



City of Seattle

Department of Planning and Development
Diane M. Sugimura, Director

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

Application Number: 3012929
Applicant Name: Jim Westcott
Address of Proposal: 500 Terry Avenue

SUMMARY OF PROPOSED ACTIONS

Land Use Application to allow a 27-story, residential building containing 328 units and 230 parking stalls. Review includes 46,000 cubic yards of grading.

The following approvals are required:

Design Review - Seattle Municipal Code (SMC) Section 23.41

SEPA - Environmental Determination pursuant to SMC 25.05

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions*

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

* Notice of the Early Determination of Non-significance was published on August 16, 2012.

PROJECT DESCRIPTION

The applicant proposes to design and construct a residential building with 328 residential units and 230 below grade parking spaces. The proposed demolition would remove a multifamily residential structure and a small office building.

The three massing options share several programmatic ideas: a pronounced podium carrying a residential tower, vehicular entry on Terry Ave. across from the Ninth and Jefferson Building at Harborview Medical Center, and retail commercial space fronting onto Jefferson St. At its base, massing Option # 1 reserves its largest setback for the north property line adjacent to the parking lot. Above the podium, the tower steps back an estimated 66 feet from the west property line. In this option, the tower resembles an uninflected rectangular mass with a smaller box containing the mechanical equipment at its top. The architect has congregated the commercial uses at the corner of Terry Ave and Jefferson St. and placed the lobby and leasing area along Jefferson St. A mix of live/work units wraps around the central core on the north and east sides.

Options # 2 and # 3 introduce to the program a small open space at the corner of Jefferson and Terry. A commercial space defines the open space's east side with lobby space behind it on Jefferson St. Apartment units face the north property line. In this scheme, the podium has less prominence with the exception of a four-story, cubic volume approaching Terry Ave and defining the northern edge of the corner open space. Beginning at approximately 35 feet from the west property line, the tower is bifurcated by creating a slight vertical reveal that visually divides the mass into north and south sections. The tower on its southern half rises from grade without the use of the podium to form an intermediate mass. This section continues skyward several floors beyond the north half. The third option employs the same massing strategy with some modification. A horizontal reveal visually separates the podium from the tower allowing the shaft to float above the four story platform and extend over the sidewalk. Programmatically the scheme shifts the lobby to the west allowing the open space to become a forecourt for the tower. Commercial uses form storefronts along Jefferson St.

By the Recommendation meeting, the development team refined the third option. Commercial use, once proposed for Jefferson St., had been eliminated from the program.

SITE & VICINITY

Located at the northeast corner of the intersection at Terry Avenue and Jefferson Street and within the southwestern portion of the First Hill neighborhood, the development site sits directly east of the Harborview Medical Center campus, one block southwest of the Swedish Medical Center campus and one and a half blocks to the west of the Seattle University campus. The interstitial areas between the major institutions house low and mid-rise apartment buildings, service stations and small commercial structures dating from the early 20th century to the 1960s. The recent growth of the Harborview Medical complex has introduced sizeable medical office and care buildings with beige masonry matching Harborview Hall and, in some cases, generous amounts of glazing.

The 23,584 square feet development area contains a three story multifamily structure and a two story office building. Frontage on Terry Ave equals 120 linear feet and approximately 196 feet on Jefferson St. A surface parking lot surrounds the site to the north and east, completing the full block. The site's declension amounts to approximately 16 feet as the terrain descends from the east toward Terry Ave.

Highrise (HR) designated zoning represents the predominant zoning classification in the portion of First Hill. To the site's west and south, a major institutional overlay (MIO) for Harborview Hospital has a mix of HR and Midrise (MR) zoning. To the east of Boren Avenue, the zoning transitions to a mix of Neighborhood Commercial (NC), MR, and HR zones. A MIO for the Swedish Medical Center complex covers much of this area. Northward from the site, the HR zone extends toward Madison St. with NC zoning fronting most of the Madison corridor east of the interstate.

