City of Seattle

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

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

Application Number: 3012437

Applicant Name: Dean Kralios, SMR Architecture for Capitol Hill Housing

Address of Proposal: 1620 12th Avenue

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 6-story, 88 unit residential building with ground floor retail (3,893 sq. ft.), restaurant (2,431 sq. ft.) and performing arts theatre (9,484 sq. ft.) with 18,651 sq. ft. of office located on the 2nd floor. Parking for 115 vehicles as a part of a public facility (Seattle Police Department) will be located in below grade garage.

The following Master Use Permit components are required:

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

1. Street Level Uses (SMC 23.47A.005.D1)
2. Street Level Uses (SMC 23.47A.008.A3) at 14'
3. Street Level Uses (SMC 23.47A.008.A3) at 84'
4. Rear Setback (SMC 23.47A.014.B3) at 7'
5. Rear Setback (SMC 23.47A.014.B3) at building corner
6. Parking Stall Sizes (SMC 23.54.030.B2)
7. Parking Stall Sizes (SMC 23.54.030.G2)

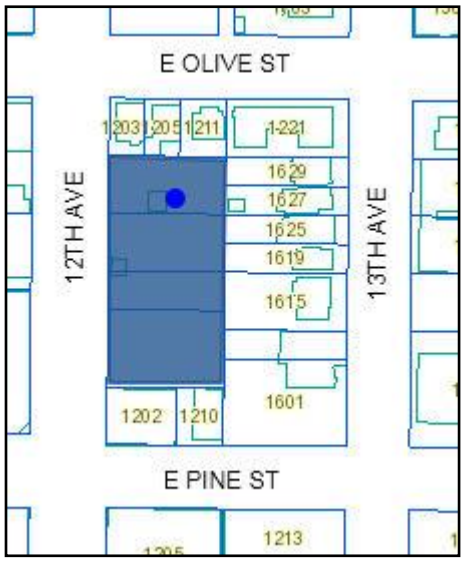
SEPA Environmental Review - Seattle Municipal Code Section 25.05

SEPA DETERMINATION: [ ] Exempt [ ] DNS [ ] MDNS [ ] EIS

[X] DNS with conditions

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

SITE AND VICINITY



The rectangular 29,000 sq. ft site along 12th Avenue occupies a midblock location between E Olive Street and E Pine Street. There is no alley located on or adjacent to the site.

The site is currently occupied by surface parking for the Seattle Police Department.

The site is zoned NC3P-65' (Neighborhood Commercial 3 with a Pedestrian designation). The adjacent zoning to the south and west are also NC3P-65'. To the east and north, the zone changes to NC3-40.

The site has long been held as secondary parking for the Seattle Police Department's East Precinct facility. It is situated at the center of a 240' long section of 12th Avenue, with a four-story apartment building to the south and a large single-family home to the north that is now utilized as offices. To the east of the site are several small parcels zoned LR-3, a transition zone that places some restrictions on the property. To the west, across 12th Avenue, are two older one-story buildings and a newer 6-story mixed-use apartment building. The site has no alley or corner access, thus all service to the building would be from 12th Avenue. Additionally, overhead power lines require a setback from the street above 30'.

The site is within the context of several land use, cultural, and civic districts: The First Hill/Capitol Hill Urban Center; the Pike/Pine Urban Center Village; the Pike/Pine Conservation Overlay District; the Pike/Pine Triangle and the 12th Avenue Stewardship Area.

PROJECT DESCRIPTION

The proposed project is for the design and construction of a mixed use building with approximately 88 residential units located above 17,000 sq. ft of office use at the second level and 6,000 sq. ft of ground level retail use and two performing arts spaces at ground level. All of the parking (approximately 115 stalls) for the proposed development is to be provided in a below grade garage that is accessed from the street and is designated for use solely by the Seattle Police Department.

PUBLIC COMMENTS

Approximately 26 members of the public attended the Early Design Guidance meeting held on October 19, 2011. The following comments were offered:

- Request to be a Party of Record.
- Would like to see the proposed program move ahead and include a civic structure on 12th Avenue. The proposed departures seem reasonable and look forward to seeing more detail and materials proposed at the next meeting.

- Supportive of project and excited to see the variety of uses provided. Also appreciative of the innovative design. Would like to better understand the how the public or gathering space will be used and accessed. Concerned that the internal alley/hallway will need to be maintained. Unclear about the value of the open space proposed at the upper level notch. The residential entry should be well managed.
- Excited to see performance space proposed and the diversity of uses on an existing surface parking lot. Emphasized that the details and design of the retail spaces will be critical given the challenging economic climate for retail. Specifically concerned that the overhanging portions of the second floor will jeopardize the retail use. A prominent street front entrance is a critical consideration. Suggested creating an entrance to the building perpendicular to the street to further screen the driveway and service uses.
- Encouraged the preferred scheme because it offers more interesting and unique architectural forms. Argued that creating a civic building with an unusual design has precedent in the neighborhood.
- Pleased that the design is forward thinking with a sculptural quality. Would like to see artist involvement early on in the design process.
- Suggested that the overhanging portion of the second floor might perhaps offer an opportunity for marquee signage.
- Concerned with the privacy, light and air impacts of the proposed building on the residential building immediately to the south of the subject site. The blank wall condition is less than two feet from the neighboring building's units on the first two floors and five feet from the units at the third floor. Also concerned about safety and fire, and sewer impacts. {Staff Note: the Building Code sets forth the requirements for fire and life safety codes and regulations}. Would like to see a minimum of a five foot setback, as well as interesting treatment of the south blank wall. Concerned that the dumpster of the abutting building, currently located in/near the ROW, will not be accommodated with the development of the proposed project. Would like to see a designated area for the dumpsters in the interstitial space between the existing and proposed building. Restaurant venting should vent at the roof and not towards the south.

