



City of Seattle

Department of Planning and Development  
Diane M. Sugimura, Director

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

**Application Numbers:** 3011917  
**Applicant Name:** Brenda Barnes  
**Address of Proposal:** 600 Elliott Avenue West

**SUMMARY OF PROPOSED ACTIONS**

Land Use Application to allow a five story, mixed use building with 114 residential units and ten live/work units (9,442 square feet). Review includes 8,700 cubic yards of grading. Parking for 74 vehicles will be located below grade.

The following approvals are required:

**Design Review - Seattle Municipal Code (SMC) Section 23.41**

**Administrative Conditional Use** pursuant to SMC 23.47A.006A.3

**SEPA - Environmental Determination** pursuant to SMC 25.05

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

\* Notice of the Early Determination of Non-significance was published on November 10, 2011.

**PROJECT DESCRIPTION**

The applicant proposes to design and construct a five-story mixed use building with 114 residential units, ten live/work units fronting Elliott Avenue West and 74 parking spaces. The proposed demolition would remove an existing parking lot.

The massing of the three schemes presented to the Design Review Board at the EDG meeting mimics the unusual obtuse angle formed by the intersection of West Mercer Street and Elliott Avenue West. Each scheme or concept has live/work units fronting Elliott Ave., the primary residential entry at or close to the intersection of the two streets, garage access on W. Mercer and four floors of apartments above the live/work and service areas. The schemes distinguish themselves from one another based on the relationship of the building mass to the property lines and the placement of open space along the two streets. Scheme A sets back farthest from the east property line. A vertical notch at the intersection of the Elliott Ave. and W. Mercer St. facades signals the lobby and vertical circulation. Live/work units front onto Elliott Ave at street level with apartment units on three floors above them. Scheme B pushes the W. Mercer elevation back away from the street leaving an open space bisected by the driveway and a much narrower rear setback at the east property line. The residential entry occurs at the vertex formed by the angle of the two streets. Unlike Scheme A, the entrance occurs close to the street without an entry court or modulation physically marking the entry. Similar to the previous scheme or option, the live/work units line Elliott Ave. The significant change in the massing for Scheme C occurs along Elliott Ave. A narrow, linear open space separates the avenue from the majority of live/work units. At the W. Mercer street level, garage access along with storage areas occurs near the sidewalk.

By the Recommendation meeting, the applicant refined the basic parti presented at the Early Design Guidance meeting.

## **SITE & VICINITY**

Located in the Uptown Urban Center, the 36,274 square foot site lies within a Commercial Two (C2 40) with a 40 foot height limit zone. The terrain rises approximately 38 feet from the frontage along Elliott Ave to the highest point near the southeast corner. Surface parking covers most of the property's western half with curb cuts on Elliott Ave. W. and West Mercer St.

On the west side of the Elliott Ave corridor, industrial and shipping related developments represent significant land uses along with several, new office buildings. Buildings and uses in the vicinity include Elliott West CSO Control Facility, SDOT Temporary Storage facility, Port of Seattle Terminal 86 (including rail yards and a grain elevator), and Myrtle Edwards Park. To the east of Elliott Ave. W. are small retail and commercial businesses and multifamily residential structures south of the project site along 6th Ave W. and Elliott. As the slope ascends to the east, a series of multifamily buildings line W. Mercer Place. Kinnear Park lies to the northeast of W. Mercer Place.

Elliott Ave. demarcates Industrial Commercial (IC 45) zoning to the west and Commercial Two (C2) on the east. Further to the east on the hillside and above the site, Midrise (MR) and Lowrise Three (LR3) multifamily zoning predominate.

Elliott Ave serves as a major arterial and a designated truck route. It also accommodates bike and bus routes. W. Mercer St. and 6th Ave. W. provide residential access.

## **ANALYSIS - DESIGN REVIEW**

### **Public Comments**

Approximately 22 members of the public affixed their names to the Early Design Review sign-in sheet. The public raised the following issues:

#### **Height, Bulk and Scale**

- Limit the building height to 40 feet.
- Elevations appear inconsistent. Review the elevations against a survey.
- Include a cross section at the next meeting that shows Mercer Place II condos in relationship to the proposal.
- Lower the height of the building. The garage should be lower. The applicant should provide an alternative with a lower garage.
- The cross sections in the packet neglect to show the mechanical equipment, the elevator overrun and stair penthouses. These should be shown at the next meeting.
- What will the rooftop look like? The residents of the buildings along W. Mercer Place will be looking down on the roof.

#### **Setbacks**

- Set the building back toward the existing development.

#### **Parking**

- Traffic and parking are congested along Sixth Ave W. and W. Mercer St. Access to 505 and 511 W. Mercer Pl. are on W. Mercer St. This should be a consideration during the design.
- Where will customer parking occur for the live/work units occur? There is no on-street parking on Elliott Ave.

#### **Density**

- There are too many units and too few parking. The proposal will be crowding the site and the neighborhood with too many units.

#### **Other Issues**

- Noise from Elliott will be a problem for those who live in the project.
- Security in the area between the proposal and the existing residential buildings along W. Mercer Place is a concern.
- The applicant and the city must consider the stabilization of the hillside.

## **GUIDELINES**

After visiting the site, considering the analysis of the site and context provided by the proponent, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified highest priority by letter and number from the guidelines found in the City of Seattle's "Design Review: Guidelines for Multi-family and Commercial Buildings".

