parking will drive up the housing costs and environmental impacts; the parking should be reduced.
- Broadway does not need another high-rise condo development.

- Concern with the impacts of the proposed development on the restaurant patio to the north due to construction related nuisances and eventually by shadow from the future structure.
- The proposed construction should wait until light rail is completed so that the construction will not further disrupt businesses.
- Concerned about the driveways crossing over sidewalk and creating safety problems for pedestrians.
- Objects to proposed height of rezone [Staff Note: no rezone is proposed].

## **ANALYSIS - DESIGN REVIEW**

### Design Guidance

Three schemes were presented at the first Early Design Guidance meeting. All of the options include below grade parking, ground level commercial use along the Broadway side and a pedestrian easement connecting Broadway to the surface parking area to the east and the backside of the adjacent building to the south. The first scheme (Option A) proposes access from both 10th Avenue and East Thomas Street and a commercial space situated at the southern end of the side along 10th Avenue. The two lobbies are proposed next to both of the driveway locations. The second alternative (Option B) also proposes access from both 10th Avenue and East Thomas Street, but the 10th Avenue driveway is at the southernmost end of the site. In this scenario, one lobby is off of Broadway and one is next to the 10th Avenue driveway. The third and preferred scheme (Option C) shows a massing and access configuration similar to Option B, but with the East Thomas Street lobby separated to be further away from the driveway access location.

Three new alternatives were presented at the second EDG meeting. The first option (“A”) is two U-shapes with two courtyard spaces facing towards the west. The second option (“B”) is a U-shaped building facing east with an irregular T-shaped building attached to the east portion of the U form. The third alternative (“C”), the preferred option, are two U-shaped building facing each other for a combined central courtyard. The Broadway frontage is likely to have a strong commercial character while the 10th Avenue is more residential.

The presentation also included an analysis of context, including a proportion study of historic buildings and recent buildings on Broadway, as well as a study of scale and character of retail storefronts on Broadway.

To view the complete design proposal, please go to the Design Review website at:

[http://www.seattle.gov/DPD/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](http://www.seattle.gov/DPD/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp)

At the Initial Recommendation meeting, the presentation included a further developed architectural design that included elevations and landscaping plans. The design of the Broadway elevation has been simplified with the upper levels brought flush to the lower stories. Also, the elimination of the proposed community room accessed off of 10th Avenue has created a clearer residential entrance. The service/loading area has been designed to accommodate both the service vehicles, while also being more sensitive to the units above.

At the Final Recommendation meeting, the presentation focused on the follow up design issues identified at the previous meeting:

- revisions to the north elevation to create a more consistent vocabulary;
- simplification of the south elevation and a revised color palette to correspond with the rest of the building;
- greater refinement of the storefront system on Broadway and use of the First Security Bank façade signage;
- use of balconies to introduce a whimsical element to the façade design with colored glass insets; and the refinement of the ground level residential uses on 10<sup>th</sup> Avenue.

Clarification of the departure requests and a specific request for Board input on the re-alignment of the sidewalk along 10<sup>th</sup> Avenue was discussed and recommended for approval by the Board. The proposed dimensions would include a ten-foot planting strip, six-foot sidewalk and five foot planted area between the sidewalk and the property line.

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* of highest priority to this project. The Board also consulted with the recently adopted neighborhood specific guidelines *Capitol Hill Neighborhood Design Guidelines*. The guidance of the Board at the Initial Recommendation meeting is in bold text and the Final Recommendation meeting is in bold, italic text.

## Site Planning

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

**Capitol Hill-specific supplemental guidance:**

- **Retain or increase the width of sidewalks.**
- **Provide street trees with tree grates or in planter strips, using appropriate species to provide summer shade, winter light, and year-round visual interest.**
- **Vehicle entrances to buildings should not dominate the streetscape.**
- **Orient townhouse structures to provide pedestrian entrances to the sidewalk.**
- **For buildings that span a block and “front” on two streets, each street frontage should receive individual and detailed site planning and architectural design treatments to complement the established streetscape character.**
- **New development in commercial zones should be sensitive to neighboring residential zones. While a design with a commercial character is appropriate along Broadway, compatibility with residential character should be emphasized along the other streets.**

The Board discussed at length the pedestrian easement and the importance of activating the space with particular attention to safety. The Board urged that the design consider this easement area as an opportunity to create a passageway that is in keeping with the neighborhood tradition of views to courtyards or a passive residential entrance. The current use of this easement area functions as an urban space that makes sense for the presence of the Farmers Market and access to the surface parking lots. The Board is very interested in the treatment and programming of this easement and encouraged widening certain portions to make it more functional and not simply a fire egress.