The applicant applied for a Master Use Permit on January 23, 2012. Notice of Application was published on February 2, 2012 and a 14-day comment period ended on February 15, 2012. No comments were received.

Approximately 10 members of the public attended the Recommendation meeting held on May 16, 2012. Prior to the meeting, one comment letter was also received. The following comments were offered:

- The departures seem reasonable because they are offset by the larger setbacks which balance the needs for daylight.
- Supportive of the building design.
- Supportive of the departures due to the preservation of light and air, wider gathering areas at the entry, and creative programming.
- Pleased with the setback from the property to the south to protect light and air.
- Would like to see more detail regarding the landscaping design and more variety of vegetation and seating opportunities.
- Concerned that the restaurant garbage will traverse over the entry open spaces.

- Excited for the proposed development. Would like to see mirrors in addition to light warning system for car accessing garage.

Approximately three members of the public attended the Final Recommendation Revisions meeting on November 7, 2012. The following comments were offered:

- Preference for wood storefront window system particularly since they are at street level and most visible to pedestrians.
- Concerned about the long term maintenance of wood storefront windows and prefers aluminum windows. Also suggested that the sidewalk scoring pattern cross over the drive scoring pattern to give more weight to the pedestrian crossing and activity.

ANALYSIS - DESIGN REVIEW

EARLY DESIGN GUIDANCE MEETING: October 19, 2011

DESIGN DEVELOPMENT

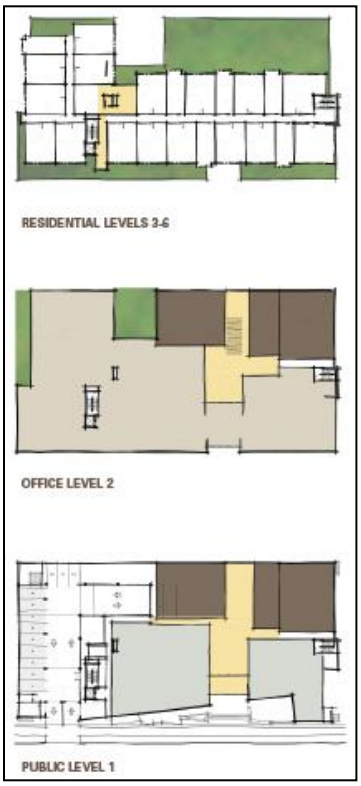
Three alternative design schemes were presented.

The first scheme (Option A) showed an L-shaped configuration. At the ground level, this scheme held a strong corner facing Pine Street, but provided a recessed area for the entry and creates an exterior space for restaurants and retailers to engage the street. Separate pedestrian and retail entries were provided. The second level offices front the street edge, while the residential levels were set back ten feet to make a stronger two-level building at the street. The residential units encroached on the rear setback, requiring a departure.

The second scheme (Option B) showed a bar-shaped scheme that responded more directly to the historical and contemporary context. To achieve this, both the ground level and second level provided a continuous street edge. The residential levels provided an efficient floor plan and the orientation and setback for power lines strengthened the relationship with the design guidelines and the neighborhood context. No departures were required for the residential levels.

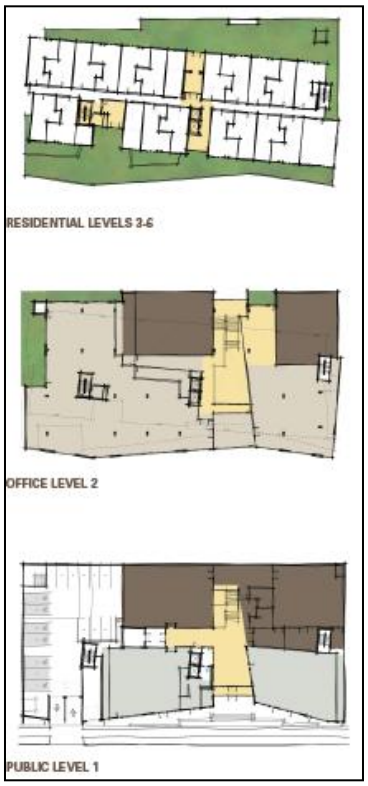
The third and preferred scheme (Option C) showed a rotated massing scheme. This scheme promoted a building that is more civic in nature, with a distinct entry, strong street presence. At the ground level, a setback provided a central grand entry, highly visible from Pine Street. Additional space for restaurants and retail uses at ground level was provided. The second level built upon a civic presence through unique massing and a veil of fenestration. The residential levels reinforced the neighborhood goals of a two story street presence -- and allowed the public building to be the dominate feature -- while the private building faded to the background. This scheme created a west and north facing courtyard and provided a quieter south and east facing deck as a buffer to the low rise zone to the east. The same efficient floor plan as Option B was provided, however, this scheme required a small encroachment into the rear setbacks at level two and at the top two levels.