## **PRIORITIES**

### **A 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.**

**Uptown-specific supplemental guidance:**

**Throughout Uptown new developments should, to the extent possible, be sited to further contribute to the neighborhood's pedestrian character.**

**Uptown Urban and Heart of Uptown character areas encourage outdoor dining areas utilizing sidewalks and areas adjacent to sidewalks. Outdoor dining is especially encouraged for sites on block faces with southern exposure.**

The mapped Environmentally Critical Areas (steep slope and slide prone) extend along the east property line of the subject property. Discussion focused on whether the structure should encroach into the critical areas or avoid them. The Board prefers that the building mass along Elliott sit closer to the rights of way allowing the preservation of the critical areas as a buffer between the proposed structure and the residences at the higher elevations.

The unusual shape of the property, conforming to the angle of the rights of way, provides a natural break in the proposed building mass. The proposed design options respond or augment this condition by placing the entry and plaza at the intersection of the obtuse angle. It signals the change, at least at ground level, from a commercial oriented corridor (live/work units proposed along Elliott Ave W.) and the more residential characteristics of W. Mercer St. and Sixth Ave. W. In spite of the applicant's desire to place a garage entrance and service areas along W. Mercer St., the Board encourages a design oriented to the needs of the pedestrian.

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

**Uptown-specific supplemental guidance:**

**Throughout Uptown developments that respond outward to the public realm are preferred.**

- **Site outdoor spaces in accordance with the location and scale of adjacent streets, buildings, and uses.**
- **Locate plazas intended for public use at or near grade to promote both a physical and visual connection to the street.**
- **Define outdoor spaces through a combination of building and landscaping, and discourage oversized spaces that lack containment.**

**Throughout Uptown site identity features such as art, signage or major public open space at gateway locations as identified on the map. Seek opportunities for welcoming signage that is specific to the Uptown Urban Center at gateway locations. Architecture should also reinforce gateway locations.**

**Within the Uptown Park character area, streetscape improvements should include where feasible a consistent park-like landscaped strip in the planting strip, as consistent with the historic pattern in the area.**

**In the Uptown Park character area, when retail and offices are located within the neighborhood, they should be designed to acknowledge and blend with the predominantly residential environment.**

The three concept alternatives imply three zones along the rights-of-way: the Elliott Ave. W. corridor with live/work units, the entry plaza at the intersection of the two streets, and the segment on W. Mercer St. housing the building's service areas. Within the design gestalt, these three zones should possess distinct features defining the storefront, landscaping, and setback to achieve compatibility with the streetscape and to promote pedestrian activity.

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

**Uptown-specific supplemental guidance:**

**Throughout Uptown, major entrances to developments should be prominent. The use of distinctive designs with historical references is strongly encouraged. Design, detailing, materials and landscaping may all be employed to this end. Building addresses and names (if applicable) should be located at entrances, tastefully crafted.**

The proposed location of the major residential entry at the juncture of W. Mercer and Elliott Ave. met with the Board's approval.

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

**Uptown-specific supplemental guidance:**

**A top priority within the Heart of Uptown character area is to promote active, customer-oriented retail storefronts at street level.**

**Major retail spaces are encouraged on streets designated Large Scale Commercial Corridor as shown on the map.**

**Throughout Uptown encourage outdoor dining.**

The relationship of the live/work units with the sidewalk will be essential to creating a streetscape that promotes commercial activity and facilitates pedestrian movement. The entry plaza should be attractive and welcoming with canopies and seating that offers pedestrian amenities and identity to the housing development.

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

The design of the roof top and potential tenant decks with views to the northeast and east should be designed with sensitivity to the privacy of the residents who live in the buildings above the proposal. Nearly all west facing residential units along W. Mercer Pl. have balconies and large windows.

The Board noted the close proximity of the proposed building mass to the 511 W. Mercer Condominium. The mass, particularly at the upper levels, should be pulled back away from the existing residential structure.

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

**Uptown-specific supplemental guidance:**

**Front Setbacks**

**Where feasible, new development in the Uptown Park character area should consider landscaping any setback from the sidewalk. Landscaping within a setback should provide a transition from public to private space and define a boundary between these.**

**Where the incorporation of decorative gates and fencing may be necessary to delineate between public and private spaces, these features should be softened by landscaping where feasible.**

The Board urges the applicant to provide a graceful transition between the street and live/work units. Techniques include lifting the units slightly off the street grade; providing canopies; forming a semi-private, landscaped outdoor entry area for each unit, ensuring that the front portion of the live/work units is devoted only to commercial use; and allotting a generous amount of commercial space with the goal of supporting a viable business.

The setback off W. Mercer St. should be greater than shown in Concept A. See C-5. This shift in building mass should not be off-set elsewhere in terms of setbacks and building mass.

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

The applicant did not specify the location of residential open space. This could potentially occur on the roof top, on balconies or at grade. The intentions of the developer will need to be more explicit by the Recommendation meeting.

- 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.**

**Uptown-specific supplemental guidance:**

**Throughout Uptown the preferred location for surface parking lots is in the rear of the building or away from or otherwise screened from the street and sidewalk.**

**Preferred Alley Access**

**Access to new development is preferred via alleyways, if feasible. Throughout Uptown encourage all parking for residential uses to be located below grade.**

The Board agreed with applicant's desire to place vehicular access on W. Mercer St. See C-5.