ANALYSIS - DESIGN REVIEW

Public Comments

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

Program

- The public would like a grocery store in the neighborhood. The area set aside for commercial use is too small.
- The building should embrace the open space.

Height, Bulk and Scale

- The proposed design ignores the real possibility that the surrounding parking lot could be redeveloped.

Security/Landscaping

- The proposal site lies near the Harborview Trauma Center. When designing the streetscape, consider the individuals who will walk near the site.
- Burglars enter residential units from balconies. Sliding doors are easy to open from the exterior.
- Use good low level lighting that projects downward.
- The project design should provide "eyes on the street".
- Dogs should have a special place to defecate otherwise they will ruin the landscaping.
- Consider implementing crime prevention through environmental design (CPTED) practices for the proposed open space.
- The project site lies along the path from Harborview's mental health center to its Emergency Room. There is a lot of pedestrian traffic. Some of the clients look for a place to hang out.

General Observations

- Consider the flight path of the helicopters that fly in and out of Harborview.
- The initial design effort has merit.

DPD received two letters – one in opposition to the project. The author decried the insertion of another high rise in this First Hill neighborhood. The other letter writer focused on the project's exacerbation of the dearth of parking in the area.

GUIDELINES

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

PRIORITIES

A	Site Planning
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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.

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

The Board agreed with the relationship of the building program (Option # 3) to the adjacent streets.

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

See D-12.

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

The design of the streetscape should consider the needs of the various constituents who live and work in the neighborhood.

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

A departure request for upper level setbacks along the adjacent parcels is problematic. The Board requested further investigation of whether the granting of the departure imposes constraints on potential surrounding development. Adjustment to the proposal’s floor and unit sizes may make the request unnecessary.

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

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

Residents will have multiple open spaces for their use. Design of the park at the corner of Terry Ave and Jefferson St. should accommodate tower residents, clients of the tenant spaces, nearby employees and neighbors. The residents and commercial tenants facing this open space should be able to observe the park from their units and shops, providing an informal means of security.

- 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.**

Locating parking access across Terry Ave from Harborview's garages across Terry Ave. makes the most sense as it provides the opportunity for a degree of continuity of landscaping along the rights of way and on both sides of the park.

- 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.**

B. Height, Bulk and Scale

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

The Board preferred massing option # 3 and emphasized that a structure with clean lines and a modernist vocabulary is an appropriate design response for this location. The clarity of forms should be reinforced with significant attention paid to the development of the surfaces which express at a fine grain the building's residential raison d'être. The base ought to anchor the building. A more contextual examination of the neighborhood should provide the architect with enough clues to design a structure that relates to its context.

C. Architectural Elements and Materials

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

The Board noted the prevalence of masonry in neighboring buildings and encouraged its use.

- 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.**

The Board noted its appreciation for the architect's ability to express the parti with such clarity.

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

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

The notion that the two vertical masses that comprise the tower may have contrasting surfaces appealed to the Board members. The concept may express itself in a dialogue between heavy and light materials. This idea or theme should be applied to the structure's base. The design should also recognize the presence of masonry buildings in the vicinity. This represents one approach to reinforcing the need for a sense of scale.

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

D. Pedestrian Environment

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

The structure's base needs to engage both the street and the small park, considered central to the organization of the building.

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

Due to the absence of an alley, the Board expects to review a workable plan for the service areas.

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

Recognizing the neighbors' safety concerns, the Board requested that the proposed design address this important element.

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

The Board expects to review a signage concept plan at the Recommendation meeting.

- D-10 Commercial Lighting. Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.**

A commercial lighting plan that addresses pedestrian safety along the sidewalks and in the open space should be presented at the Recommendation meeting.

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

The commercial uses placed along Jefferson St. and facing the proposed park should have considerable amounts of transparency to connect the interior spaces to the activities in the park and rights of way.

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

Discussion focused on whether a secondary residential entry should occur on Jefferson St. The Board did not encourage a specific direction.

