



**City of Seattle**

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**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:** 3012930  
**Applicant Name:** Jim Westcott  
**Address of Proposal:** 1321 Seneca Street

**SUMMARY OF PROPOSED ACTIONS**

Land Use Application to allow a 24-story, mixed use building containing 215 residential units, 1,445 square feet of live/work (two units) and 174 parking stalls. Review includes 27,700 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 September 13, 2012.

**PROJECT DESCRIPTION**

The applicant proposes a 24-story structure (with 30 additional feet of roof top amenity and mechanical space above it) containing 215 residential units above two live/work units and five levels of below grade parking. The alley provides access to the parking garage.

The applicant initially illustrated three basic massing schemes with commonalities of a four-story plinth, below grade parking accessed from the alley, retail or live/work units lining Boylston Ave. and residential lobby/amenity areas fronting onto Seneca St. Scheme A, a code compliant option, comprises a four-story plinth, approximately matching the heights of other structures in the vicinity, and a larger, undifferentiated vertical shaft slightly stepped back from the buildings to the south and to the west. Less significant setbacks occur on the Seneca and Boylston streets. The pronounced four story podium remains in Scheme B; however, the upper mass has greater modulation at the corners and a smaller floor plate at the three uppermost levels. Scheme C resembles a series of five stacked boxes. The shifting boxes appear somewhat engaged or interlocked with one another. The largest setback for the structure occurs at the south property line, ranging from 15 to 20 feet. The setback at the alley varies from two feet to ten feet for most of the structure's height.

At the second EDG meeting, the applicant presented a fourth massing option. The design of Option # 4 deemphasized a bold manipulation of the mass (Option # 3) for subtle distinctions in the building skin. The architect established most of the setbacks at grade allowing the mass to rise to nearly the full height of the building with the exception of the south façade. The differentiation in the elevations occurs in the use of materials, color and detailing. The intended effect, the articulation of a podium and two engaged shafts, is conveyed by reddish hued terra cotta at the plinth, a dark grey volume that rises uninterrupted from the Seneca and Boylston corner to the building parapet, and a lighter grey volume setback two feet from the darker grey shaft, representing the predominant elevation above the podium on the south and west elevations. It wraps the corners to flank the higher and darker grey shaft on Seneca and Boylston streets. The overall impression, at least from the northeast, is a four-story base or plinth of terra cotta and glazing that relates in height to several of the surrounding buildings and visually supports a tower with slight modulations emphasized by color and detailing variations. At the corners of the tower, balconies project outward beyond the mass.

By the Recommendation meeting, the applicant had refined much of the proposal with alterations to the massing, the detailing of the building skin and the podium design at the alley and south elevations.

## **SITE & VICINITY**

The site occupies the northeast portion of the block at the intersection of Boylston Avenue and Seneca Street. An alley services the site connecting Seneca and Spring Streets. Across the alley lies a two story wood framed structure housing a clinic. Sharing a property line to the south is the Hilltop Court, a six story apartment building with retail on the ground floor. The Seattle First Baptist Church, a designated city landmark, and a surface parking lot occupy the block to the east.

Designated with a multifamily Highrise (HR) zone classification, the 14,400 square feet development area contains a temporary surface parking lot. Frontage on Seneca St. totals 120 linear feet and 120 feet on Boylston Ave. The site's declension amounts to approximately six feet as the terrain descends from the south toward Seneca St. The City classifies Seneca St. as a minor arterial.

At East Union St, the zone designation changes from multifamily Highrise (HR) to multifamily Midrise (MR) and Neighborhood Commercial Three with a 65 foot height limit (NC3P 65) in a pedestrian zone. At Madison St, zoning transitions to NC3P with a 160 foot height limit and Major Institutional Overlay (MIO) with a 70 foot height limits. East of Harvard Ave., the zoning shifts from HR to NC3P 65. To the west of the site, the zoning continues as HR within a MIO west of Summit St.

This portion of the First Hill neighborhood lies within an area defined by Madison St., Boren Ave, Broadway and Union St. Two major institutions define the area's borders ---Swedish Hospital and Virginia Mason. The street grid changes at Union St. and Broadway lending interest and complexity to the neighborhood. In general, the area is characterized by lowrise and midrise apartment and commercial buildings. The First Hill Plaza, the tallest building in the neighborhood, lies to the southeast. Landmarks in the immediate vicinity include Seattle First Baptist Church, Stimson Green House and Dearborn House. Several other city landmarks lie just north of E. Union St.