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

**Uptown-specific supplemental guidance:**

**Corner Lots in Uptown**

**Generally, buildings within Uptown should meet the corner and not be set back. Building designs and treatments as well as any open space areas should address the corner and promote activity. Corner entrances are strongly encouraged, where feasible.**

The Board endorsed the applicant's idea of placing the primary residential entry at the intersection of the two streets.

**B. Height, Bulk and Scale**

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

**Uptown-specific supplemental guidance:**

**Throughout Uptown, a departure would be supported for 3' of additional height for projects that step back the top floor of the structure a minimum of 6' from the street.**

**In the Heart of Uptown character area, break facades into smaller massing units.**

**In the Uptown Urban character area, larger massing units and less modulation are appropriate, provided they are carefully designed, with quality materials.**

In general, the Board opposed positioning the building further into the steep slope at the rear of the site. It outlined three areas in which the massing should be significantly modified. First, the three upper floors overlooking Elliott Ave should have two deep voids carved into the mass to establish a tripartite rhythm along Elliott Ave. This serves to reduce the monotony of the elevation, to decrease the amount of the roof plane while opening up views for some of the residents living in the units above the project site, and

to create more corner conditions in the west façade benefitting the future tenants of the building. In plan the void does not need to extend to the double loaded corridor but only far enough to leave space for a studio unit. This revision to the building form, as articulated by the Board, must be significant and not a typical modulation formed by only a slight interplay of bays and wall.

Second, the mass must set back from W. Mercer St. as described in C-5. Third, increase the upper level setback of the elevations closest to 511 W. Mercer Place in order to reduce the proximity to the condominium building.

The applicant should minimize the height of the building and reduce the size of the mechanical equipment and penthouses on the roof when possible. The Board expects to review accurate photomontages of the proposed structure from the perspective of the residential buildings along W. Mercer Place.

## **C. Architectural Elements and Materials**

- C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.**

**Uptown-specific supplemental guidance:**

**In the Uptown Park character area, extensive landscaping, the use of brick and inlaid tile as building materials and designs with an appearance of substance and quality are recommended to promote Uptown Park’s desired character.**

**The Uptown Park character area emphasizes the notion of historic continuity—the relationship of built structures over time.**

**The Uptown Park and Heart of Uptown character districts prefer an architecture that emphasizes human scale and quality, detailing and materials, and that remains compatible with the existing community.**

**Supplemental Guidance Scope**

**The Uptown Urban character area embraces high quality urban infill, and responds to special relationships with nearby civic institutions.**

The Board noted that the building design should relate to the two residential building to the south of it along Elliott Ave. in order to create a residential scale.

- 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. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.**

**Uptown-specific supplemental guidance:**

**Throughout Uptown, buildings and landscaping should strive to create projects with an overall neat and cohesive appearance.**

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

**Uptown-specific supplemental guidance:**

**Throughout Uptown human-scaled architecture is strongly preferred. Proportion should be provided by such components as the detail of windows, doorways, and entries. Appropriate scale and proportion may also be influenced by the selection of building materials.**

**Architectural designs that create an impression of reduced size consistent with a pedestrian-oriented environment should be encouraged, especially in the Uptown Park and Heart of Uptown character areas.**

**Throughout Uptown size signs, exterior light fixtures, canopies and awnings to the scale of the building and the pedestrian. Signs that add creativity and individual expression to the design of storefronts are encouraged.**

The design and detailing of the streetscape, especially the storefront facades along Elliot Ave. W., will be important to the Board as the design develops. The Board members emphasized the importance of creating a building possessing a pedestrian scale.

- 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.**

**Uptown-specific supplemental guidance:**

**Within the Uptown Park and Heart of Uptown character areas, the use of historic-looking brick and tile facades are strongly encouraged to create a more consistent, unified, and historic appearance throughout the district.**

**Throughout Uptown, decorative exterior treatments using brick, tile, and/or other interesting exterior finish materials are strongly preferred. Quality exterior finish materials should be incorporated at all levels and on all exterior walls.**

The Board did not discuss its expectations for materials, preferring to wait for further design development. A materials board and colored renderings will be needed at the Recommendation meeting.

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

The Board endorsed the location of the garage entrance on W. Mercer St. The façade along W. Mercer should be pulled back farther from the street than what is shown for Concept A but less than Concept B. This will provide a modest amount of open space, improve the pedestrian environment, and provide better sightlines along an improved W. Mercer St.

## **D. 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.

**Uptown-specific supplemental guidance:**

Throughout Uptown entries should be designed to be pedestrian friendly (via position, scale, architectural detailing, and materials) and should be clearly discernible to the pedestrian.

Throughout Uptown special attention to the pedestrian experience and street right-of-way should be given along pedestrian corridors as identified on the map (pg. VI).

Throughout Uptown the use of a pedestrian-scaled streetlamp within all character areas is encouraged. In addition, streetscape features such as street clocks and benches are encouraged in Heart of Uptown and Uptown Urban character areas.

Including amenities for transit riders in a building's design rather than the traditional use of curbside bus shelters generates a safer and more active street. In the Uptown Urban and Heart of Uptown character areas the elimination of curbside bus shelters is encouraged in retail areas as appropriate.