Option 1



Option 2

Option 3



PUBLIC COMMENT

Approximately 26 members of the public attended this Early Design Review meeting. Subsequent to the meeting, one comment letter was also received. The following comments, issues and concerns were raised:

- Would like to see the proposed program move ahead and include a civic structure on 12th Avenue. The proposed departures seem reasonable and look forward to seeing more detail and materials proposed at the next meeting.
- Supportive of project and excited to see the variety of uses provided. Also appreciative of the innovative design. Would like to better understand the how the public or gathering space will be used and accessed. Concerned that the internal alley/hallway will need to be maintained. Unclear about the value of the open space proposed at the upper level notch. The residential entry should be well managed.
- Excited to see performance space proposed and the diversity of uses on an existing surface parking lot. Emphasized that the details and design of the retail spaces will be critical given the challenging economic climate for retail. Specifically concerned that the overhanging portions of the second floor will jeopardize the retail use. A prominent street front entrance is a critical consideration. Suggested creating an entrance to the building perpendicular to the street to further screen the driveway and service uses.
- Encouraged the preferred scheme because it offers more interesting and unique architectural forms. Argued that creating a civic building with an unusual design has precedent in the neighborhood.
- Pleased that the design is forward thinking with a sculptural quality. Would like to see artist involvement early on in the design process.

- Suggested that the overhanging portion of the second floor might perhaps offer an opportunity for marquee signage.
- Concerned with the privacy, light and air impacts of the proposed building on the residential building immediately to the south of the subject site. The blank wall condition is less than two feet from the neighboring building's units on the first two floors and five feet from the units at the third floor. Also concerned about safety and fire, and sewer impacts. {Staff Note: the Building Code sets forth the requirements for fire and life safety codes and regulations}. Would like to see a minimum of a five foot setback, as well as interesting treatment of the south blank wall. Concerned that the dumpster of the abutting building, currently located in/near the ROW, will not be accommodated with the development of the proposed project. Would like to see a designated area for the dumpsters in the interstitial space between the existing and proposed building. Restaurant venting should vent at the roof and not towards the south.

At the EDG meeting, the Board focused on the following issues as they provided guidance:

Site Planning

A-3 <u>Entrances Visible from the Street</u>. Entries should be clearly identifiable and visible from the street.

At the Early Design Guidance Meeting, the Board noted that there is hierarchy of entry types for the proposed program along the street frontage: civic/office, residential and retail. The design of each of these entry types is important and should convey a distinct character that projects the associated use. The Board strongly supported the concept of creating highly visible, civic entrance to the performance spaces and office uses at the second floor. The retail entries should be highly visible, while the residential entry should be gracious, welcoming and more intimate in scale and design.

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

At the Early Design Guidance Meeting, the Board was concerned that the ground level commercial uses are not overshadowed by the overhanging portions of the second story. Creating viable, flexible retail spaces is a critical consideration for this development and the design should maximize the feasibility and visibility of these retail spaces with glazing to provide transparency and opportunities for the indoor uses and activity to spill over into the plaza area (operable windows, roll-up garage doors or other means of creating permeable street frontage).

A-5 <u>Respect for Adjacent Sites</u>. 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.

At the Early Design Guidance Meeting, the Board acknowledged two challenging conditions for this site: it is a large sized site for this neighborhood and there are residential neighbors to the south and east. The building forms should respect and

respond to both these conditions with interesting forms and visual treatment of blank walls, respect for privacy and provision of light and air.

A-8 <u>Parking and Vehicle Access</u>. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.

At the Early Design Guidance Meeting, the Board noted that the lack of an alley was an unfortunate condition; however, given this reality, the access from the street should strive to have as minimal an impact on the sidewalk, residential and other building entry spaces and proposed plaza area as possible. Paradoxically, the Board noted that the provision of parking for use by the Police Department is an unusual and unique condition, which might be expressed creatively at the garage entrance.

B. Height, Bulk and Scale

B-1 <u>Height, Bulk, and Scale Compatibility</u>. 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.

Pike Pine-specific supplemental guidance (in part):

New buildings should, in general, appear similar in height, mass, and scale to other buildings to maintain the area's visual integrity and unique character. Although current zoning permits structures to exceed the prevailing height and width of existing buildings in the area, structures that introduce increased heights, width and scale should be designed so their perceived scale is compatible with the existing neighborhood character. The following guidelines address scale and proportion for new structures

a. Design the structure to be compatible in scale and form with surrounding structures. One, two, and three-story structures make up the primary architectural fabric of the neighborhood. Due to the historic platting pattern, existing structures seldom exceed 50 to 120 feet in width or 100 to 120 feet in depth. Structures of this size and proportion have been ideal for the small, locally owned retail, entertainment, and restaurant spaces that have flourished in this neighborhood. The actual and perceived width of new structures should appear similar to these existing structures to maintain a sense of visual continuity.

• Respect the rhythm established by traditional facade widths. Most structure widths are related to the lot width. Typically, structures are built on one lot with a width of 50 or 60 feet; or on two combined lots with a width of 100 or 120 feet. If a proposed development is on a lot that is larger than is typical, it may be necessary to modify the rhythm of the building to maintain the existing scale at

the street. Even in older buildings that may be massive, the mass is typically broken up by a rhythm of bays, humanizing the scale of the structure.
• Relate the height of structures to neighboring structures as viewed from the sidewalk. If a proposed structure is taller than surrounding structures, it may be necessary to modify the structure height or depth on upper floors to maintain the existing scale at the street, especially for larger developments.
• Consider full or partial setbacks of upper stories to maintain street-level proportions.

Given the greater width and height possible for new structures, a more compatible massing may be achieved if portions of the upper floors set back from the street, with other portions extending to the street lot line, creating setbacks at intervals that reflect the typical facade widths of existing structures.

c. Address conditions of wide or long structures.