At the second EDG meeting, the Board was pleased with the proposed setbacks around the development ranging from 4-5 feet along certain portions of Broadway and along 10<sup>th</sup> Avenue to accommodate residential stoops and 7 feet along Thomas for individual stoops.

**At the Initial Recommendation meeting, the Board continued to discuss the appropriate distance for ground level residential units from the sidewalk. The Board did not comment on the setback portions of the building along Broadway.**

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

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

**Capitol Hill-specific supplemental guidance:**

- **Provide for sidewalk retail opportunities and connections by allowing for the opening of the storefront to the street.**
- **Provide for outdoor eating and drinking opportunities on the sidewalks by allowing for the opening the restaurant or café windows to the sidewalk and installing outdoor seating while maintaining pedestrian flow.**
- **Install clear glass windows along the sidewalk to provide visual access into the retail or dining activities that occur inside. Do not block views into the interior spaces with the backs of shelving units or with posters.**

The Board would like to have a better understanding of the proposed corner commercial space and how much of the space is allotted for bank use. The configuration of the bank use in relation to the easement is important because it is critical that the commercial uses and/or lobby space help to activate the passageway and enhance visibility to/from the commercial area to the easement area.

At the second EDG meeting, the Board was very supportive of the proposal to maintain the tile strip along Broadway, as well as protect the existing “Dancing Steps” art piece on the sidewalk.

The proposal includes a community room space accessed off of 10<sup>th</sup> Avenue and abutting the central courtyard. The Board felt that such a space, if provided, should have higher ceilings to create a grander space. The Board also encouraged further exploration of this amenity in this location versus another configuration elsewhere on the site, such as along Broadway or Thomas, which would offer greater visibility. If the community room is retained at the proposed location, then the Board would like to better understand how the public will access this space and how the space will interact with the central courtyard used by building tenants. The Board wants the access to the courtyard and community room to be more welcoming and accessible. The Board

pointed out the underlying conflict between the proposed community room, which is meant to be readily available to the public, and the proposed location within the building, which is accessed through a private entrance and abuts the courtyard space.

If the courtyard is envisioned to be a private space, then the community room should be more attached to a street front with more visibility and less intrusion to the courtyard area. If the courtyard is envisioned to be more public, then efforts to integrate views and access to the courtyard should be considered. The corridor separating the retail from the courtyard may need to be re-evaluated to allow more passage between the retail function and the courtyard.

**At the Initial Recommendation meeting, the design no longer included a community room, so the courtyard would function as a more typical residential courtyard with landscaping and semi private spaces. The landscape design does include the preservation and integration of the old bank façade into the courtyard design.**

*At the Final Recommendation meeting, the Board agreed with the applicant that the re-use of the existing First Security Bank façade did not work with the design on Broadway, and felt that the applicant's proposal to re-use the bank façade in the residential courtyard was acceptable.*

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

The Board noted that the unusual shape of the site in conjunction with the required pedestrian easement are two conditions that will require design solutions that are sensitive to the abutting neighbors.

The Board agreed that the building form and/or site plan should respond to the grid shift that occurs at 10<sup>th</sup> and Thomas. This is a unique condition that should be reflected in the design. Also, the zone changes across the 10<sup>th</sup> Avenue and Thomas Street intersection and the building/site design should be responsive to the lower residential scale of the neighborhood to the east.

**At the Initial Recommendation meeting, the Board discussed this issue as part of the considerations under E-2.**

**A-6 Transition Between Residence & Street. The space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.**

The Board agreed that the design and building program should encourage pedestrian activity. The commercial spaces should utilize transparent windows and overhead weather protection and other details that encourage pedestrian traffic to, from and around and through the site.

The Board agreed that the project should strive to create continuity along the Broadway street frontage to reinforce and contribute to a vibrant street life.

At the Second EDG meeting, the Board was pleased to see a transitional space between the ground floor residential units and the sidewalk and recommends that these stoop spaces be well designed and proportioned.

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

**Capitol Hill-specific supplemental guidance:**

- **Incorporate quasi-public open space with new residential development or redevelopment, with special focus on corner landscape treatments and courtyard entries.**
- **Create substantial courtyard-style open space that is visually accessible to the public view.**
- **Set back development where appropriate to preserve a view corridor.**
- **Set back upper floors to provide solar access to the sidewalk and/or neighboring properties.**
- **Mature street trees have a high value to the neighborhood and departures from development standards that an arborist determines would impair the health of a mature tree are discouraged.**
- **Use landscape materials that are sustainable, requiring minimal irrigation or fertilizer.**
- **Use porous paving materials to minimize stormwater run-off.**

The Board agreed that including an open space courtyard would provide an excellent opportunity to draw views to and from the sidewalk via the easement.