E. Landscaping

- 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.**

Two streets and the two building walls will define the edges of the park. Emphasizing the connection of the commercial uses and the park will help ensure the open space's success. The south wall of the garage entrance would potentially form a blank wall on the park. Paley Park in Manhattan and Waterfall Park in Seattle exemplify intimate open spaces with building walls defining much of the perimeter.

- 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.**

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a Design Review and SEPA components on July 31, 2012.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation Meeting on December 12, 2012 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meetings, site plans, elevations, floor plans, landscaping plans, and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

Public Comments

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

- Limits on the size of commercial use in the Highrise zone inhibit the installation of a grocery.
- The Board should not recommend approval of the two departures creating a thicker structure. (Mentioned by others)
- Supports the setback departure on one side of the building and the not the other.
- Odor from diesel fumes emanating from the Harborview building across the street will have an impact on the tenants of the residential tower.
- Install appropriate levels of exterior lighting to ensure a safe environment.
- It is questionable that the proposal has adequate capacity for dogs.
- Use the First Hill endorsed pedestrian lighting fixtures.

A Site Planning

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

EDG Meeting: The Board agreed with the relationship of the building program (Option # 3) to the adjacent streets.

Recommendation Meeting: The Board approved a departure to allow the upper level of the tower to project into the setback on Jefferson St. (See departure #1.)

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

EDG Meeting: See D-12.

Recommendation Meeting: Board deliberation did not focus on this guideline.

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

EDG Meeting: The design of the streetscape should consider the needs of the various constituents who live and work in the neighborhood.

Recommendation Meeting: See Board deliberation for D-1.

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

EDG Meeting: A departure request for upper level setbacks along the adjacent parcels is problematic. The Board requested further investigation of whether the granting of the departure imposes constraints on potential surrounding development. Adjustment to the proposal's floor and unit sizes may make the request unnecessary.

Recommendation Meeting: The Board approved the upper level setback departure on the north side, convinced by the applicant's proposal to create a larger setback (15') than the Code average (seven feet) in the area below 45'.

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

See discussion focused on D-7.

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

EDG Meeting: Residents will have multiple open spaces for their use. Design of the park at the corner of Terry Ave and Jefferson St. should accommodate tower residents, clients of the tenant spaces, nearby employees and neighbors. The residents and commercial tenants facing this open space should be able to observe the park from their units and shops, providing an informal means of security.

Recommendation Meeting: The open space along Terry Ave met with enthusiasm. See D-7 and E-2 for further guidance on the landscaping along Jefferson St.

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.

EDG Meeting: Locating parking access across Terry Ave from Harborview's garages makes the most sense as it provides the opportunity for a degree of continuity of landscaping along the rights of way and on both sides of the park.

Recommendation Meeting: The Board recommended approval of a larger than code complying garage door (see departure # 3). The opening accommodates solid waste pick up vehicles entering into the garage for loading.

B. Height, Bulk and Scale

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

EDG Meeting: The Board preferred massing option # 3 and emphasized that a structure with clean lines and a modernist vocabulary is an appropriate design response for this location. The clarity of forms should be reinforced with significant attention paid to the development of the surfaces which express at a fine grain the building's residential raison d'être.

The base ought to anchor the building. A more contextual examination of the neighborhood should provide the architect with enough clues to design a structure that relates to its context.

Recommendation Meeting: Although the development site sits on a zone edge (Midrise) to the south, the Board accepted the rationale for a departure to allow the structure to project into the upper level setbacks.

C. Architectural Elements and Materials

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

EDG Meeting: The Board noted the prevalence of masonry in neighboring buildings and encouraged its use.

Recommendation Meeting: The architect did not elect to use masonry desiring the use of glazing to contrast with much of the Harborview complex and neighborhood.

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.

EDG Meeting: The Board noted its appreciation for the architect's ability to express the parti with such clarity.