• For project sites that are wider than usual, articulate the facade to respect traditional façade widths. For example, a facade may be broken into separate forms that match the widths of surrounding structures. This articulation should be substantive, and not merely a surface treatment.
• Employ variations in floor level façades, roof styles, architectural details, and finishes to break up the appearance of large structures.
• Incorporate design features to create visual variety and to avoid a large-scale, bulky or monolithic appearance.
• Consider stepping back upper stories of structures on larger sites to allow light filter through multiple levels and to create architectural variety.

d. For structures that exceed the prevailing height, reduce the appearance of bulk on upper stories to maintain the established block face rhythm.

Consider the character of the existing block face when determining the appearance of the upper story elements. Whether the upper and lower floors of a structure look different or the same may depend upon the complexity of the existing structures on the block.

• Use the prevailing structure width to create an upper story massing rhythm.
• Break the structure into smaller masses that correspond to its internal function and organization.
• Use changes in roof heights to reduce the appearance of bulk.
• For new structures that are significantly taller than adjacent buildings, especially on larger lots, consider upper floor setbacks of at least 15 feet from the front facade to reduce the perceived height. However, slender forms such as towers and dormers that extend toward the front facade may add visual variety and interest to the setback area.

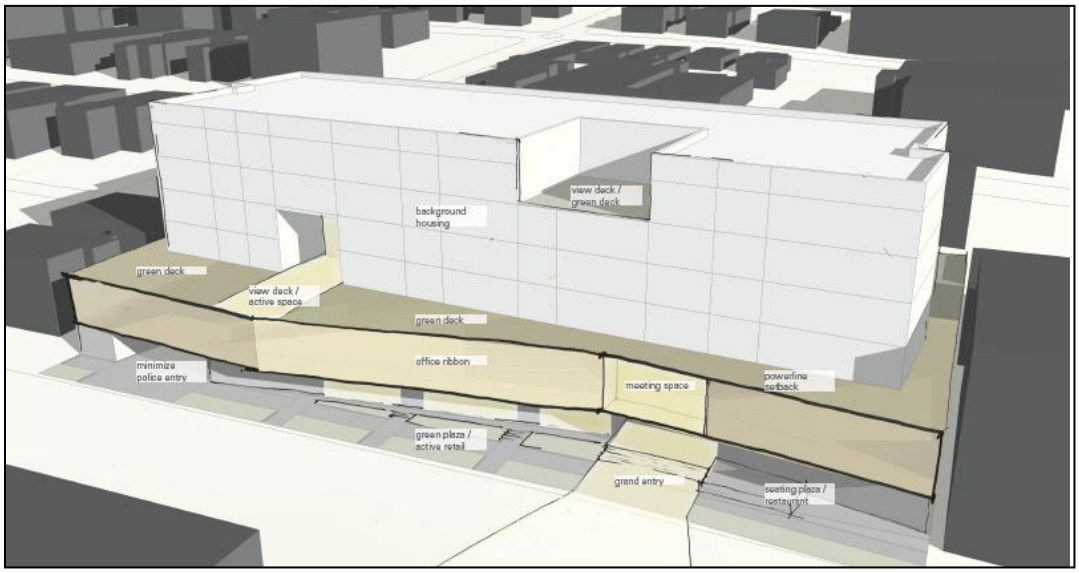
At the Early Design Guidance Meeting, the Board encouraged the three building forms of the preferred option to relate to each other and be perceived a part of one design concept. The Board enthusiastically supported the diagonal configuration of the upper levels as a sensitive solution to the zone edges.

The Board reiterated that where the building grounds itself is critical. The civic nature of the building and plaza space are special conditions and should create a physical “pause”

in the streetscape environment. The Board noted the important of balancing the grandeur and functionality of the building program and architecture.

C. Architectural Elements and Materials

C-2 <u>Architectural Concept and Consistency</u>. 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 preferred design concept was acknowledged by the Board as both innovative and exciting and should be further developed. The Board did, however, offer several remarks regarding the architectural concept and its application throughout the site.

While the proposed cantilever of the second story office level gives a dramatic form to the building, the Board expressed concern that the depth of this projection is critical and should not overshadow the retail uses or entry plaza space. As shown in the preferred option, the Board agreed that the overhang was too oppressive. The opportunities to integrate signage at this overhang should be explored, as well as other forms of overhead weather protection.

The upper level residential levels should not be relegated to conventional design above a dramatic base; instead the dramatic base should inform the upper floors. The three part *parti* of the building forms (and corresponding uses) may be on three different planes, but they should align or knit together at some junction. The Board also suggested that the staggered horizontal planes of the building should meet at one vertical plane at the southwestern corner of the building.

The Board liked the concept of the second floor office use as a ribbon running horizontally through the building, but agreed that further exploration is needed to tie the

first and second floors together in a more deliberate manner. This integration should also relate to the rest of the building. The Board suggested that the knitting of the first and second floors might be used as an opportunity to signify entries.

The Board noted that the design cadence of the ground level retail should be consistent with the larger design concept for the building, but evolve to a finer grain texture and level of detail that responds to the pedestrian environment.

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

Pike Pine-specific supplemental guidance:

In order to achieve good human scale, the existing neighborhood context encourages building entrances in proportion with neighboring storefront developments. In addition to the Citywide Design Guidelines, developments should successfully contribute to the vitality of the street level and pedestrian scale relationships to the right-of-way. Thus, the design of the ground floor of new developments should include:
• Pedestrian-oriented architectural elements
• A rhythm of building modulation comparable or complimentary to adjacent buildings
• Transparent, rather than reflective, windows facing the street.
This is important throughout the neighborhood. It is preferred that ground floor development echoes the patterns established by adjacent buildings in this area, including high bays and glazing along the ground floor. To this regard, cues can be taken from the Oddfellows and Elliott Bay Bookstore buildings on 10th Avenue E. between Pike and Pine and from the buildings on the south side of Pike Street between Boylston and Harvard Avenues.