The applicant's response to these considerations, particularly important at each live/work unit and along W. Mercer St., will be carefully evaluated by the Board and DPD staff as design development occurs. The live/work units should have small, well landscaped open spaces in front of the individual entrances and provide an "in between realm" that acts as a transition between the public sidewalk and the private business within the unit. Live/work units, raised slightly above the grade of the right of way, create the appearance of increased privacy and security.

- 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.

**Uptown-specific supplemental guidance:**

Within the Uptown Park character area landscaping (e.g., trellised climbing plants and other urban greenery) is the preferred treatment for walls.

In the Uptown Urban and Heart of Uptown character areas artwork and decorative surfacing may provide an alternative wall treatment to landscaping in some locations.

- D-3 Retaining Walls.** Retaining walls near a public sidewalk that extend higher than eye level should be avoided where possible. Where higher retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscapes.

**Uptown-specific supplemental guidance:**

**Throughout Uptown retaining walls should be constructed of materials that will provide substantial pattern and texture. Rockery, stone, stacked stone or concrete, or brick are preferred. Poured concrete or other smooth treatments/materials are strongly discouraged, unless treated to provide textural or design interest.**

A retaining wall, its height and breadth likely substantial in places (see site sections), would impact the quality of life for the residents whose units face east in the lower portion of the proposed building.

- 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.**

**Uptown-specific supplemental guidance:**

**Throughout Uptown designs that lessen the visibility of parking structures are preferred. Garages and parking structures should, where feasible, incorporate landscaping to reduce their visual impact.**

**Parking structures are discouraged in the Uptown Urban and Heart of Uptown character areas.**

Most of the garage will be buried in the hillside. The visibility of the garage would be minimal to most of the residents on W. Mercer St. with the exception of the possible exposure to units at 511 W. Mercer Pl. Condominium; however, the garage's lack of vertical depth would allow the upper portions of the overall structure to obscure views from west facing units along W. Mercer Pl.

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

The applicant will need to present a plan showing how the service area operates. In order to avoid disruption to traffic and parking, loading should not be allowed to occur on W. Mercer St. The architect's design must take this into account.

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

A lighting plan should be developed for the entire site. Demonstrate that the area to the rear of the proposal building will have shielded lighting that will be pointed downward in order to prevent light spillage onto the residential units to the east.

- 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.**

**Uptown-specific supplemental guidance:**

**Throughout Uptown tasteful signs designed for pedestrians (as opposed to passing vehicles) are preferred. Backlit signs, animated reader boards and similar signs are discouraged. Blade signs, wall-mounted signs, signs below awnings, and similar signs are preferred.**

By the Recommendation meeting, the applicant will need to provide an example of the signage for the live/work units and its approximate placement on the building.

- 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. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.**

**Uptown-specific supplemental guidance:**

**Uptown accommodates shopping and eating experiences during the dark hours of the Northwest's late fall, winter, and early spring. Pedestrian area lighting is an important feature of each block in the Uptown Urban character area, and the Heart of Uptown character area.**

This guidance applies to the proposed live/work units.

- 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 storefronts for the live/work units should be largely transparent.

- 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 endorsed the idea that the location of the primary residential entrance would occur at the intersection of W. Mercer St. and Elliott Ave. W similar to Concept A.

## **E. Landscaping**

- E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.**

**Uptown-specific supplemental guidance:**

**Within the Uptown Park character area, streetscape improvements should include a consistent landscaped planting strip between the sidewalk and the street as consistent with the historic pattern in the area.**

**Throughout Uptown, streetscape landscaping as per guidelines A-2 and D-1 is encouraged.**

Re-vegetation of the hillside along the east property line may be necessary. Plantings should help to block noise and site lines between the proposed project and the residential buildings at higher elevations. Plantings should not block views to the water and mountains from the residences on the hillside.

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

**Uptown-specific supplemental guidance:**

**Throughout Uptown, but especially within the Uptown Park character area, landscaping should be substantial and include a variety of textures and colors, to the extent possible. Landscaping should be used to enhance each site, including buildings, setbacks, entrances, open space areas, and to screen parking and other less visually attractive areas. Encourage planted containers at building entries.**

The Board will evaluate a detailed landscape plan at the Recommendation meeting.

- 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.**

See E-1 guidance.

**MASTER USE PERMIT APPLICATION**

The applicant revised the design and applied for a Master Use Permit with a design review component on October 25, 2011.

**DESIGN REVIEW BOARD RECOMMENDATION**

The Design Review Board conducted a Final Recommendation Meeting on April 18, 2012 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meetings, site plans, elevations, floor plans, landscaping plans, and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

## **Public Comments**

Seven members of the public affixed their names to the Recommendation sign-in sheet. The public raised the following issues:

- Slope stability and geotechnical issues represent a major issue.
- Drainage issues are a major concern.
- Noise generated from rooftop mechanical equipment will disturb the neighbors.
- Rooftop lighting should be oriented away from the neighboring units to the east.
- The proposed potted trees located in the roof deck will block views.
- Ensure a secure perimeter to the site.
- Decks should not be used for storage.
- Clarify Mercer Street circulation.
- Construction traffic should not impede neighborhood traffic.

DPD received approximately 14 comment letters. Most of the writers focused on potential view blockage, the insufficiency of the amount of parking proposed, and the stability of the hillside upon initiation of construction.

