



City of Seattle

Department of Planning and Development
D. M. Sugimura, Director

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

Project Number: 3011809 and 3012007
Applicant: Lana Lisitsa of Mithun for The Polyclinic
Address: 751 Marion Street and 800 7th Avenue

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a two-story parking garage with 351 parking spaces and surface parking for 49 vehicles. Project includes 25,700 total cu. yds. of grading and alley improvements. Environmental review for #3012007 to be conducted under #3011809.

The following approvals are required:

Design Review Departures (SMC Chapter 23.41)

Development Standard Departure to allow parking adjacent to the sidewalk (SMC 23.47A.032.B.1.b).

Development Standard Departure to allow less transparency than required (SMC 23.47A.0008.B.2.a)

Development Standard Departure to allow less than 13-foot floor to floor height for non-residential uses at the street level (SMC 23.47A.0008.B.3.b)

SEPA – Environmental Determination –Chapter 25.05 Seattle Municipal Code.

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

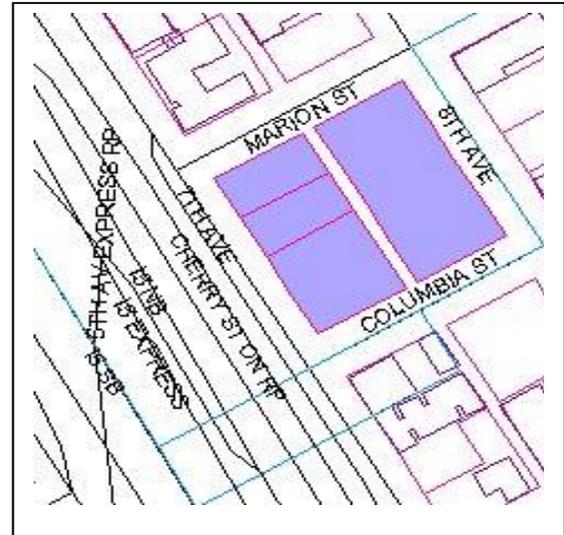
DNS involving non-exempt grading or demolition,
or involving another agency with jurisdiction.

Current Development:

The existing site is occupied by surface parking spaces. The platted alley allows access to the site at the south property line, but dead ends at a retaining wall at the north property line. The site is steeply sloped from east down to west, and somewhat sloped from south down to north.

Access:

There are four existing curb cuts at 7th Avenue and one point of alley access from Columbia Street.



The surrounding development includes a wide mix of building types and context. I-5 is located immediately to the west, with an off-ramp that parallels 7th Avenue in front of the site. The site is located in the First Hill neighborhood. Downtown is located on the other side of I-5 from the site.

Surrounding Development:

A new office building and new mixed-use residential and commercial buildings are located to the north and northeast. Early to mid-20th century residential and office buildings are located to the east and south. A new senior housing development is located to the southeast. Some of the parcels to the east and south are also occupied by surface parking lots.

ECAs:

There are no Environmentally Critical Areas mapped on the site, but the slopes at the edge of the site are 40% grade or more. The proposal is currently in review for an Environmentally Critical Areas Exemption for these slopes.

The First Hill neighborhood is densely developed with a wide variety of uses and building types, ranging from approximately 3 to 20 stories. Nearby development includes institutions (hospitals, religious institutions, O’Dea private High School), early-20th century to new residential buildings, mid-20th century to new office buildings, and a large variety of commercial street level development.

Neighborhood Character:

The neighborhood is well served by transit and has a high level of pedestrian activity. The nearby arterials are heavily used by pedestrians, transit, and vehicles. Many of the non-arterial streets include mature street trees and higher density residential development.

The proximity of the site to Downtown is also part of the neighborhood character. Although I-5 places a hard barrier between the neighborhood and downtown, there are some pedestrian and vehicular connections between First Hill and downtown. The nearest such connections for this site are at Madison Street and Cherry Street.