At the Early Design Guidance Meeting, the Board gave guidance as noted in response to Guideline A-3, A-4 and C-2.

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

Pike Pine-specific supplemental guidance:

New development should complement the neighborhood's light-industrial vernacular through type and arrangement of exterior building materials. Preferred materials and approaches include:
• Brick, masonry, textured or patterned concrete, true stucco (Dryvit is discouraged), with wood and metal as secondary or accent materials.
• Other high quality materials that work well with the historic materials and style of neighboring buildings
• Limited number of exterior finish materials per building
• High quality glazing and trim as a vital component of exterior finish

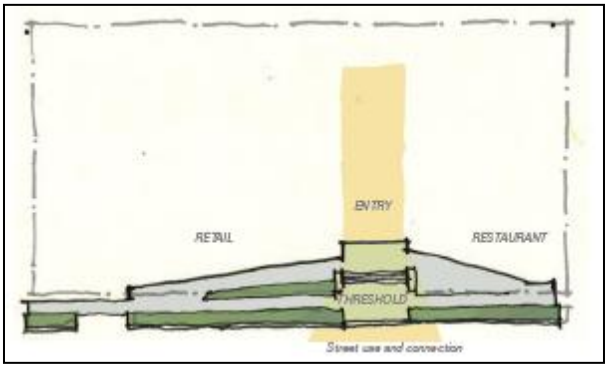
The Board noted that they will be interested in reviewing these details at the Recommendation phase.

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.

At the Early Design Guidance Meeting, the Board gave guidance as noted in response to Guideline A-8.

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.



At the Early Design Guidance Meeting, the Board discussed at length the proposed ground level plaza area created by the building set back into a wide V-shape, with the main entrance (to the office and theatre uses) at the intersection of the elevations. This configuration both frames the civic entrance and creates a dramatic form – both of which the Board heartily supported. The Board cautioned, however, against creating any obstruction or barriers (steps, ground plane changes, etc) to the grand entry that would segregate the entry walkway from the rest of the plaza. The Board strongly agreed that the plaza should function as an integrated space that encourages and supports the confluence of uses. The Board would like to see a thorough examination of how the public space will function and operate, given the diversity of uses it will serve. The Board also noted support for the widening of the sidewalk into the plaza space, but the dimensions of the plaza should not preclude the viability of the ground level retail uses.

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.

At the Early Design Guidance Meeting, the Board discussed the blank wall expanses on either side of the proposed driveway entrance. The Board strongly encouraged that the design strive to create visual interest along these walls and if possible, to activate these spaces. The proximity of the blank walls and driveway to the residential entrance was also noted as a concern by the Board. The blank walls should be minimized to the greatest extent possible – see also the related departure requests for transparency and street level uses.

D-6 **<u>Screening of Dumpsters, Utilities, and Service Areas</u>. 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 strongly encouraged the location of the service and utility functions within the garage and not at street level. See also D-2 and the related departure request.

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

Pike Pine-specific supplemental guidance:

Lighting installed for pedestrians should be hooded or directed to pathways leading towards buildings.

The Board noted that they will be interested in reviewing these details at the Recommendation phase.

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

The Board noted that they will be interested in reviewing these details at the Recommendation phase.

D-10 **<u>Commercial Lighting</u>. 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.**

The Board noted that they will be interested in reviewing these details at the Recommendation phase.

D-11 **<u>Commercial Transparency</u>. Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.**

The Board noted that they will be interested in reviewing these details at the Recommendation phase.

E. Landscaping

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

Pike Pine-specific supplemental guidance:

The creation of small gardens and art within the street right-of-way is encouraged in the Pike/Pine neighborhood in order to enhance and energize the pedestrian experience. This is especially desirable for residential and mixed use developments as well as a means to distinguish commercial areas from institutional areas. Providing vertical landscaping, trellises or window boxes for plants is also desirable. Street greening is specifically recommended along the following streets:

• Avenues between Pike and Olive Streets from 11th Ave. on the east to 14th Ave. on the west including Pine from 14th and 15th and Olive from 11th to 15th (except along 14th Ave. from Pine to Pike)

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

The Board noted that they will be interested in reviewing these details at the Recommendation phase. The landscaping and plaza design should reinforce the innovative and dramatic forms and architecture of the building.

FINAL RECOMMENDATION MEETING: May 16, 2012

The packet includes materials presented at the Recommendation meeting, and is available online by entering the project number at this website:
http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp

or contacting the Public Resource Center at DPD:

Address: **Public Resource Center**
700 Fifth Ave., Suite 2000
Seattle, WA 98124

Email: PRC@seattle.gov

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 & Neighborhood specific guidelines (as applicable) of highest priority for this project.

The Neighborhood specific guidelines are summarized below. For the full text please visit the Design Review website.