### **A. 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.**

**Uptown-specific supplemental guidance:**

**Throughout Uptown new developments should, to the extent possible, be sited to further contribute to the neighborhood's pedestrian character.**

**Uptown Urban and Heart of Uptown character areas encourage outdoor dining areas utilizing sidewalks and areas adjacent to sidewalks. Outdoor dining is especially encouraged for sites on block faces with southern exposure.**

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

**Uptown-specific supplemental guidance:**

**Throughout Uptown developments that respond outward to the public realm are preferred.**

- **Site outdoor spaces in accordance with the location and scale of adjacent streets, buildings, and uses.**
- **Locate plazas intended for public use at or near grade to promote both a physical and visual connection to the street.**
- **Define outdoor spaces through a combination of building and landscaping, and discourage oversized spaces that lack containment.**

Throughout Uptown site identity features such as art, signage or major public open space at gateway locations as identified on the map. Seek opportunities for welcoming signage that is specific to the Uptown Urban Center at gateway locations. Architecture should also reinforce gateway locations.

Within the Uptown Park character area, streetscape improvements should include where feasible a consistent park-like landscaped strip in the planting strip, as consistent with the historic pattern in the area.

In the Uptown Park character area, when retail and offices are located within the neighborhood, they should be designed to acknowledge and blend with the predominantly residential environment.

The north elevation is a highly visible blank façade that should be treated with building signage or other creative signage/mural/vintage sign or other treatment that breaks down the scale of the expansive façade.

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

**Uptown-specific supplemental guidance:**

Throughout Uptown, major entrances to developments should be prominent. The use of distinctive designs with historical references is strongly encouraged. Design, detailing, materials and landscaping may all be employed to this end. Building addresses and names (if applicable) should be located at entrances, tastefully crafted.

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

**Uptown-specific supplemental guidance:**

A top priority within the Heart of Uptown character area is to promote active, customer-oriented retail storefronts at street level.

Major retail spaces are encouraged on streets designated Large Scale Commercial Corridor as shown on the map.

Throughout Uptown encourage outdoor dining.

- 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.**

In order to ensure the privacy of the neighbors to the east, the Board made the following recommendations: 1) consolidate the rooftop mechanical equipment to the greatest extent possible on either side of the stair penthouse so that the penthouse itself becomes the screening; 2) minimize all exterior rooftop ductwork where possible; 3) orient all exhaust vents towards West Mercer Street; 4) all rooftop exterior lighting should be low impact and fully shielded away from the east; and 5) ensure that Juliette decks and guard rails along the east elevation are not habitable or usable spaces.

The Board supports the proposed rooftop landscape design which will provide visual separation and a privacy buffer for the neighbors.

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

**Uptown-specific supplemental guidance:**

**Front Setbacks**

Where feasible, new development in the Uptown Park character area should consider landscaping any setback from the sidewalk. Landscaping within a setback should provide a transition from public to private space and define a boundary between these.

Where the incorporation of decorative gates and fencing may be necessary to delineate between public and private spaces, these features should be softened by landscaping where feasible.

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

- 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.**

**Uptown-specific supplemental guidance:**

Throughout Uptown the preferred location for surface parking lots is in the rear of the building or away from or otherwise screened from the street and sidewalk.

**Preferred Alley Access**

Access to new development is preferred via alleyways, if feasible. Throughout Uptown encourage all parking for residential uses to be located below grade.

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

**Uptown-specific supplemental guidance:**

**Corner Lots in Uptown**

Generally, buildings within Uptown should meet the corner and not be set back. Building designs and treatments as well as any open space areas should address the corner and promote activity. Corner entrances are strongly encouraged, where feasible.

## **B. Height, Bulk and Scale**

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

**Uptown-specific supplemental guidance:**

**Throughout Uptown, a departure would be supported for 3' of additional height for projects that step back the top floor of the structure a minimum of 6' from the street.**

**In the Heart of Uptown character area, break facades into smaller massing units.**

**In the Uptown Urban character area, larger massing units and less modulation are appropriate, provided they are carefully designed, with quality materials.**

The proposed front modulation is satisfactory given the speed at which vehicles travel on Elliott.

The Board also addressed the extent of mechanical equipment on the rooftop. See recommendations for A-5.

## **C. Architectural Elements and Materials**

- C-1 Architectural Context.** New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

**Uptown-specific supplemental guidance:**

**In the Uptown Park character area, extensive landscaping, the use of brick and inlaid tile as building materials and designs with an appearance of substance and quality are recommended to promote Uptown Park's desired character.**

**The Uptown Park character area emphasizes the notion of historic continuity—the relationship of built structures over time.**

**The Uptown Park and Heart of Uptown character districts prefer an architecture that emphasizes human scale and quality, detailing and materials, and that remains compatible with the existing community.**

**Supplemental Guidance Scope**

**The Uptown Urban character area embraces high quality urban infill, and responds to special relationships with nearby civic institutions.**

- 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. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.**

**Uptown-specific supplemental guidance:**

**Throughout Uptown, buildings and landscaping should strive to create projects with an overall neat and cohesive appearance.**

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

**Uptown-specific supplemental guidance:**

**Throughout Uptown human-scaled architecture is strongly preferred. Proportion should be provided by such components as the detail of windows, doorways, and entries. Appropriate scale and proportion may also be influenced by the selection of building materials.**

**Architectural designs that create an impression of reduced size consistent with a pedestrian-oriented environment should be encouraged, especially in the Uptown Park and Heart of Uptown character areas.**