PROJECT DESCRIPTION

The proposed development includes a combination of surface, structured, and below-grade parking on two parcels separated by an alley. The total proposal includes approximately 400 parking spaces. A drop-off area is also proposed near the northwest corner to allow Polyclinic patients to easily access 701 Madison Street building. 701 Madison Street is in review under a separate MUP application that proposes a new building entry and occupancy of the building by a medical office use (MUP #3011811).

The partially below grade parking garage is on the east parcel, the top level of which would be even with the grade at 8th Avenue. The west parcels are proposed for surface parking, the drop-off area, and terraced landscaping.

EARLY DESIGN GUIDANCE MEETING: January 5, 2011

DESIGN PRESENTATION

Three alternative design schemes were presented. All of the options include structured parking and surface parking, with a drop-off area at the northwest corner.

The first scheme (Option A) showed a 6-level parking structure on the west lot with the code required use separating the street level parking from the sidewalk. Five of the levels would be visible above grade. The east lot would remain as existing surface parking.

The second scheme (Option B) showed a 2-level parking structure along 7th Avenue and a four level parking structure along 8th Avenue. One level would be visible above grade at 7th Avenue and two levels would be visible above grade at the alley. The top level of the garage would be level with 8th Avenue.

The third scheme (Option C) showed the applicant's preferred alternative, which is a five level parking garage on the east lot with surfaced parking on the west lot. Two stories of the parking garage would be visible from the alley, with the surface of the parking garage approximately level with 8th Avenue.

PUBLIC COMMENT

Approximately five members of the public signed in with mailing addresses at this Early Design Review meeting. The following comments, issues and concerns were raised:

- First Hill Neighborhood Association provided a written letter to the Board with the following issues:
- The proposed development should work to improve the adjacent sidewalks with new sidewalk areas, protect street trees, and provide low level lighting.
- There will be a new park across the street from this site, where there is an existing surface parking lot at 8th Avenue. The proposal should respond to the views from this proposed park, and minimize any shadows cast on the park.
- Landscaping should be maximized at this site to off-set air quality from existing and proposed traffic.

FINAL RECOMMENDATION MEETING: April 20, 2011

DESIGN PRESENTATION

The design focus was on landscaping rather than emphasis of a structure. The design included terraced retaining walls at the north, west, and south sides of the lots, rain gardens at the lower southwest corner, and an alley including a sidewalk with an additional row of trees at 8th Avenue. The 8th Ave landscaping included a slight curve along the street to respond to nearby context of recent developments. The parking deck at 8th Ave varied from 18” to 7’6” below the sidewalk level, with evergreen shrubs separating the parking from the sidewalk and screening the parking from view of pedestrians.



The pedestrian entrances to the site were shown at the northeast and southeast corners via pocket parks, at the stair towers at the northwest and southwest corners of the parking garage, and at the drop-off covered area at the northwest corner of the surface lot. Bicycle parking was located inside the alley level of the garage. The edges of the site were heavily landscaped, with wider planting strips between the sidewalk and the curb on the north and south sides, and additional planting between the sidewalk and parking areas.



View from the alley at Columbia Street, looking at the proposed garage's west wall

The west façade of the parking garage included colored translucent polycarbonate panels in a variety of textures and mounted at a variety of depths from the parking garage façade. The panels would be wrapped in metal on the edges for the purposes of mounting to the garage structure and in the northwest pocket park. The light standards at the top of the parking garage would shine down on these panels at night, providing interesting color and safety. The light fixtures would be maximum 12' high at the east side of the alley, consistent with nearby light fixtures in First Hill. The stair towers were clad in ground face concrete masonry units (CMU), with the vent shaft integrated into the stair tower.

Efforts to design the parking lot for sustainability included rain gardens to capture some of the storm water runoff, use of native plants to minimize irrigation and maintenance, and landscaped areas at the interior of the surface parking lot to reduce the heat island effects of the surface parking areas.

The design has been revised since the EDG to remove the requested departure for a driveway at Marion Street, and all vehicular access was shown from the alley. Additional departure requests were added for transparency and floor to floor height. These departures are related to the departure request to remove the requirement for an intervening use at street level between the parking and the sidewalk.