Note: The sidewalk easement no longer applies to the expanded site.

**A-8 Parking and Vehicle Access. Automobile impacts on adjacent properties and the pedestrian environment should be minimized.**

**Capitol Hill-specific supplemental guidance:**

- **Preserve and enhance the pedestrian environment in residential and commercial areas by providing for continuous sidewalks that are unencumbered by parked vehicles and are minimally broken within a block by vehicular access.**

The Board was uncomfortable with the pairing of the pedestrian and vehicular access. If the two types of access are situated proximate to each other, then the design of the pedestrian access should dominate over the vehicles access point. The Board also noted that they would like to see greater pedestrian access opportunities off of Broadway and paired with the required easement.

At the Second EDG meeting, the Board was concerned that the proposed loading and service area would not be compatible with the abutting residential units facing south and is not of an adequate dimension to safely accommodate the loading activities. Both the width and appearance of this function needs to be carefully considered and detailed. The Board suggested adding a security gate and lighting to keep the recessed area secure. Views of this service area should also be specifically addressed for those units that overlook this space. Complete landscaping plan,

elevations and renderings of this space should be presented at the next meeting. The Board encouraged considering other locations for accommodating these service functions.

**At the Initial Recommendation meeting, the Board, expressing its doubt about the ability of trucks to back into the service driveway, but decided that the turning studies provided by KPFF adequately addressed the problem.**

**The Board recognized the need for security, but agreed that the proposed eight-foot tall solid wall on the south property line was too imposing. The Board recommended that a visibly transparent fence should be used instead.**

## Height, Bulk, and Scale

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

**Capitol Hill-specific supplemental guidance:**

- **Break up building mass by incorporating different façade treatments to give the impression of multiple, small-scale buildings, in keeping with the established development pattern.**
- **Consider existing views to downtown Seattle, the Space Needle, Elliott Bay and the Olympic Mountains, and incorporate site and building design features that may help to preserve those views from public rights-of-way.**
- **Design new buildings to maximize the amount of sunshine on adjacent sidewalks throughout the year.**

The Board felt that the proposed massing along Broadway has an appropriate scale. The Board noted that the zone change between the eastern half of the site and the area across 10<sup>th</sup> Avenue to the east should be acknowledged in the building form and design to create a more sensitive transition to the lower zone.

**At the Initial Recommendation meeting, the Board agreed that the zone changes inherently create a transition to the lower level of development intensity to the east of the site.**

## Architectural Elements

**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.**

**Capitol Hill-specific supplemental guidance:**

- **Incorporate signage that is consistent with the existing or intended character of the building and the neighborhood.**
- **Solid canopies or fabric awnings over the sidewalk are preferred.**

- **Avoid using vinyl awnings that also serve as big, illuminated signs.**
- **Use materials and design that is compatible with the structures in the vicinity if those represent the desired neighborhood character.**

The Board looks forward to seeing a cohesive architectural design that strives for a bold design that is reflective of the varied and creative community. The Board noted the particular challenge of creating a desirable transition between the two zone height designations and suggested that the configuration of the courtyard might help create a good relationship between the two zones, as well as to the existing abutting houses in the northeast corner.

At the Second EDG meeting, the Board encouraged a strong façade design along Broadway with a simplified material palette. The Broadway elevation should have a more regular rhythm rather than a symmetrical approach. The ground level retail, however, should strive to offer different, individual retail spaces within the frame of the commercial base. The transition from the Broadway façade to the Thomas Street façade should reflect the zone transition within the development site, as well as the context and character from a strong commercial street to a quieter residential street. The street level area to the west of and including the vehicular access on Thomas Street is sort of a gap space that should be further explored as a secondary entrance and/or provide views into the interior courtyard.

The Board noted that how the design proposes to turn the corner from Thomas onto 10th is important and a stronger architectural move should be made within the façade to acknowledge the zone and grid change.