Recommendation Meeting: The design conveys the same clarity and vision conceived in the parti introduced at the EDG meeting. The Board acknowledged approvingly the architect's ability to stay true to the original idea. The design falters along the lower and upper podium fronting Jefferson St., occurring possibly to an excessive rigidity to the overriding concept. The Board recommended that the lower white spandrel be continuous similar to the alternative podium option on p. 32 of the Recommendation booklet. Beneath this horizontal datum, the elevation should possess warmer infill materials, endowing this street level façade with richness of texture and detail. This strategy reduces the base's austerity and, along with changes to the landscaping, engages the streetscape in a more convincing manner.

The upper three levels of the Jefferson St. podium lack the refinement and the residential qualities of the portion of the podium above the garage entrance. Subtle variations to the frame's dimensions and spacing should resolve the problem. In particular, the Board prefers the corner condition above the garage and open space as the pier's location allows the glazed corner to express itself and lighten the façade.

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

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

EDG Meeting: The notion that the two vertical masses that comprise the tower may have contrasting surfaces appealed to the Board members. The concept may express itself in a dialogue between heavy and light materials. This idea or theme should be applied to the structure's base. The design should also recognize the presence of masonry buildings in the vicinity. This represents one approach to reinforcing the need for a sense of scale.

Recommendation Meeting: See C-2 guidance for the Board's recommended condition for the lower portion of the Jefferson St. podium façade.

Noting the corporate character of the Jefferson St. podium, the Board recommended changes to the upper podium. See C-2.

As to the materiality of the shaft, the design, split between lighter and heavier glazed masses with a glass gasket between, met with approval.

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.

Recommendation Meeting: The Board requested more creative design attention to the garage door. The design did not match the elegance of the open space or the rest of the structure. Endow the garage door with texture, such as perforations.

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.

EDG Meeting: The structure's base needs to engage both the street and the small park, considered central to the organization of the building.

Recommendation Meeting: The Board observed the problematic Jefferson St. streetscape including the landscaping along the edge of the building and the architectonics of the building base. Although the planters form, in places, a seating wall, the wide planters and at-grade landscaping along the lobby and fitness room create a vast barrier between the sidewalk and these active areas. This serves to disengage the building from an active pedestrian corridor. The Board directed the applicant to redesign the areas in front of the lobby/mailroom and fitness center to engage the pedestrian by creating a much stronger physical connection between pedestrians on the sidewalk and the activities occurring on the interior. The landscape design along Jefferson St. should be as compelling as the design of the corner open space.

The Board recommended that the landscape architect widen the path connecting to the east or rear of the building from Jefferson St. Because of the Board's desire to accommodate bicycles at this entrance, the incline or steps should have a channel or ramp to enable the rider to maneuver his or her bike on and off the building grounds.

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.

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

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.

EDG Meeting: Due to the absence of an alley, the Board expects to review a workable plan for the service areas.

Recommendation Meeting: Solid waste storage lies within the garage which accommodates the emptying of dumpsters into trucks.

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

EDG Meeting: Recognizing the neighbors' safety concerns, the Board requested that the proposed design address this important element.

Recommendation Meeting: Discussion focused on the security of the corner open space. In general, the Board agreed with the applicant's desire to minimize the visual presence of security gates.

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

EDG Meeting: The Board expects to review a signage concept plan at the Recommendation meeting.

Recommendation Meeting: Removal of the commercial use from the program eliminated the need for this guidance.

D-10 Commercial Lighting. Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.

EDG Meeting: A commercial lighting plan that addresses pedestrian safety along the sidewalks and in the open space should be presented at the Recommendation meeting.

Recommendation Meeting: The applicant presented a lighting plan. The Board did not recommend changes to it.

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

EDG Meeting: The commercial uses placed along Jefferson St. and facing the proposed park should have considerable amounts of transparency to connect the interior spaces to the activities in the park and rights of way.

Recommendation Meeting: With the elimination of commercial space from the building program, the subject lost its pertinence.