PUBLIC COMMENT

Thirteen members of the public added their names to the Sign-In Sheet at this Design Recommendation meeting. They raised the following comments, issues and concerns:

- Litter receptacles should be included on the site
- Parallel parking on Marion Street should be changed to angled parking, to allow more on-street parking spaces
- Appreciation for the proposed design
- Concerns about benches encouraging transients sleeping at night on 8th Ave
- Appreciation for benches and a place for pedestrians to rest
- Concerns about color scheme of polycarbonate panels becoming quickly dated
- There will be a park across 8th Avenue from the site
- The landscaping should be chosen to be resistant to dog waste, given the high number of nearby dog owners
- The lighting should match the First Hill lighting template
 - The existing lighting nearby is good, but lower height light fixtures are needed under the mature tree canopy on 8th Ave
- The landscaping should be designed to improve existing air quality, given the proximity of I-5
- Appreciation for the landscaping in context with nearby recent development
- Appreciation for low height development to preserve views across the site
- Any materials should be graffiti-resistant and easily cleaned
- Will the garage be secure at night, and will there be a parking attendant?
 - The applicant responded that yes, the garage will be secured at night at the top ramp and at the stair towers and alley entrances
 - Security will patrol this site and the related sites to the north; there will also be security cameras
- There could be an addition to this site in the future that would be taller and block views across the site.

PRIORITIES & BOARD RECOMMENDATIONS

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. The Board identified the Citywide Design Guidelines of highest priority for this project.

Site Planning

A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

At the Early Design Guidance Meeting, the Board discussed how the proposal relates to the unusual site characteristics such as the steeply sloping grade from east to west, the proximity to I-5, and the views across the site to downtown. The applicant has proposed structured parking that is level with 8th Avenue and surface parking and planting which terraces down to 7th Avenue.

The Board noted that due to the grade changes across the site and the context of residential development and the future park to the east, the design should include careful treatment of all facades including surface and rooftop parking areas. The Board described the surface and rooftop parking areas as a “fifth façade.”

The Board expressed appreciation for the terraced landscaping and rain garden proposed near 7th Avenue, but noted that an equivalent or greater amount of landscaping and design consideration is needed at the 8th Avenue and Marion Street edges. There is a greater amount of pedestrian activity in these areas and more residential character than 7th Avenue, and therefore even more need to design the proposal with consideration for neighborhood context.

At the Final Recommendation Meeting, the Board was not convinced that painting colored bars on the asphalt surface of the parking garage and surface lot constituted sufficient treatment as a “fifth façade.” The colored bars may add some reference for pedestrians crossing the site, but the scale is too small to work as a façade treatment when viewed from above, and the painted surfaces will not be durable. A bigger design move is needed that responds to the scale of the parking lot and the view from nearby buildings and streets above the site.

The Board recommended a condition to design the parking surfaces to create a strong fifth façade with a quality design at a scale visible from nearby structures and streets. Possible techniques to achieve this scale include textured asphalt or concrete emphasized with light fixtures at night, stamped integral color asphalt, colored concrete, and additional landscaping in the parking areas.

The Board also expressed concern about the heat island effects of the dark colored asphalt coating and surface parking lot material. The Board recommended a condition to coat the parking surfaces in a light colored material, similar in tint to the ground face CMU material shown in the packet for retaining walls and the stair towers.

The Board noted that the terraced walls and pocket parks on 8th Avenue and Marion Street and Columbia Street will provide visual interest and a pedestrian-friendly landscape experience. The packet was not clear about some details, such as the height of retaining walls next to the sidewalks, the appearance of the polycarbonate panels when installed with metal frames, and the views across the site with cars in the parking areas adjacent to 8th Avenue. These details relate to the proposed departures, since they are intended to provide the interest and activity that might otherwise be provided with a use between surface parking and sidewalk areas. The Board noted that the simple design concept that relates to neighborhood context is a positive aspect of the proposal, and any material palette should be consistent with that concept.