PRIORITIES & BOARD RECOMMENDATIONS

At the Recommendation meeting, the Board focused on the following issues:

Architectural Concept

1. The Board agreed that the design of the base with the increased height was a successful change since the EDG. (C-2)
2. The Board was very pleased with the addition of the garage lobby space on the north side of the driveway as an activating element and the transparent glazing of this corner. (A-3, A-4, D-1)
3. The Board was also very pleased with the vertical recessed channels at the upper floors that break up the length of the building. (C-2)
4. The Board was very supportive of the faceted second floor horizontal band concept and encouraged this defining element to be executed exquisitely. The Board discussed at length this design feature and agreed that the band could be refined to appear more as a bold, continuous ribbon. This should be achieved with:
    a. fewer layers of mullions and fewer facets to create a simpler band;
    b. modifying the color of spandrel glass panel, glass and window mullions to appear more cohesive and less disjointed; and
    c. design and provision of consistent interior window coverings with controls. (C-2)
5. The Board expressed concern that the relationship between the top and bottom floors appeared somewhat disparate and should be more harmonious. These refinements could occur as part of the building permit. (C-2)

Materials

1. The Board preferred the metal shingle siding. The Board expressed serious concerns with the *prestige* panels as an alternative siding and explicitly stated that if the *prestige* panels are selected as an alternative, the design should return before the Board for review of how the material affects the building appearance and design. (The Board was not supportive of this an alternative material). (C-4)
2. For the recessed areas using an accent color, the Board preferred the use of the *swiss pearl* siding material, but noted that the fiber cement panel alternative would be acceptable. (C-4)
3. The Board noted that either of the two base material alternatives would be acceptable: smooth finished concrete or stone. The Board did caution for the selection of a material that can withstand graffiti and removal. (C-4)

Garbage/Service Area

1. The Board was very concerned with the location and programmatic function of the garbage and service area shown on the chamfered wall against the sidewalk between the driveway and the residential entrance. The Board was displeased about the proximity of this use to the residential entrance, as well as the location directly off the sidewalk. Moreover, the projecting angled wall appeared to give this use more visual prominence instead of de-emphasizing the appearance. These concerns were exacerbated by the

functional difficulty of having the trash route between the restaurant use and the trash room occurs over the active and inviting retail entry open space. (A-3, A-4, D-1)
2. The Board strongly recommended relocating the service area to a location further away from the residential entrance and with minimal visual and physical presence at the sidewalk. (A-3, A-4, D-1)
3. The Board recommended including signage or other visual cues to show location of bike parking. (A-8)

Landscape Design

1. The Board felt the proposed landscape design and programming for the plaza, second floor decks, rooftop and recessed deck spaces responded well to the EDG. (E-2)
2. The Board recommended that the architectural concept of the building be carried through the ground level landscape design more vigorously. The inclusion of seating or planting materials to achieve this should be explored. (E-2)

FINAL RECOMMENDATION MEETING: November 7, 2012 (REVISIONS)

The packet includes materials presented at the Recommendation Revisions meeting, and is available online by entering the project number at this website:
http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp

or contacting the Public Resource Center at DPD:

Address: **Public Resource Center**
700 Fifth Ave., Suite 2000
Seattle, WA 98124

Email: PRC@seattle.gov

PRIORITIES & BOARD RECOMMENDATIONS

At the Recommendation Revisions meeting, three revisions to the previously approved design elements were proposed, as well as responses to the recommendation provided at the last meeting.

1. **Upper Level Cladding**. The Board recommended support for the proposed change in materials on the upper residential levels from metal shingles to fiber cement panel. The material change would also include color revisions to a dark grey and further refinement of the breaks in the building with the reveal pattern. The Board encouraged the use of metal panels as an alternative. The Board encouraged the use of the darker color shade for the field and a bolder color palette in the recessed areas of the second floors, while the narrow vertical notches are a dark color to match the fiber cement color. The Board preferred the darker window color for the upper residential floors. (C-4)

2. **Second Level "Marquee".** The Board supported the proposed change from a curtain wall system of continuous glass to a storefront system. See item 4 below. (C-4)

3. **Materials Change for the Retail Storefront.** The Board supported the aluminum storefront window system as an alternative to the wood storefront system. The Board encouraged that the color of the windows contrast from the color used at the second floor "marquee" level. The Board also supported the board-formed concrete design at the ground level. (C-4)

4. **Second Level "Marquee" Band**. At the previous Recommendation meeting, the Board recommended that the second floor horizontal band should be refined to appear more as a bold, continuous ribbon. The Board discussed this revised design at length and recommended the following:

    a. The color of the marquee level materials should all be a single color (not including the signage) and contrast from upper level color palette to make it a more distinct and dramatic feature.
    b. The horizontal banding at the top and bottom of the marquee should be expressed as a continuous ribbon that is emphasized through the use of color, as well as material selection, dimensions, and reveal/joint patterns.
    c. The vertical mullions at the marquee level should provide the secondary expression of the vertical patterning established by the upper residential levels. (C-2, C-4)

5. **Architectural Integration**. At the previous Recommendation meeting, the Board recommended that the relationship between the top and bottom floors should be more harmonious. The Board felt comfortable that the revised design, along with the proposed recommendations responds to this condition. (C-2)

6. **Design of the Service/Trash Area**: At the previous Recommendation meeting, the Board recommended relocating the service area to a location further away from the residential entrance and with minimal impact or presence at the sidewalk. The revised design explored alternative location and configurations of the trash room, but preferred to maintain the trash enclosure at the same location, while redesigning the façade. The revised design includes a board-formed concrete façade, a smaller access door, as well as the addition of a street tree across from the doorway. The residential entryway has also been revised to be larger and more distinctive. The inside walls of the driveway have also been framed with wood from the board formed concrete. (A-4, D-6)

7. **Pedestrian Safety**. The Board recommended incorporating additional visual cues to alert pedestrians and cars to interactions near the garage entry. The revised design successfully responded to this recommendation, However, the Board agreed that the sidewalk scoring pattern in the concrete should cross over the driveway pattern to give more prominence to the pedestrian pathway and recommended this as a condition. (D-7)

8. **Ground Level Landscape Plan**. At the previous Recommendation meeting, the Board recommended establishing a clear relationship between the building and the ground level open space. The Board was pleased with the revised open space landscape plan and the proposed scored paving pattern. (E-2)

DEVELOPMENT STANDARD DEPARTURES

Several departures from the development standards were proposed at the Final meeting.