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

EDG Meeting: Discussion focused on whether a secondary residential entry should occur on Jefferson St. The Board did not encourage a specific direction.

Recommendation Meeting: The suggestion of adding a secondary residential entrance on Jefferson St. did not enter into the deliberation.

E. Landscaping

- 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.**

EDG Meeting: Two streets and the two building walls will define the edges of the park. Emphasizing the connection of the commercial uses and the park will help ensure the open space's success. The south wall of the garage entrance would potentially form a blank wall on the park. Paley Park in Manhattan and Waterfall Park in Seattle exemplify intimate open spaces with building walls defining much of the perimeter.

Recommendation Meeting: The landscaping between the Jefferson St. sidewalk and the building should induce a better connection between the activity within the building, particularly at the lobby and the fitness center, and pedestrian activity. The landscaping should allow people to walk up to these most active portions of the building program.

Board Recommendations: The recommendations summarized below were based on the plans submitted at the December 12th, 2012 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the December 12th public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the five Design Review Board members present unanimously recommended approval of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed below).

STANDARD	REQUIREMENT	REQUEST	JUSTIFICATION	RECOMMENDATION
1. Highrise Setbacks SMC 23.45.518	At lot lines abutting the street: Portions above 45' shall have a 10' minimum setback.	On Jefferson St., portions of the building above 55' would have no setback from the property line.	<ul style="list-style-type: none"> Allows for a larger at-grade open space. 	Approved
2. Highrise Setbacks SMC 23.45.518	At lot lines abutting neither a street nor an alley, portions of the structure above 45' shall be set back a minimum of 20'.	On the north side, the setback would be 15' above 45'.	<ul style="list-style-type: none"> Provides a 15' setback below 45' which is greater than the Code required 5' minimum and 7' average. 	Approved
3. Screening of Parking SMC 23.45.536D.3.a	Garage doors may be no greater than 75' sq. ft. in area.	Proposed 300 sq. ft. area for garage door.	<ul style="list-style-type: none"> Allows for interior solid waste recycling pick-up. 	Approved
4. Screening of Parking SMC 23.45.536D.3.b	Garage doors facing the street shall be set back at least 15' from the street lot line, and shall be no closer to the street lot line than the street-facing façade of the structure.	Garage door facing the street will be 15' from the street lot line, the remaining façade of the structure will be 10'6" from the property line (overhang of the upper portion of the structure).	<ul style="list-style-type: none"> Garage door nearer to Terry Ave visually separates vehicles from the quality open space. 	Approved

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

- 1) The lower white spandrel should be continuous similar to the alternative podium option on p. 32 of the Recommendation booklet. Beneath this horizontal datum, the design should possess warmer infill materials, endowing this street level façade with richness of texture and detail. This strategy reduces the base's austerity and, along with changes to the landscaping, engages the streetscape in a more convincing manner. (C-2)
- 2) Revise the upper three levels of the Jefferson St. podium to emphasize the program's residential qualities similar to the portion of the podium above the garage entrance. (C-2, C-4)
- 3) Design a more creative solution to the garage door. Consider emphasizing texture as one potential technique. (C-5)
- 4) Redesign the exterior areas in front of the lobby/mailroom and fitness center to engage the pedestrian by creating a much stronger physical connection between pedestrians on the sidewalk and the activities occurring on the interior. (D-1, D-2)
- 5) Widen the path connecting the east side or rear of the building to Jefferson St. Because of the Board's desire to accommodate bicycles at this entrance, the incline or steps should have a channel or ramp to enable the rider to maneuver his or her bike on and off the building grounds. (D-1)

DIRECTOR'S ANALYSIS - DESIGN REVIEW

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

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated July 17, 2012. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

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

Noise

Noise associated with construction of the mixed use building and future phases could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts.

Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

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

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

Air Quality

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

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. In order to ensure that PSCAA will be notified of the proposed demolition, a condition will be included pursuant to SEPA authority under SMC 25.05.675A which requires that a copy of the PSCAA permit be attached to the demolition permit, prior to issuance. This will assure proper handling and disposal of asbestos.