The Board recommended the following conditions to ensure that these areas are providing interest and activity consistent with the requested departures:

- The retaining walls adjacent to the sidewalk should average approximately 36” high, with the purpose of providing human scale, seating wall function, and sight lines across the site.
- The applicant should demonstrate to DPD the details of installation of the polycarbonate panels, including the metal frames and mounting method for panels on the garage and in the pocket park. The material and installation should achieve the transparency and appearance of lightness shown in the design recommendation packets. The material should also be durable and graffiti-resistant.
- The applicant should demonstrate to DPD with section drawings the views across the site at a few points from 8th Avenue when cars are parked on the top deck of the parking garage. The views should demonstrate that pedestrians can see across the site for most of 8th Avenue, even when cars are present.

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

At the Early Design Guidance Meeting, the Board noted that the proposal will need to create a positive streetscape at this site. The streetscape design should maximize the existing mature trees at 8th Avenue and the future pedestrian activity at 8th Avenue and Marion Street. The applicant should consider pulling back the parking from these street frontages to provide wide landscaped areas for pedestrians. Another possibility is to lower the parking roof structure to increase views to downtown from 8th Avenue.

The Board also noted the importance of designing to maximize the future park across the street mid-block at 8th Avenue. The proposed design could include a visual break in the parking structure with a large landscaped area corresponding to the park location across the street.

At the Final Recommendation Meeting, the Board expressed appreciation for the alley design on 8th Avenue, with trees on either side of the sidewalk, the evergreen shrubs, and the views across the site. The Board also expressed appreciation for the landscaping in context with nearby development, and the presence of street furniture such as benches. The lighting on 8th Avenue should be low height fixtures to respond to the need for lighting below the double row of trees. The Board noted that the proposed lighting plan appears to achieve this goal.

The Board agreed that the proposed pocket parks on either end of the 8th Avenue façade appear to enhance the pedestrian streetscape. The design of these pocket parks wasn't clear from the packet, but it appears that the northeast pocket park includes some visual interest in the form of polycarbonate panels and sidewalk furniture. The southeast pocket park appears to include a specimen tree, but other details were unclear. The Board felt that the different design approach for the pocket parks was interesting, but the quality of design for each pocket park should be approximately equal.

The Board recommended a condition that the applicant demonstrate to DPD that the southeast pocket park includes the same quality of amenities as the northeast pocket park. This condition relates to the proposed departure, and the need to enhance activity and interest at the street level.

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

At the Early Design Guidance Meeting, the Board discussed existing and future pedestrian activity. Existing pedestrian activity adjacent to the site is low, but it will likely increase as a result of the new mixed-use tower at 8th Avenue and Columbia Street and the proposed Polyclinic building entrance at the corner of 7th and Marion.

The Board expressed concern with the proposed curb cut and on-street drop off area at near the corner at 751 Marion Street. The proposed curb cut occupies pedestrian sidewalk area and could create a hostile pedestrian environment with vehicles crossing an additional point in the sidewalk between 7th and 8th Avenues. A departure would be required for this curb cut, and the applicant will need to demonstrate how the curb cut creates a project that better meets the intent of the design review guidelines. As currently proposed, it appears the proposed curb cut conflicts with design review guidelines A-4, A-8, and A-10.

The Board noted that the design of the proposed development should consider pedestrian opportunities and maximize those opportunities to encourage human activity on the street, as well as minimizing the impact of automobiles on the pedestrian environment. The design should increase pedestrian connectivity and human activity at all the edges of the site, since pedestrians will likely travel between the parking lots and the surrounding uses.

At the Final Recommendation Meeting, the Board expressed appreciation for the revised design for all vehicular access at the alley. The proposed design with this access meets this design review guideline.

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.

Early Design Guidance reflected the comments in response to Guideline A-4.

Recommendation response reflects the comments in response to Guideline A-4.

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.