**At the Initial Recommendation meeting, the Board was supportive of the concept for the elevations and the varying façade articulation corresponding to the different uses in the building. The Board agreed that the east and west elevations were well resolved; however, the north and south elevations need further study. On the north elevation along Thomas Street, the Board felt that the brick frame with offset bays was too much of a deviation from the vocabulary of the other portions of the building and recommended that that east portion of the north elevation be re-designed to reflect the organization of the east elevation.**

**The Board also discussed how the south elevation was too different and inconsistent from the other elevations, particularly the extensive use of white panels. The Board recommended that the south elevation be simplified and use more subdued, “background” colors. The Board recognized that south elevation will not be seen very much once the properties to the south are redeveloped and recommended that the south elevation be designed as a “toned-down” version of the other elevations.**

**The Board also recommended that the balconies and gates used around the building were too generic and should be designed to become unique and varied elements on the façade. The design of these balconies should be inspired by the diversity and creative character of the Broadway community.**

*At the Final Recommendation meeting, the Board felt that the changes to the north elevation resulted in a significant improvement over the previous design, and had no further objections to the design of the north elevation.*

*The Board was supportive of revisions to the south elevation and felt they adequately addressed the concerns raised at the previous recommendation meeting. The Board felt that*

*the beige color chosen for the south façade was too light, and recommended that a slightly darker and more saturated hue be used, such that it will match the middle value of the brick mix used elsewhere on the building.*

*The Board agreed that the revised balconies were an improvement over the previous design and expressed support for the proposed balcony design. The Board recommended that glass be used for the balcony railings, and not perforated metal, and appreciated the proposed colored glass to add a more whimsical element to the Broadway façade design.*

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

**Capitol Hill-specific supplemental guidance:**

- **Incorporate building entry treatments that are arched or framed in a manner that welcomes people and protects them from the elements and emphasizes the building’s architecture.**
- **Improve and support pedestrian-orientation by using components such as: non-reflective storefront windows and transoms; pedestrian-scaled awnings; architectural detailing on the first floor; and detailing at the roof line.**

See A-2 and A-4.

- C-4 Exterior Finish Materials.** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

**Capitol Hill-specific supplemental guidance:**

- **Provide operable windows, especially on storefronts.**
- **Consider each building as a high-quality, long-term addition to the neighborhood; exterior design and materials should exhibit permanence and quality appropriate to the Capitol Hill neighborhood.**
- **The use of applied foam ornamentation and EIFS (Exterior Insulation & Finish System) is discouraged, especially on ground level locations.**

The Board looks forward to reviewing a more detailed materials and color board that is reflective of and responsive to the character of Broadway and the neighborhood. Specifically, the Board would like to see strong detailing and materials that are consistent with Broadway’s character (and no stucco). The Board noted that the design solutions for the transition points between the three types of street frontage will be critical in terms of materiality and deliberate use of materials in these locations is important.

At the Second EDG meeting, the Board encouraged a simplified material palette. The Board agreed that the upper level façade along Broadway either needs to be flush with the main façade or set back significantly enough to create a true penthouse condition. The Board expressed appreciation that the datum line from the neighboring building is proposed to continue through the Broadway elevation.

**At the Initial Recommendation meeting, the Board was supportive of the proposed material palette, which included a brick veneer frame, metal and glass canopies, dark grey windows with transparent glazing and a white colored panel for the upper stories on Broadway and bays on the Thomas and 10<sup>th</sup> Avenue elevations.**

## **Pedestrian Environment**

**D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.**

**Capitol Hill-specific supplemental guidance:**

- **Provide entryways that link the building to the surrounding landscape.**
- **Create open spaces at street level that link to the open space of the sidewalk.**
- **Building entrances should emphasize pedestrian ingress and egress as opposed to accommodating vehicles.**
- **Minimize the number of residential entrances on commercial streets where non-residential uses are required. Where residential entries and lobbies on commercial streets are unavoidable, minimize their impact to the retail vitality commercial streetscape.**

The Board agreed that all three alternatives lacked the opportunity to configure that open spaces in a manner which would help buffer the sensitive sides of the building at the northeast corner. Balancing this transitional area with a desire to create a residential courtyard that maximizes the benefit to the residents is a challenge for this irregular shaped site with unusual adjacency conditions. Views to this courtyard should be maximized. The Board wants the functionality of the interior courtyard to be maximized. The Board looks forward to reviewing a high-quality, well programmed and well landscaped courtyard level open space design. The Board also stressed that solar access should be maximized to the site's open spaces.

The Board wants the final build out of the live/work units along 10<sup>th</sup> Avenue to reflect the quieter, more residential nature of this street, while also maximizing the functionality of these ground level units.

The Board discussed the seven foot deep (Seattle City Light required) setback along Thomas Street to accommodate the utility poles and proposed that would be an excellent opportunity for vegetation and other pedestrian scale amenities that would soften the building's north perimeter.