## **ANALYSIS - DESIGN REVIEW**

### **PUBLIC COMMENT**

At the first EDG meeting forty members of the public affixed their names to the EDG meeting sign-in sheet. The speakers raised the following comments:

#### **Appearance & Character**

- The proposal is humongous and doesn't fit the neighborhood. (Repeated by other speakers.)
- The building does not relate to First Hill Plaza. 1<sup>st</sup> Hill Plaza which has a two story base and a substantial amount of surrounding open space.
- Use brick, stone and terra cotta---materials in keeping with the neighborhood. (Mentioned frequently by the speakers.)
- The building resembles a commercial tower.
- The building is scary and unsettling. It doesn't look like a residential building.
- Make this building look residential in appearance. This will set a precedent for neighborhood development. The methadone clinic is temporary. Lots of new development will occur on underutilized properties.
- This is a very threatening structure. An aluminum and glass structure is not what the neighborhood supports.
- The design should be residential in character. It should respect the people who live in the neighborhood.
- Where is the DNA (the character) from the neighborhood buildings in the proposed structure? The building should resemble the existing structures in the vicinity.

#### **Parking**

- The ratio of .6 parking spaces per unit is insufficient for the number of dwelling units.

#### **Open Space/Streetscape/Setbacks**

- The building should not have setbacks at Seneca and Boylston streets. Greater setbacks should occur at the south property line (adjacent to the Hilltop Court) and the alley. Do not grant a departure for a two foot setback at the south property line.

- Add amenities for the exterior open spaces. Install benches. Treat Boylston Ave. as a green, pedestrian oriented street.
- Place amenities and setbacks on Boylston St.
- Install low-level lighting shielded to project downward.
- Install places for canines to defecate as their waste kills the landscaping.
- 15' setbacks along the streets will create places for undesirable people to hang out. Any open space is going to create problems.
- The entrances need to be accessible for the retirees who live in the area. There are lots of children on the sidewalks during the day.
- The methadone clinic is committed to the property. Its presence generates heavy pedestrian traffic.

### **Traffic**

- The traffic on Summit Ave is generated by the clinics.
- Note that the future streetcar station at Marion St. and Broadway will cut off traffic on Boylston Ave.

### **Miscellaneous**

- Ensure that the service functions operate well.
- First Hill Plaza gave up air rights to be built.
- There is a large, drug dependent community requiring the use of clinics in the area.

DPD received approximately 25 letters reiterating many of the same comments received at the EDG meeting. Additional themes included the following:

### **Circulation**

- The proposal increases the potential for exacerbating neighborhood traffic congestion.
- Construction safety near the Sound Transit tunnel is an important consideration.

### **Impacts on Neighbors**

- Blockage of sunlight.
- Glare produced from a predominately glazed building.

### **Recommendations**

- Limit the building's height to 160 feet.
- Minimize setbacks from the rights of way.
- Design an aesthetically appealing roof with screening for mechanical equipment.
- Give special priority to those guidelines which seek to provide for compatibility with the surrounding community while respecting adjacent properties.
- Locate loading and solid waste storage underneath the building.
- Deny the three departure requests.

### **Other considerations**

- The proximity of the methadone clinic.
- The area's shallow water table.
- Develop a new zoning overlay for the vicinity.

**2<sup>nd</sup> EDG Meeting.** At the second EDG meeting, 58 people added their names to the sign-in sheet. Speakers made the following comments.

### **Appearance & Character**

- Design a shorter tower that doesn't disrupt views from nearby apartment units.
- The balconies are unusable and too small. Residents will store bikes and other items on them. (Several speakers mentioned this.)

- The decks will be eyesores. They make the building look tacky.
- The balconies ought to be enclosed or removed.
- The building has too much glazing. It won't fit into the neighborhood.
- An historic appearing building doesn't have to look "faux". Use solid materials to create a quality building.
- The neighborhood is full of historic buildings. There are 11 city landmarks nearby and seven of these are on the national register. The materials for the proposal should be compatible with these historic structures.
- The applicant should be aware of the historic characteristics of the neighborhood. A contemporary building can be disruptive to the neighborhood's fabric. Consider scale, proportion, materials and finishes and how the building relates to the neighborhood.
- The roof top amenity area is useless. It will be too windy for people to use. Better to lower the building's height.

### **Impacts upon Neighborhood**

- A building with so many windows will cause inordinate amounts of glare.
- Glare from the building will impact residents of the lower floors of First Hill Plaza.
- Consider the views to the landmarks from neighboring buildings.
- The proposed structure lies in an area of height transition. The building will have an impact on zoning.
- This project is domino #1 in the densification of First Hill.
- The building's shadow will reach Seattle University.
- The Board has the authority to preserve private views. The proposal should be similar to Option #2 and should be shorter.
- The proposed garage entrance lies directly across from the client drop-off area for Therapeutic Services. This may cause conflicts in the alley.
- The project should be referred to the city's historic preservation officer.