Early Design Guidance reflected the comments in response to Guideline A-4.

Recommendation response reflects the comments in response to Guideline A-4.

C. Architectural Elements and Materials

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

At the Early Design Guidance Meeting, the Board noted that grade changes and uses across 8th Avenue will result in highly visible parking surfaces. These surfaces should be treated as a “fifth façade” and designed with a high level of treatment.

The design should include careful treatment of all facades, including parking structure walls, terraced areas, and surface treatments. The façade treatments should result in a cohesive overall design with a human scale at the street level and alley.

Recommendation response reflects the comments in response to Guideline A-1.

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

Early Design Guidance reflected the comments in response to Guideline C-2.

Recommendation response reflects the comments in response to Guideline A-1, 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.

Early Design Guidance reflected the comments in response to Guideline C-2.

Recommendation response reflects the comments in response to Guideline A-1.

D. Pedestrian Environment

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's Early Design Guidance comments related to these guidelines are described above, in response to guidelines A-1, C-2, C-3, and C-4.

Recommendation response reflects the comments in response to Guideline A-1 and A-2.

D-4 Design of Parking Lots Near Sidewalks. Parking lots near sidewalks should provide adequate security and lighting, avoid encroachment of vehicles onto the sidewalk, and minimize the visual clutter of parking lot signs and equipment.

The Board's Early Design Guidance comments related to these guidelines are described above, in response to guidelines A-1, C-2, C-3, and C-4.

Recommendation response reflects the comments in response to Guideline A-1 and A-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's Early Design Guidance comments related to these guidelines are described above, in response to guidelines A-1, C-2, C-3, and C-4.

Recommendation response reflects the comments in response to Guideline A-1 and A-2.

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.

At the Early Design Guidance Meeting, the Board acknowledged that the proposed parking structure would be mechanically ventilated. Mechanical ventilation will result in exterior louvered panels, vents, and other mechanical equipment. The Board directed the applicant to design these items to be part of the overall architectural concept. The mechanical equipment should be emphasized in the design in an aesthetic manner that enhances the overall design concept.

At the Final Recommendation Meeting, the Board agreed that integration of the mechanical ventilation into the stair towers and a simple design approach sufficiently meets this design review guideline.

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.

At the Early Design Guidance Meeting, the Board discussed the future park proposed across 8th Avenue from the site. The proposed design should maximize this future benefit by including a mid-block landscaped area at the subject property, maximizing the views from

this mid-block point at 8th Avenue, and using a plant palette to enhance the future park and the existing streetscape at 8th Avenue. Any fencing or screening at 8th Avenue to separate the rooftop parking from the street level should be designed to artistically enhance the streetscape.

Recommendation response reflects the comments in response to Guidelines A-1 and A-2.

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.

Early Design Guidance reflected the comments in response to Guideline E-1.

Recommendation response reflects the comments in response to Guideline A-1 and A-2.

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.

At the Early Design Guidance Meeting, the Board recognized the challenges associated with the slopes at this site. The Board noted that the result may be similar to an earthwork sculpture, rather than a typical building proposal. As described in response to guidelines above, the surface areas of parking and terraced landscapes should be designed carefully as a fifth façade.

The surface treatments may include hard materials and plant materials. The Board directed the applicant to design the proposal with sustainability in mind, specifically how the proposed materials and parking surfaces can deal with reflectivity in an aesthetic way and reduce storm water runoff.

The Board also noted that lighting should be incorporated to enhance the proposal, including lighting in pedestrian areas at 8th Avenue. The applicant can also reference the First Hill Neighborhood Association design efforts for lighting suggestions.

At the Final Recommendation Meeting, the Board recommended conditions related to the surface parking treatment as described in response to Guideline A-1.