**At the Initial Recommendation meeting, the Board agreed that the design of the storefronts, along with the associated canopies and lighting, are critical elements for maintaining the character and diversity of the streetscape on Broadway. The Board felt that the proposed storefront scheme appeared too ordered and inauthentic. The Board supported the idea of unique storefronts for different retail businesses, but agreed that the design should provide some level of regularity and uniformity. The Board recommended that proposed retail canopies be more consistent and regular as the unifying element for the different retail storefronts. The Board encouraged a design that allows for individual tenants to select storefront systems, signage and other commercial expression that gives**

variety to the streetscape. The Board also suggested that the existing First Security Bank façade be integrated into the Broadway streetscape.

The Board was generally supportive of the design strategies presented for the townhouse entries, but expressed concerns about the privacy and functionality of the spaces. The Board recommended that the design of the patios and the landscaping be further examined to ensure that the patios are useful spaces and that enough privacy is maintained between the street and the residential unit. The Board felt that the proposal to move the sidewalk could help to make a better transition, but wanted to see more study of how that space would be designed.

*At the Final Recommendation meeting, the Board was generally supportive of the concept for individually-customized storefronts, but expressed several concerns about the potential implications. The Board felt that some elements of storefront design should be fixed to better ensure a high level of quality in the potential storefront designs. The Board expressed support for creating a storefront system that allows for the possibility of successful retail space that engages with the sidewalk and facilitates individualized expression. The Board found that the proposed storefront concept was acceptable with following recommendations:*

- 1. The line of enclosure shown on the plan, with the two middle storefronts set back should be fixed, and storefronts should not be allowed to be installed at different setbacks in the future if/when the individual retailers change.*
- 2. The free-standing piers in front of the set back retail spaces should have brick on all four sides.*
- 3. Development of tenant guidelines describing the parameters of the overhead canopies should be implemented to ensure high-quality canopies. These storefront design guidelines should minimize shadows on the sidewalk, provide high quality permanent materials, and define a zone of articulation for the canopy.*

*The Board agreed with the applicant that the re-use of the existing First Security Bank façade did not work with the design on Broadway, and felt that the applicant's proposal to re-use the bank façade in the residential courtyard was acceptable.*

*The Board discussed at length and agreed that the proposed residential patios on 10<sup>th</sup> Ave. were too small, regardless of the location of the sidewalk. The Board recognized that the fully code-compliant schemes did not work well, but that residential uses at the ground level at this location were appropriate for the context. The Board wanted to see a deeper dimension of the setback to allow for a more functional outdoor space. The Board modified the departure request to allow encroachment into the ten-foot setback provided that at least a six-foot clear patio space was maintained between the building and the property line. In terms of how this modification would affect the façade design, the Board preferred keeping the two-story projections for readability of the townhouse style units. The Board was supportive of the SDOT deviation request to move the sidewalk, and felt that it would create a better streetscape on 10<sup>th</sup> Ave.*

**D-2 Blank Walls.** Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

The Board expects that all visible blank walls, especially bordering the notch of the northeast corner will be treated and developed to provide visual interest and create a good scale for the blank wall condition.

See C-2.

- D-5 Visual Impacts of Parking Structures. The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.**

The Board did not support the grouping of all the access at the corner; instead, the Board preferred consolidating the access to one point along 10<sup>th</sup> Avenue that is situated to the southern end of the site along 10<sup>th</sup> Avenue. The Board preferred scheme A in terms of the Broadway treatment, but preferred schemes B and C in terms of access configuration.

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

- 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 during evening hours.**

- D-11 Commercial Transparency. Commercial storefronts 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 noted that both transparency and lighting along the pedestrian easement passageway will be critical in activating and providing security for the space.

- D-12 Residential Entries and Transitions. For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.**

The Board noted that the residential entries should be distinct and emphasized to be welcoming and recognizable.

## 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.**

- E-3 Landscape 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.**

Capitol Hill-specific supplemental guidance:

- Maintain or enhance the character and aesthetic qualities of neighborhood development to provide for consistent streetscape character along a corridor
- Supplement and complement existing mature street trees where feasible.

- **Incorporate street trees in both commercial and residential environments in addition to trees onsite.**
- **Commercial landscape treatments that include street trees.**

The Board stressed that the project should include green buffers, such as street trees and well-landscaped open spaces, to soften the scale of this large sized building. The Board also urged that the streetscape details be well considered to include pedestrian scaled landscaping, lighting, and buffer areas for those future live/work units along 10<sup>th</sup> Avenue.

The Board looks forward to reviewing details of a well-programmed, detailed design for the open spaces integrated throughout the project, as well as sections and plans of the street level details.

At the second EDG meeting, the Board was presented with a landscape concept that includes a rooftop p-patch, on-site storm water retention and generous right of way amenities and landscaping. The Board looks forward to a design that is able to incorporate such features into the project. The Board stressed that the greenery of the roofscape should be carried down to the streetscape as well.