**Throughout Uptown size signs, exterior light fixtures, canopies and awnings to the scale of the building and the pedestrian. Signs that add creativity and individual expression to the design of storefronts are encouraged.**

- 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.**

**Uptown-specific supplemental guidance:**

**Within the Uptown Park and Heart of Uptown character areas, the use of historic-looking brick and tile facades are strongly encouraged to create a more consistent, unified, and historic appearance throughout the district.**

**Throughout Uptown, decorative exterior treatments using brick, tile, and/or other interesting exterior finish materials are strongly preferred. Quality exterior finish materials should be incorporated at all levels and on all exterior walls.**

**The materials should be carefully detailed, especially at the corners.**

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

## **D. 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.

### **Uptown-specific supplemental guidance:**

Throughout Uptown entries should be designed to be pedestrian friendly (via position, scale, architectural detailing, and materials) and should be clearly discernible to the pedestrian.

Throughout Uptown special attention to the pedestrian experience and street right-of-way should be given along pedestrian corridors as identified on the map (pg. VI).

Throughout Uptown the use of a pedestrian-scaled streetlamp within all character areas is encouraged. In addition, streetscape features such as street clocks and benches are encouraged in Heart of Uptown and Uptown Urban character areas.

Including amenities for transit riders in a building's design rather than the traditional use of curbside bus shelters generates a safer and more active street. In the Uptown Urban and Heart of Uptown character areas the elimination of curbside bus shelters is encouraged in retail areas as appropriate.

- 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.

### **Uptown-specific supplemental guidance:**

Within the Uptown Park character area landscaping (e.g., trellised climbing plants and other urban greenery) is the preferred treatment for walls.

In the Uptown Urban and Heart of Uptown character areas artwork and decorative surfacing may provide an alternative wall treatment to landscaping in some locations.

The windowless northwest façade should have greater articulation and/or more signage than illustrated in the design review packet. The Board recommended creative signage/murals/vintage signage or other treatment that reduces the scale of the expansive wall.

- D-3 Retaining Walls.** Retaining walls near a public sidewalk that extend higher than eye level should be avoided where possible. Where higher retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscapes.

**Uptown-specific supplemental guidance:**

Throughout Uptown retaining walls should be constructed of materials that will provide substantial pattern and texture. Rockery, stone, stacked stone or concrete, or brick are preferred. Poured concrete or other smooth treatments/materials are strongly discouraged, unless treated to provide textural or design interest.

- 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.

**Uptown-specific supplemental guidance:**

Throughout Uptown designs that lessen the visibility of parking structures are preferred. Garages and parking structures should, where feasible, incorporate landscaping to reduce their visual impact.

Parking structures are discouraged in the Uptown Urban and Heart of Uptown character areas.

- 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.

**Uptown-specific supplemental guidance:**

Throughout Uptown tasteful signs designed for pedestrians (as opposed to passing vehicles) are preferred. Backlit signs, animated reader boards and similar signs are discouraged. Blade signs, wall-mounted signs, signs below awnings, and similar signs are preferred.

A conceptual signage program that outlines the sign standards for the building tenants should be developed to create a consistent approach to the signage. Signage banding for the ground level live/work units should be installed. Either blade signs or hanging signs are acceptable.

- 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.

- 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.

## **E. Landscaping**

- E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.**

**Uptown-specific supplemental guidance:**

**Within the Uptown Park character area, streetscape improvements should include a consistent landscaped planting strip between the sidewalk and the street as consistent with the historic pattern in the area.**

**Throughout Uptown, streetscape landscaping as per guidelines A-2 and D-1 is encouraged.**

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

**Uptown-specific supplemental guidance:**

**Throughout Uptown, but especially within the Uptown Park character area, landscaping should be substantial and include a variety of textures and colors, to the extent possible. Landscaping should be used to enhance each site, including buildings, setbacks, entrances, open space areas, and to screen parking and other less visually attractive areas. Encourage planted containers at building entries.**

The Board recommended the following changes to the landscaping program: 1) the corner entry plaza space should have less hard surfaces and more plantings; and 2) redesign the area abutting the live/work units to emphasize residential uses and include granite markers (also found at the corner entry) at each entrance, paving pattern changes and increased landscaping that provides a physical buffer to further shield the ground level units. The added landscaping should include vegetation with greater height to buffer the pedestrian environment and the ground level units. This is intended to activate the street life with an enhanced safe and comfortable pedestrian environment.

- 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.**

**Board Recommendations:** The recommendations summarized below were based on the plans submitted at the April 18th, 2012 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the April 18th public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the four Design Review Board members present unanimously recommended approval of the subject design.

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

1. Consolidate the rooftop mechanical equipment to the greatest extent possible on either side of the stair penthouse so that the penthouse itself becomes the screening. (A-5)
2. All exterior rooftop duct work should be minimized where possible. (A-5)
3. All exhaust vents should be oriented towards West Mercer Street. (A-5)
4. All rooftop exterior lighting should be low impact and fully shielded away from the east. (A-5)
5. The Juliette decks and guard rails along the east elevation should not provide habitable, usable space. (A-5)
6. The materials should be carefully detailed, especially at the corners. (C-4)
7. Reduce the amount of hard surface at the corner entry plaza space by adding plantings interspersed within the hard surface area. (E-2)
8. A conceptual signage program that outlines the sign standards for the building tenants should be developed to create a consistent approach to the signage. Signage banding for the ground level live/work units should be installed. Either blade signs or hanging signs are acceptable. (D-9)
9. Redesign the area abutting the live/work units to emphasize residential use. Changes should include the installation of granite markers (also found at the corner entry) at each entrance, paving pattern changes, and more landscaping that provides a physical buffer to shield the ground level units. The added landscaping should include vegetation with greater height to buffer the pedestrian environment and the ground level units. This is intended to activate the street life with an enhanced safe and comfortable pedestrian environment. (E-2)
10. The north elevation is a highly visible blank façade that should be treated with building signage or other creative signage/mural/vintage sign or other treatment that breaks down the scale of the expansive façade. (A-2)