1. **Street Level Uses (SMC 23.47A.005.D1):** The Code requires that certain street level uses should be located on at least 80% of the street level street facing facades. The applicant proposes 74% due to the location of the access driveway and service areas.

   The Board unanimously recommended this departure. The Board was satisfied that the dynamic and varied programming for uses and spaces in the proposed development will create a vibrant and active pedestrian environment along 12th Avenue. Moreover, the lack of an alley or side street is unusual challenge in an urban environment that has been solved with a variety of ground level uses and interesting architectural forms. The design has also been revised to include a glassy, transparent garage lobby to the north of the driveway, which helps activate this space. (A-3, A-4, D-1)

2. **Street Level Uses (SMC 23.47A.008.A3):** The Code requires street facing, street level facades shall be located within 10 feet of the street lot line unless wider sidewalk or open spaces are provided. The applicant proposes that a 33-foot wide portion of the street level façade will be setback 14-feet from the street lot line.

   The Board unanimously recommended this departure. The Board strongly agreed that the wider sidewalk and open space condition created at the entryway were an improvement to the proposed development beyond what the Code requirements prescribe. The dynamic and interesting architecture and variety of ground level uses will also contribute to the activation of this increased sidewalk depth. (A-3, A-4, C-2, D-1)

3. **Street Level Uses (SMC 23.47A.008.A3):** The Code requires street facing, street level facades shall be located within 10 feet of the street lot line unless wider sidewalk or open spaces are provided. The applicant proposes that a seven-foot wide portion of the street levels façade will be setback 84-feet from the street lot line.

   The Board unanimously recommended this departure. The Board strongly agreed that the provision of a setback at the south property line preserves light and air to the existing building to the south and is respectful of the those residential units. (A-5)

4. **Rear Setback (SMC 23.47A.014.B3):** The Code requires a 15 foot setback for portions of a structure between 13 feet and 40 feet. The applicant proposes an encroachment of seven feet, three inches (to a height of 20 feet, three inches).

   The Board unanimously supported for the departure request, given that the topography of the abutting sites to the east slope upwards, resulting in minimal light and air impacts to the residential uses to the east. The Board was satisfied that the internal program minimizes the size of the theater boxes to condense the encroachment. (A-5, B-1)

5. **Rear Setback (SMC 23.47A.014.B3):** The Code requires an additional setback of two feet for every ten feet of height above 40 feet. The applicant proposes a corner of the building above 40 feet to encroach into the setback for an area approximately 42 feet wide, 24 feet tall and a varying depth up to five feet.

The Board unanimously supported the departure request given the topography of the abutting sites to the east slope upwards and minimal light and air impacts to the residential uses to the east are. The Board noted that a significantly larger than required setback was provided along three quarters of the rear side and the design shifted the tallest portion of the encroachment furthest from the residentially zoned lots to improve solar access. (A-5, B-1)

6. **Parking Stall Sizes (SMC 23.54.030. B2):** The Code requires that 35% of the parking stall should be striped for small size vehicles. The applicant proposes zero stalls to be striped for small vehicles.

   The Board unanimously supported the departure request given the stated requirements of the Police Department. (D-7)

7. **Parking Stall Sizes *(SMC 23.54.030.G2):*** The Code requires a sight triangle on the exit side of the driveway for a distance of ten feet. The applicant proposes to encroach into the sight triangle area by an area measuring three feet by two-feet, eight-inches in the vertical spaces between 32-82 inches.

   The Board unanimously supported the departure request given the provision of mirrors, and recommended the provision of additional visual cues to alert pedestrians and cars to interaction at the garage entry. The proposed design of the garage lobby is highly glazed with transparent glass, so views through this space should also serve as a visual connection between pedestrian and drivers. (D-7)

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

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

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

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

At the conclusion of the Recommendation meeting in May 16, 2012, the Board recommended approval of the project with the following conditions:

1. The second floor horizontal band should be refined to appear more as a bold, continuous ribbon. This should be achieved with:
   a. fewer layers of mullions and fewer facets to create a simpler band;

b. modifying the color of spandrel glass panel, glass and window mullions to appear more cohesive and less disjointed; and
c. design and provision of consistent interior window coverings with controls.

2. The relationship between the top and bottom floors appeared somewhat disparate and should be more harmonious. Prior to Building permit issuance, the applicant shall demonstrate a more cohesive design for the relationship between the upper and lower portions of the building.

3. Relocate the service area to a location further away from the residential entrance and with minimal impact or presence at the sidewalk.

4. Incorporate additional visual cues to alert pedestrians and cars to interactions near the garage entry.

5. The architectural concept of the building should be carried through the ground level landscape planting scheme and hardscape design more vigorously to establish a clear relationship between the building and the ground level open space.