**At the Initial Recommendation meeting, the Board recommended that the landscaping along Thomas Street respond to the grid shift and acknowledge this unusual condition.**

*At the Final Recommendation meeting, the Board raised the issue of the landscape design where 10<sup>th</sup> Ave. terminates at Thomas St., and asked if the landscape design could better accommodate pedestrians crossing Thomas St. at that point. The applicant explained that the two existing mature trees in that area limit the possibilities of additional landscape features in that area. The Board recognized that the landscaping should not compromise the existing trees and agreed that the proposed landscape design was acceptable.*

## **DEVELOPMENT STANDARD DEPARTURES**

Four departures from the development standards were proposed at this phase.

- 1) **Access (SMC 23.47A.032.A.1.c):** The Code states that access to the site is only allowed on one street. There are currently two access points proposed.

Since there is no alley on the subject site, the proposed design includes a second access point to accommodate alley type functions such as loading and service areas off 10<sup>th</sup> Avenue. The Board agreed that provision of service elements at this secondary location was appropriate and desirably located in terms of minimal pedestrian interruption. The Board voted unanimously in favor of the secondary access. (A-8, D-5, D-7)

- 2) **Driveway Width (SMC 23.54.030.D):** The applicant proposes a departure from the driveway width standards, from 22 feet to 15'-8" feet to access the loading and service area on 10<sup>th</sup> Avenue.

The Board is supportive of the proposed departure in order to widen the landscaping buffer and minimize intrusion of the driveway cut across the sidewalk. The Board cautioned, however, that the landscaping should be kept low to allow visibility between drivers and pedestrians. The Board recommended that the driveway presence be minimized through design, while providing a visible, safe residential entrance. For these reasons, the Board voted unanimously in favor of the departure request. (A-8, D-5, D-7)

- 3) Sight Triangle (SMC 23.54.030):** The preferred design proposes to eliminate the required sight triangle from the service driveway exit.

The Board voted unanimously in favor of eliminating the sight triangle, provided that safety elements, such as mirrors are included to alert vehicles and pedestrian alike of oncoming vehicles. (A-8, D-5, D-7)

- 4) Street Level Development Standards (SMC 23.47A.008.D.3):** The Code states that the floor of a dwelling unit located along the street-level street-facing facade shall be at least 4 feet above or 4 feet below sidewalk grade or be set back at least 10 feet from the sidewalk.

The Board recommended approval of a departure from the ten-foot setback requirements, to allow a reduction of a minimum of six-foot setback for the ground level residential units along 10<sup>th</sup> Avenue. The Board voted unanimously in favor of the reduced setback depth because the unusual right-of-way condition at this location is wider and will be heavily landscaped, thereby creating a privacy buffer. The Board agreed that the six-foot clear space at the entry is a reasonable dimension to accommodate residential entry uses, furniture and landscaping and encourage active use of the space to enliven the streetscape. (A-6, D-1, D-12, E-3)

The four Board members in attendance unanimously recommended approval of the project and the requested departures with the following recommendations:

1. Design Guidelines shall be developed for the retail tenants along Broadway for the life of the project:
  - a. The line of enclosure shown on the plan, with the two middle storefronts set back should be fixed, and storefronts should not be allowed to be installed at different setbacks in the future if/when the individual retailers change.
  - b. The free-standing piers in front of the set back retail spaces should have brick on all four sides.
  - c. Development of tenant guidelines describing the parameters of the overhead canopies should be implemented to ensure high-quality canopies. These storefront design guidelines should minimize shadows on the sidewalk, provide high quality permanent materials, and define a zone of articulation for the canopy.
2. Safety elements at both driveways, such as mirrors, shall be included to alert vehicles and pedestrian alike of oncoming vehicles.
3. The design should include driveway paving at both locations that is differentiated from the sidewalk.
4. The south elevation should be a slightly darker and more saturated hue, such that it will match the middle value of the brick mix used elsewhere on the building,
5. Glass should be used for the balcony railings, and not perforated metal.

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director's decision reads in part as follows:

*The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:*

- a. Reflects inconsistent application of the design review guidelines; or*
- b. Exceeds the authority of the Design Review Board; or*
- c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or*
- d. Conflicts with the requirements of state or federal law.*

Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

## **ANALYSIS & DECISION – DESIGN REVIEW**

### **Director's Analysis**

Four members of the Capitol/First Hill Design Review Board were in attendance (one member had recused herself) and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with and accepts the recommendations offered by the Board that further augment the selected Guidelines.