### **DIRECTOR'S ANALYSIS - DESIGN REVIEW**

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

### **DECISION - DESIGN REVIEW**

The proposed design is **CONDITIONALLY GRANTED**.

### **ANALYSIS – ADMINISTRATIVE CONDITIONAL USE**

SMC Section 23.47A006A.3 states that residential uses may be permitted in Commercial Two (C2) zones as a conditional use subject to its relationship to major transportation systems and compatibility with surrounding areas. The Code states the following criteria:

1. The residential use generally should not be located in an area with direct access to major transportation systems such as freeways, state routes and freight rail lines.
2. The residential use generally should not be located in close proximity to industrial areas and/or nonresidential uses or devices that have the potential to create a nuisance or adversely affect the desirability of the area for living purposes as indicated by one of the following.
  - a. The nonresidential use is prohibited in the NC3 zone.
  - b. The nonresidential use or device is classified as a major noise generator; or
  - c. The nonresidential use is classified as a major odor source.
3. In making a determination to permit or prohibit residential uses in C2 zones, the Director shall take the following factors into consideration.
  - a. The distance between the lot in question and major transportation systems and potential nuisances;
  - b. The presence of physical buffers between the lot in question and major transportation systems and potential nuisances uses;
  - c. The potential cumulative impacts of residential uses on the availability for nonresidential uses on the availability for nonresidential uses of land near major transportation systems; and
  - d. The number, size and cumulative impacts of potential nuisances on the proposed residential uses.

Located on Elliott Ave. W., the site does not have direct access to major transportation systems such as freeways, state routes or freight lines; however, Elliot Ave. is a designated truck route. Interstate 5 lies several miles to the east and the long term access to SR 99 will similarly be located east of the site in the South Lake Union area. Access to the freight corridor west of the site does not occur from Elliott Ave. W. Elliott Ave W. and a series of office buildings and other uses lie between the subject site and the railroad tracks.

The nonresidential uses in the vicinity of the subject property---office, retail, restaurant and service station--- are all permitted in the Neighborhood Commercial Three (NC3) zone. None of the nonresidential uses would be considered a major source of noise or odor. Few sources of potential nuisances in the vicinity exist to impact the proposed residential use. Predominant uses are multifamily, retail/restaurant and office uses. The Metro CSO facility across Elliott Ave to the west includes functions that are fully enclosed, either underground or in the structure.

The slope and the configuration of the property have minimal utility for significant industrial uses. Vacant and underdeveloped commercial properties front onto the Elliott Ave. corridor. The potential cumulative impacts of residential uses on the availability for nonresidential uses of land near the freight corridor are not significant. Several multifamily residential buildings occupy C2 zoned land along Elliott Ave W. and Sixth Ave W.

### **DECISION – ADMINISTRATIVE CONDITIONAL USE PERMIT**

The proposed administrative conditional use permit is **GRANTED**.

## ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated October 25, 2011. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The SEPA Overview Policy (SMC 25.05.665 D) 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 certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise, air quality, earth, grading, construction impacts, traffic and parking impacts as well as its mitigation.

### Noise

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

Prior to issuance of demolition, grading and building permits, the applicant will submit a construction noise mitigation plan. This plan will include steps 1) to limit noise decibel levels and duration and 2) procedures for advanced notice to surrounding properties. The plan will be subject to review and approval by DPD. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:

- 1) Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
- 2) Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 3) Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 4) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

### Air Quality

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

### Earth

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

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

### Grading

Excavation to construct the mixed use structure will be necessary. The maximum depth of the excavation is approximately 26 feet and will consist of an estimated 8,700 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Future phases of construction will be subject to the same regulations. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

### Construction Impacts

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.

### Historic Preservation

The site's proximity to the original shoreline warrants SEPA review listed under Historic Preservation Policy 23.05.675H2 for evaluation and mitigation on site of potential archeological significance. An analysis by Historical Research Associates, a consultant for the applicant, reviewed ten previous cultural resources studies conducted with 1/8 mile of the project area. The prior studies did not identify archeological sites or cemeteries within the 1/8 mile area. The consultant's concludes that the project area, once located on a tidal flat now covered by fill and former structures, has a low possibility of revealing archeological resources.

Even though research has not indicated the potential for archaeologically significant resources on the site, there still may be potential for unknown resources to be discovered as the site possesses characteristics similar to others where known resources do exist. In order to ensure that no adverse impact occur to an inadvertently discovered archaeologically significant resource, DPD requires conditions to ensure that proper notification and stoppage of work occurs upon the encountering of archeological materials. These conditions are outlined in Director's Rule 2-98.