6. Include signage or other visual cues to show location of bike parking.

At the conclusion of the Recommendation Revisions meeting on November 7, 2012, the Board recommended approval of the project with the following conditions:

1. **The sidewalk scoring pattern in the concrete should cross over the driveway pattern to give more prominence to the pedestrian pathway.**

2. **The color of the marquee materials should contrast from upper level color palette to make it a more distinct and dramatic feature.**

3. **The horizontal banding at the top and bottom of the marquee should be expressed as a continuous ribbon that is emphasized through the use of color, as well as materials selection, dimensions, reveal/joint patterns.**

4. **The vertical mullions at the marquee level should provide the secondary expression of the vertical patterning established by the upper residential levels.**

5. **Include signage or other visual cues to show location of bike parking.**

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

Four members of the East Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations

(SMC 23.41.014.F3). The Director agrees with and accepts the conditions recommended by the Board that further augment the selected Guidelines.

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

Director's Decision

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

ANALYSIS - SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05) because the proposed project is located in a commercial zone and an urban center and exceeds the 12,000 square foot threshold.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated January 9, 2012 and annotated by the Land Use Planner. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist and submitted by the project applicant and reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, and certain

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

Short-Term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

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

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

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from construction activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction materials hauling, equipment and personnel; increased noise; and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- The applicant estimates approximately 21,000 cubic yards of excavation for construction. Excess material to be disposed of must be deposited in an approved site.
- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way.
- Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of building activity to be undertaken in association with the proposed project, additional analysis of drainage, grading, noise, greenhouse gases, and traffic impacts is warranted.

Drainage

Soil disturbing activities during site excavation for foundation purposes could result in erosion and transport of sediment. The Stormwater, Grading and Drainage Control Code provides for extensive review and conditioning of the project prior to issuance of building permits. Therefore, no further conditioning is warranted pursuant to SEPA policies.

Earth - Grading

The construction plans will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves excavation of approximately 21,000 cubic yards of material. 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.

Traffic, Circulation and Parking

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during construction. The construction activities will require the removal of material from site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

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

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of

"freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site.

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

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

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

Noise

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

Construction activities outside the above-stated restrictions may be authorized upon approval of a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. The Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short -term transportation impacts that result from the project.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which

adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Long-Term Impacts

Traffic and Transportation

A Trip Generation Memorandum for the proposed project was prepared by The Transpo Group and dated March 2012. The report evaluates traffic volumes associated with the proposed construction of the new building. According to the traffic report, there are approximately 22 PM peak hour vehicle trips associated with the proposed development on the subject site. The existing parking lot use is not to operate differently than current conditions. The trip assignment analysis concludes that the studied intersections would operate at the same Level of Service with the additional trips. Therefore, the project is not expected to adversely affect street capacity or intersection level of service and no mitigation is warranted.

Parking

The proposed development is located in the Capitol Hill Urban Center where parking is not required per SMC 23.54.015B2. However, the proposal includes 115 parking spaces to be provided below grade and accessed from a driveway via 12th Avenue. All of these spaces are designated for use by the Seattle Police Department and will replace the current surface parking on this site.

In the Traffic Analysis prepared by The Transpo Group and dated March 2012, parking generation rates from the Institute of Transportation Engineers (ITE) Parking Generation Manual (3rd Edition), the Urban Land Institute's 1984 Shared Parking document and census data were used to estimate the project's parking demand.

The total peak parking demand is estimated to be 38 stalls and is expected to occur in the middle of the day. The office use is anticipated to require up to 12 parking spaces for employees, however, employees will be provided parking in a private off-site lot approximately four blocks from the subject site. The off-site lot contains 20 spaces and will therefore accommodate the demand of office uses. If office demand is not considered, the total peak off-site parking demand would be 34 spaces and would occur overnight when residents are most likely to be home. The offsite parking utilization rate during the day is between 60 to 80 percent and between 85 to 100 percent during the evening. Private parking lots in the vicinity offer capacity for this spillover parking. Therefore, the estimated parking demand may be adequately accommodated within the private off-site parking lots. Given high levels of on-street parking utilization, however, this spillover may make on-street parking more difficult in the vicinity of the project site, and also may serve as a disincentive for project residents to own cars. However, no code authority exists to condition the project to mitigate this impact, as the project is located in the Capitol Hill/First Hill Urban Center and under SMC 25.05.675M such conditioning is prohibited.

Greenhouse Gas

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse

gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

DECISION – STATE ENVIRONMENTAL POLICY ACT (SEPA)

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

[**X**] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).

CONDITIONS – SEPA

Prior to Issuance of any Construction, Shoring or Grading Permits

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

During Construction

2. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:00 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.

3. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.

CONDITIONS-DESIGN REVIEW

Prior to Building Permit Issuance

4. The sidewalk scoring pattern in the concrete should cross over the driveway pattern to give more prominence to the pedestrian pathway.

5. The color of the marquee materials should contrast from upper level color palette to make it a more distinct and dramatic feature.

6. The horizontal banding at the top and bottom of the marquee should be expressed as a continuous ribbon that is emphasized through the use of color, as well as material selection, dimensions, and reveal/joint patterns.

7. The vertical mullions at the marquee level should provide the secondary expression of the vertical patterning established by the upper residential levels.

8. Include signage or other visual cues to show location of bike parking.

During Construction

9. Any changes to the design, building exterior or landscape plan shall be submitted to DPD for review and approval.

Prior to Issuance of any Certificate of Occupancy

10. The applicants shall arrange for an inspection with the Land Use Planner to verify that the construction of the buildings with siting, materials, and architectural details is substantially the same as those documented in the approved plans dated August 24, 2012 and updated by the graphic presentation to the Design Review Board on November 7, 2012.

Signature: (signature on file) Date: November 19, 2012
Lisa Rutzick, Senior Land Use Planner
Department of Planning and Development

LCR:DRM

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