Earth

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

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit.

The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

Excavation to construct the mixed use structure will be necessary. The maximum depth of the excavation is approximately 44 feet and will consist of an estimated 46,000 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Future phases of construction will be subject to the same regulations. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Construction Impacts

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

Traffic and Parking

Duration of construction of the apartment building may last approximately 24 months. During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities and parking (SMC 25.05.675 B and M). Parking utilization along streets in the vicinity is near capacity and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. Due to the large scale of the project, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. In order to minimize adverse impacts, the applicant will need to provide a construction worker parking plan to reduce on-street parking until the new garage is constructed and safe to use. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 46,000 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 4,600 round trips with 10-yard hauling trucks or 2,300 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

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

Long-term Impacts

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

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

Greenhouse Gas Emissions

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

Historic Preservation

The two existing buildings on the subject site were reviewed by the Department of Neighborhoods and determined that it is unlikely, due in part to a loss of integrity, that the existing structures would meet the standards for designation as an individual landmark.

Traffic and Transportation

The proposed apartment development would produce approximately 665 new daily vehicular trips (this accounts for 110 existing trips), with 62 week day, PM peak hour trips. The addition of the residential building would not cause the six nearby intersections analyzed to degrade to an unsatisfactory level of service beyond what would occur without the project by 2016. In other words, all off-site study intersections would operate at the same Level of Service (LOS) as a future without project conditions with minimal increases in average vehicle delay caused by adding project related trips to the roadway network.

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

Parking

Per SMC 23.54.015 Tables A and B, urban centers have no minimum parking requirements. Located in the First Hill Urban Center Village, this project would not have to supply parking. However, the applicant proposes 230 parking spaces in a below-grade garage with access from Terry Ave. Based on a parking demand rate of 0.58 vehicles per dwelling unit (as determined by the applicant's consultant Transpo Group), the estimated ownership rate results in a peak apartment resident/reserved parking stall demand of 191 spaces. The remaining 39 spaces will be available for visitor parking. No SEPA mitigation of parking impacts is warranted.

Summary

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

DECISION - SEPA

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

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

CONDITIONS – DESIGN REVIEW

Prior to MUP Issuance

Revise plans sets to show:

1. Revise the lower white spandrel to be continuous, similar to the alternative podium option on p. 32 of the Recommendation booklet. Beneath this horizontal datum, use warmer infill materials, endowing this street level façade with richness of texture and detail.
2. Revise the upper three levels of the Jefferson St. podium to emphasize the program's residential qualities similar to the portion of the podium above the garage entrance.
3. Redesign the garage door to emphasize pattern and texture.
4. Redesign the exterior areas in front of the lobby/mailroom and fitness center to engage the pedestrian by creating a much stronger physical connection between pedestrians on the sidewalk and the activities occurring on the interior.
5. Widen the path connecting the east side or rear of the building to Jefferson St. Because of the Board's desire to accommodate bicycles at this entrance, the incline or steps should have a channel or ramp to enable the rider to maneuver his or her bike on and off the building grounds.

Prior to Building Application

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

Prior to Commencement of Construction

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

Prior to Issuance of all Construction Permits

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

Prior to Issuance of a Certificate of Occupancy

9. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, 206.615-1392). An appointment with the assigned Land Use Planner must be made at least three (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

For the Life of the Project

10. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bruce Rips, 206.615-1392). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

CONDITIONS – SEPA

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

11. Provide a construction worker parking plan with the intent to reduce on-street parking.
12. Attach a copy of the PSCAA demolition permit to the building permit set of plans.

During Construction

13. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M:
 - A. Surveying and layout.
 - B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).

- C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.
14. In addition to the Noise Ordinance, requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:
- A. Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
 - B. Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
 - C. Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
 - D. Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
15. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.
16. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

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

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

Date: February 21, 2013