Following the recommendation meetings, DPD staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting and finds that they are consistent with the *City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings*, as well as *Capitol Hill Neighborhood Design Guidelines*. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board. The Director is satisfied that all of the recommendations imposed by the Design Review Board have been met.

### **Director's Decision**

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design, along with the recommendations listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **APPROVES** the proposed design and the requested departures.

## ANALYSIS - SEPA

The proposal is for 23,050 square feet of commercial space and 235 residential units, thus the application is not exempt from SEPA review. 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 dated January 6, 2010 and annotated by the Land Use Planner. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist and the attached reports and studies submitted by the project applicant and reviewed the project plans and any additional information in the file. As indicated in this analysis, 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.

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, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, "*Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations. Short-term adverse impacts are anticipated from the proposal. No adverse long-term impacts on the environmentally critical area are anticipated.

### Short-Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from construction activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities. Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality, noise, and construction traffic warrant further discussion.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- The applicant estimates excavation of approximately 45,600 cubic yards of material for the below grade parking garage. Limited fill may be required for structural backfill and/or over-excavation associated with potential wet weather. Excess material to be disposed of must be deposited in an approved site.
- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way.
- Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, due to the type, size and location of the proposed project, additional analysis of grading; traffic, parking, and circulation; noise; and greenhouse gas impacts is warranted.

#### Earth - Grading

The construction plans will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves excavation of approximately 45,600 cubic yards of material. The applicant's SEPA checklist (B.1.h) outlines measures proposed to reduce or control erosion during excavation.

The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used. Compliance with this code and voluntary mitigation measures are sufficient to address impacts from grading; therefore, no additional conditioning is warranted pursuant to SEPA policies.

#### Traffic and Circulation

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during construction. The construction activities will require the removal of material from site and can be expected to generate truck trips to and

from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

During construction, existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. This immediate area is subject to traffic congestion during the PM peak hour, and large construction trucks would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675(B) (Construction Impacts Policy) and SMC 25.05.675(R) (Traffic and Transportation), additional mitigation is warranted.

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 minimize the amount of spilled material and dust from the truck bed en route to or from a site.

For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays. This condition will assure that construction truck trips do not interfere with daily PM peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of existing City Code (SMC 11.62).

On-street parking in the neighborhood is limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties. The owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site or on a dedicated site within 800 feet for the term of the construction whenever possible. To facilitate these efforts, a Construction Management Plan will be required as a condition of approval identifying construction worker parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for these construction transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

### Noise

All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized upon approval of a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. The Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the

immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short-term transportation impacts that result from the project.

### 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.

### Long-Term Impacts

Long-term or use-related impacts associated with approval of this proposal include storm water and erosion potential on site. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically, the Storm water, Grading and Drainage Control Code which requires on-site detention of storm water with provisions for controlled tight line release to an approved outlet and may require additional design elements to prevent isolated flooding; and the City Energy Code which will require insulation for outside walls and energy efficient windows. Compliance with all other applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, due to the type, size and location of the proposed project, additional analysis of historic preservation, height, bulk, and scale; traffic and circulation; and greenhouse gas emissions is warranted pursuant to SEPA policies.

### Historic and Cultural Preservation

The proposed action includes demolition of six structures. An Appendix A survey was completed and submitted to the Department of Neighborhoods Landmarks Coordinator. After review by the Landmarks Preservation Board staff, it was determined that one of the buildings may be likely to meet the standards for designation as an individual landmark (see Letter dated June 2, 2010). A nomination was prepared and submitted to the Landmarks Preservation Board/Department of Neighborhoods Director. The nomination of the 224 Broadway Avenue East building was reviewed by the by the Landmarks Preservation Board on January 24, 2011. The Board voted to deny the nomination of the Seattle First National Bank Building at 224 Broadway Avenue East (LPB 39/11).

### Height, Bulk & Scale

The SEPA Height, Bulk and Scale Policy (25.05.675.G) 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...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 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."*

Zoning of the subject property is split approximately evenly between the west and east halves of the site. The western half of the site is zoned NC3-40. In this zone the height can be increased to 65 feet provided that portions of the structure above 40 feet contain only residential uses. The eastern half of the site is zoned NC3/R-40. The site lies within a Pedestrian (P1) zone as well as the Capitol Hill Urban Village Commercial Zone Overlay and a Light Rail Station Overlay.