### Traffic and Parking

Duration of construction of the apartment building may last approximately 18 months. During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities and parking (SMC 25.05.675 B and M). Parking utilization along streets in the vicinity is near capacity and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. Due to the large scale of the project, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. Upon completion of the parking garage, construction workers shall park in the garage. In order to minimize adverse impacts, the applicant will need to provide a construction worker parking plan to reduce on-street parking until the new garage is constructed and safe to use. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 8,700 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 870 round trips with 10-yard hauling trucks or 435 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

### Long-term Impacts

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

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, green house gas emissions, traffic, parking impacts and public view protection warrant further analysis.

### Public View Protection

SEPA public view protection policy is stated in SMC 25.05.675P. In order to protect views of Seattle's natural and built surroundings, the City has developed particular sites and corridors for public enjoyment of views. The potential obstruction of public views may occur, specifically in this case, when a proposed structure is located in "close proximity to the street property line, when development occurs on lots situated at the foot of a street that terminates or changes direction because of a shift in the street grid patterns, or when a development along a street creates a continuous wall separating the street from the view." The Code enumerates views to specific natural and human made features worth preserving. The site's frontage on Elliott Ave W. sits along a designated scenic corridor. Analysis projecting a representation of the proposed building within the corridor illustrates that no occlusion or blockage to the views of the surrounding mountain ranges or downtown would occur.

### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's 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.

### Traffic and Transportation

The proposed apartment development would produce 785 new daily trips, 52 AM and 64 PM peak hour trips. The addition of the new mixed use building and its commercial spaces would not cause nearby intersections and the site access to degrade to an unsatisfactory level of service.

No SEPA mitigation of traffic impacts to the nearby intersections is warranted.

### Parking

The development site lies within the Uptown Urban Center Village which, based on the Land Use Code section 23.54.015, does not require residential parking. The applicant intends to supply 74 on-site parking spaces. The proposed supply would not meet the consultant identified parking demand of approximately 106 spaces produced by the new development. The resulting outcome would be spillover parking for an estimated 32 vehicles. Although the spillover parking is notable, there is no SEPA authority to require mitigation of residential parking impacts in the Uptown Urban Center.

### Summary

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

### **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public 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 2C.
- [ ] 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 MUP Issuance

#### Revise plans sets to show:

1. Consolidate the rooftop mechanical equipment to the greatest extent possible on either side of the stair penthouse so that the penthouse itself becomes the screening.
2. Minimize where possible all exterior rooftop duct work.
3. Orient all exhaust vents towards West Mercer Street.
4. Use low impact rooftop exterior lighting and fully shield fixtures away from the east.

5. Ensure that the Juliette decks and guard rails along the east elevation are not habitable, usable spaces.
6. Carefully detail the materials especially those at the corners. The changes are subject to the land use planner's review and approval.
7. Reduce the amount of hard surface at the corner entry plaza space by adding plantings interspersed within the hard surface area. The changes are subject to the land use planner's review and approval.
8. Develop a conceptual signage program that outlines the sign standards for the building tenants in order to create a consistent approach to signage. Signage banding for the ground level live/work units should be installed. Either blade signs or hanging signs are acceptable.
9. Redesign the area abutting the live/work units to emphasize residential use. Changes include the installation of granite markers (also found at the corner entry) at each entrance, paving pattern transitions, and greater amounts of landscaping that provide a physical buffer to shield the ground level units. The added landscaping will include vegetation with a greater height to buffer the pedestrian environment and the ground level units.
10. Revise the north with large building signage and/or other creative signage/mural/vintage sign or other façade treatments to reduce the scale of the expansive façade. The changes are subject to the land use planner's review and approval.

*Prior to Building Application*

11. Include the departure matrix in the zoning summary section on all subsequent building permit plans. Add call-out notes on appropriate plan and elevation drawings in the updated MUP plans and on all subsequent building permit plans.

*Prior to Commencement of Construction*

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

*Prior to Issuance of all Construction Permits*

13. Embed the MUP conditions in the cover sheet for all subsequent permits including updated building permit drawings.

*Prior to Issuance of a Certificate of Occupancy*

14. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, 206.615-1392). An appointment with the assigned Land Use

Planner must be made at least three (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

*For the Life of the Project*

15. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bruce Rips, 206.615-1392) or by the Design Review Manager. 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.

**CONDITIONS – SEPA**

*Prior to Issuance of Master Use Permit*

16. The owner and/or responsible parties shall provide DPD with a statement that the contract documents for their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapter 27.34, 26.53, 27.44, 79.01 and 79.90 RCW, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.

*Prior to Issuance of a Demolition, Grading, or Building Permit*

17. Provide a construction worker parking plan with the intent to reduce on-street parking until the new garage is constructed and safe to use.

*During Construction*

18. Condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.
19. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M.:
  - A. Surveying and layout.
  - B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
  - C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

20. In addition to the Noise Ordinance, requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:
  - A. Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
  - B. Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
  - C. Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
  - D) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
  
21. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.
  
22. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.
  
23. If resources of potential archaeological significance are encountered during construction ore excavation, the owner and/or responsible parties shall:
  - a. Stop work immediately and notify DPD (Bruce Rips, 615-1392) and the Washington State Archaeologist at the Department of Archaeology and Historic Preservation (DAHP). The procedures outlined in Appendix A. of Director's Rule 2-98 for assessment and/or protection of potentially significant archeological resources shall be followed.
  - b. Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01 and 8=79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Bruce Rips, (206-615-1392) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved.

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

Date: May 24, 2012