The Board also discussed the northwest corner of the surface parking lot in relation to landscaping and clear pedestrian and vehicular paths of travel. The Board expressed concern that the northwest pedestrian drop off and vehicular travel area appears blended, especially near the northwest curb. This is also an area where there is an opportunity for additional landscaping in the surface parking lot. The Board recommended a condition to include more generous landscape areas in the northwest area of the surface parking lot, and provide clear direction for pedestrians and vehicular paths of travel in this area.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departure(s) was based upon the departure's potential to help the project better meet the design guideline priorities and achieve a better overall design than could be achieved without the departure(s).

- 1. Location of Parking (23.47A.032.B.1.b):** The Code requires that parking within a structure shall be separated from the street-level, street facing facades by another permitted use. The applicant proposes to place parking directly adjacent to the street-level street facing facades.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-1, C-2, C-3, C-4, D-2, D-4, D-5, E-1, E-2, as conditioned below, by providing quality materials, pocket parks, and generous high quality landscaping, lighting and architectural details that will enhance the pedestrian environment and streetscape.

The Board unanimously recommended that DPD grant the departure, subject to the conditions listed below.

- 2. Façade transparency (23.47A.0008.B.2.a):** The Code requires that sixty percent of the street-facing façade between 2' and 8' above the sidewalk is transparent. The applicant proposes include low retaining walls and landscaping in this area, rather than create transparency into the proposed parking garage. This code requirement would normally apply to the intervening use between parking and sidewalk areas.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-1, C-2, C-3, C-4, D-2, D-4, D-5, E-1, E-2, as conditioned below, by providing quality materials, pocket parks, and generous high quality landscaping, lighting and architectural details that will enhance the pedestrian environment and streetscape.

The Board unanimously recommended that DPD grant the departure, subject to the conditions listed below.

- 3. Floor to Floor Height (23.47A.0008.B.3.b):** The Code requires that non-residential uses at street level shall have a floor to floor height of 13 feet. The applicant proposes 10 foot floor to floor height. This code requirement would normally apply to the intervening use between parking and sidewalk areas.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-1, C-2, C-3, C-4, D-2, D-4, D-5, E-1, E-2, as conditioned below, minimizing the height of the parking garage, minimizing the visibility of surface and structured parking from the sidewalk, and allowing views across the site.

The Board unanimously recommended that DPD grant the departure, subject to the conditions listed below.

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated April 6, 2011, and the materials shown and verbally described by the applicant at the April 20, 2011 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and initial recommendation conditions, and reviewing the plans and renderings, the five Design Review Board members unanimously recommended APPROVAL of the subject design and the requested development standard departure from the requirements of the Land Use Code (listed above). The Board recommends the following CONDITIONS (Authority referred in the letter and number in parenthesis):

1. The parking surfaces shall be designed to create a strong fifth façade with a quality design at a scale visible from nearby structures and streets. The DPD Planner shall verify this condition prior to publication of a MUP decision. (A-1, C-2, C-3, C-4, D-2, D-4, D-5, E-1, E-2)
2. The parking surfaces shall be coated in a light colored material, similar in tint to the ground face CMU material shown in the packet for retaining walls and the stair towers. The DPD Planner shall verify this condition prior to publication of a MUP decision. (A-1, C-2, C-3, C-4, D-2, D-4, D-5)
3. The retaining walls adjacent to the sidewalk should average approximately 36” high, with the purpose of providing human scale, seating wall function, and sight lines across the site. The DPD Planner shall verify this condition prior to publication of a MUP decision. (A-1, C-2, C-3, C-4, D-2, D-4, D-5, E-1, E-1)
4. The applicant should demonstrate to DPD the details of installation of the polycarbonate panels, including the metal frames and mounting method for panels on the garage and in the pocket park. The material and installation should achieve the transparency and appearance of lightness shown in the design recommendation packets. The material should also be durable and graffiti-resistant. The DPD Planner shall verify this condition prior to publication of a MUP decision. (A-1, C-2, C-3, C-4)
5. The applicant should demonstrate to DPD with section drawings the views across the site at a few points from 8th Avenue when cars are parked on the top deck of the parking garage. The DPD Planner shall verify this condition prior to publication of a MUP decision. (A-1, D-2, D-4, D-5)
6. The applicant shall demonstrate that the southeast pocket park includes the same quality of amenities as the northeast pocket park. The DPD Planner shall verify this condition prior to publication of a MUP decision. (A-2, E-1, E-2)
7. The northwest area of the surface parking lot shall be redesigned to include more generous landscape areas and provide clear direction for pedestrians and vehicular paths of travel in this area. The DPD Planner shall verify this condition prior to publication of a MUP decision. (A-2, E-1, E-2)