The NC3 zone is developed with a mix of structure sizes and heights with a variety of commercial and residential uses which encourage a pedestrian-oriented shopping district, where as the NC3/R-40 zone is characterized by smaller scale residential structures and narrower streets. The NC3/R-40 zone serves as a buffer to the Lowrise-3 zone east of 10<sup>th</sup> Avenue East.

Site development will proceed according to the Land Use Code standards for each respective zone, apart from the design departures recommended by the Design Review Board. Therefore, the development as a whole will be in keeping with the scale of development anticipated in the area. The discussion above indicates that there are no significant height, bulk and scale impacts as contemplated in the SEPA policy. In addition, the Design Review Board has approved this project and no evidence was presented suggesting that the height, bulk and scale impacts associated with the proposal were inadequately mitigated by the Design Review process. Therefore, no additional mitigation of height, bulk and scale impacts is warranted pursuant to SEPA policy.

### Parking

The proposed development is located in the Capitol Hill Urban Center where parking is not required per SMC 23.54.015B2. However, the proposal includes 362 parking spaces to be provided below grade and accessed from a driveway via East Thomas Street.

In the Traffic Analysis prepared by William Popp Associates and dated April 6, 2010 and amended on May 5, 2010, parking generation rates from the Institute of Transportation Engineers (ITE) Parking Generation Manual (3<sup>rd</sup> Edition), the Urban Land Institute's 1984 Shared Parking document and census data were used to estimate the project's parking demand.

The total peak parking demand is estimated to be 318 stalls and this figure is likely to be far lower once the specific mix of proposed uses is considered. Therefore, the estimated parking demand may be adequately accommodated within the 362 stalls to be provided on site and no adverse impacts are anticipated.

Traffic and Circulation

A Traffic Analysis prepared by William Popp Associates and dated April 6, 2010 and amended on May 5, 2010 compares the existing trip generation with an estimate of the total amount of new trips to be generated by this project. According to the memo, a conservative estimate is that the proposed development will decrease the number of peak hours trips to the site by 18 less trips during the AM peak hours and 27 less trips during the PM peak hours. The estimated daily net new trips will also decrease by approximately 30 trips. Therefore, the daily and peak hour trips are less than those generated by the existing uses; there are no adverse trip generation impacts expected from the proposed development. Consequently, the analysis also concludes that the project's traffic impact to the surrounding street system is expected to be less than the impacts of current traffic because of the expected decrease in volumes from the existing site.

The applicant presented a study of truck turning movements to the Design Review Board to show how ingress and egress can be safely achieved at the project's loading area. The project shall be constructed according to assumptions of the truck turning study. Therefore no additional mitigation of circulation impacts is warranted pursuant to SEPA policy.

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.

**DECISION – STATE ENVIRONMENTAL POLICY ACT (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 requirements of the State Environmental Policy Act (RCW 43.21C), 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).

**CONDITIONS – SEPA**

Prior to Issuance of any Construction, Shoring or Grading Permits

1. The applicant shall provide to the DPD Land Use Planner for approval a Construction Management Plan which identifies construction worker parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.

During Construction

2. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:00 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.
3. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.
4. During construction, the following measures shall be taken to protect the existing artwork located in the sidewalk right-of-way:
  - (1.) *Dance Steps* needs to be entirely covered with overlayer of thick burlap followed by a 1" minimum marine plywood. The plywood needs to be bolt anchored into the sidewalk to prevent movement; and
  - (2.) Contact the City Public Art Conservation Technician at the Office of Arts and Cultural Affairs at 206-615-1879 to inform the staff that the work has been covered and protected accordingly. The conservation office will coordinate scheduling cleaning of the piece prior to your construction completion date.

**DESIGN REVIEW**

**Important Design Requirements to be Confirmed Prior to Building Permit Issuance**

1. Design Guidelines shall be developed for the retail tenants along Broadway for the life of the project:
  - a. The line of enclosure shown on the plan, with the two middle storefronts set back should be fixed, and storefronts should not be allowed to be installed at different setbacks in the future if/when the individual retailers change.
  - b. The free-standing piers in front of the set back retail spaces should have brick on all four sides.
  - c. Development of tenant guidelines describing the parameters of the overhead canopies should be implemented to ensure high-quality canopies. These storefront design guidelines should minimize shadows on the sidewalk, provide high quality permanent materials, and define a zone of articulation for the canopy.
2. Safety elements at both driveways, such as mirrors, shall be included to alert vehicles and pedestrian alike of oncoming vehicles.
3. The design should include driveway paving at both locations that is differentiated from the sidewalk.
4. The south elevation should be a slightly darker and more saturated hue, such that it will match the middle value of the brick mix used elsewhere on the building,
5. Glass should be used for the balcony railings, and not perforated metal.