Response to Design Review Board Recommended Conditions:

1. The applicant has modified the MUP plan set to show a curving surface pattern on both the parking structure and surface parking areas. The curving pattern will be composed of a traffic coating (Neogard brand or equal), which is a glossy material designed to be durable and withstand traffic wear and tear for at least 10 years. This recommended design review condition has been satisfied.
2. The proposed curved parking surface pattern will include charcoal gray and medium gray coating on the structured top parking deck, and light gray coating on the west surface parking areas. The remainder of the parking deck will be a lighter concrete color to reduce heat island effect. The remainder of the surface parking will be asphalt, with additional trees to provide shading and reduce heat island effect. This recommended design review condition has been satisfied.

3. The applicant has indicated that the retaining walls adjacent to the sidewalk will average slightly less than 3' on the north, east and south street frontages. The retaining walls on the west street frontage (7th Ave) will be an average of 4' high, with some walls at seating height level. This recommended design review condition has been satisfied.
4. The applicant has demonstrated the installation methods for the polycarbonate panels at the west façade of the parking garage. These panels will be wrapped in 1-1/2" metal frames, and the panels will have a slick surface to repel graffiti. The applicant has proposed translucent resin panels in the northeast pocket park, rather than polycarbonate panels. These resin panels will be installed in sets of three curved panels to approximate a tree-like appearance. The resin material will maintain the translucent appearance without the need for the metal wrapped frames for mounting. The resin material can be sanded to remove any graffiti. This recommended design review condition has been satisfied.
5. The applicant has demonstrated to DPD with section drawings that pedestrian views across the site to the west would be maintained from 8th Avenue, even with cars parked on the site. This recommended design review condition has been satisfied.
6. The MUP plans have been modified to show the details for the southeast pocket park, including a specimen tree (3" Katsura japonica or equivalent), concrete benches integrated into the curved concrete planter, and a focus on softening the pocket park with landscaping. This recommended design review condition has been satisfied.
7. The applicant has modified the northwest area of the surface parking lot to extend the terraced planters separating the parking lot from the Marion Street sidewalk, add a planter to separate the drop-off area from the vehicular circulation area, and add a stamped paving strip near the drop off area and pedestrian access to the Marion Street sidewalk. These efforts are intended to clarify the pedestrian and vehicular areas of travel and notify drivers and pedestrians of areas where these activities intersect. This recommended design review condition has been satisfied.

DECISION – DESIGN REVIEW

The proposed design and Development Standard Departures are **CONDITIONALLY GRANTED**, subject to the conditions listed below.

SEPA

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated January 25, 2011. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file; and pertinent comments which may have been received regarding this proposed action have been considered.

As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for most of the impacts and no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665). Further discussion and mitigation of some impacts is warranted, as listed below.

Short Term Impacts

Noise

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends. Some of the surrounding properties are developed with housing and will be impacted by construction noise. The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM, unless modified through a Construction Noise Management Plan, to be determined by DPD prior to issuance of a building permit.

DETERMINATION OF NONSIGNIFICANCE

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

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- There is no comment period for this DNS.
- This DNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.
- This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days after the date of issuance of a DNS.

CONDITIONS OF APPROVAL

Prior to Issuance of a Building Permit

1. If the applicant intends to work outside of the limits of condition #3 below, a Construction Noise Management Plan shall be required, subject to review and approval by DPD.

During Construction

2. 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.

Prior to Certificate of Occupancy

3. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting, the Master Use Plan sets, and the drawings provided by the applicant dated 10/13/2008. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