### **Other considerations**

- Granting the departure would add approximately 3,900 square feet. Use this area for open space.
- The departure is problematic.
- Supportive of the project (mentioned twice). The new design is consistent with the area's zoning. The proposal is responsive to the city land use code.

By the second EDG meeting, DPD received ten additional letters. The themes reiterated many of those described in the earlier public comments and letters. New issues include the following:

### **Appearance & Character**

- The Board's guidance for the Coppins Wells project on Madison St. should be applied to the subject proposal. With the former project, the Board did not want glass panels as they felt the glazing was out of the character with the neighborhood.
- Although Option # 4 has better references to the historic nature of First Hill than the original preferred option, the proposal has too few design references to the area's historic character.
- Reduce the height of the proposed structure to 160'.
- The dominant use of glass will result in an "office building/glass tower" appearance.
- Building materials should more closely align with those that provide a sense of history and place.

### **Impacts upon Neighborhood**

- Provide studies of glare impacts on the neighborhood.

- The project will remove approximately 40 parking spaces.
- Consider construction impacts such as street and alley closures on the neighborhood.
- We welcome new development (several letters mentioned this) but there is a concern over the impacts of spillover parking.
- How will the developer manage the impacts from the adjacent methadone clinic?  
Relevant issues include security, lighting, traffic and parking.

**Code compliance**

- It appears that the project lacks the required amount of amenities.
- The proposal has an inadequate amount of open space.
- Bonus residential floor area allowed under the code provision should go to the acquisition of open space for parks in the immediate 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**

**Site Planning**

- A-1 **Responding to Site Characteristics.** The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.
- A-2 **Streetscape Compatibility.** The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

**EDG meeting #1:** The Board characterized the proposed setback widths at the ground plane along Seneca St. and Boylston Ave. as overly generous (even heroic). This is particularly true for Option # 3. The diagrams presented at the meeting do not reveal enough information about the character of the neighborhood for the Board to know whether these wide setbacks are appropriate and how their design responds to security concerns of the neighbors.

The different characteristics of Seneca and Boylston should inform the design at the ground plane. Boylston appears to be more pedestrian oriented. Further analysis of the neighborhood character is necessary. In addition, the programming of uses within the first level should also influence the design of the streetscapes.

**EDG meeting #2:** Given the lack of a code requirement for commercial use at street level (the property lies within the city’s Highrise zone) combined with a minimum of businesses on Boylston Ave between Seneca and Union Streets, the Board expressed its willingness to allow the two live/work units to appear less engaged with the street than were Boylston a more intensively commercial street. The proponent’s conceptual illustration of a ten foot setback and fencing generally satisfied the Board. More design detail will be expected at the next meeting.

The Board emphasized a need for greater porosity or transparency along the Seneca St. elevation. See guidance for A-4.

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

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

**EDG meeting #2:** Dissatisfied with the clustering of back of house services fronting Seneca St., the Board requested that the uses facing Seneca relate to or enhance pedestrian and street life. Devote this area to residential amenities that lend themselves to transparent facades. Visually connecting the interior activity with the life on the street will ensure the building's greater affinity with the First Hill 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.**

**EDG meeting #1:** The Board noted its reluctance to consider recommending departure request #3, reducing the ground plane setback at the south property line to two feet, given a representative of the Hilltop Court's opposition. The added depth of the setback at the upper portions of the podium seemed reasonable.

**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.**

**EDG meeting #1:** See guidance for A-2. The Board registered its consternation with the overly generous setbacks along Seneca and Boylston and asked for further analysis.

**EDG meeting #2:** Option # 4's setbacks at Seneca and Boylston (ten feet) were less than those of Option # 3 and equal to or more than Option #2 and #1 respectively. The Board did not discuss the width of the setbacks from these property lines at the 2<sup>nd</sup> EDG meeting.

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

**EDG meeting #1:** The 15 foot setbacks along the streetscape (Option # 3) would create problematic open spaces. As mentioned in other guidance, the Board requests more analysis of how the proposal adopts established urban patterns on First Hill.

**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.**

**EDG meeting #2:** Design an entry with a strong statement of arrival at the corner. The Board encouraged a visually significant canopy integrated with the overall building concept. The canopy should reinforce the podium.

## **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 #1:** The Board conveyed its reticence to encourage a bold or ambitious design such as Option # 3 without additional information describing the applicant's attitude toward the structure's relationship to its context. The issue of setbacks along Seneca and Boylston has been discussed in other sections. If the applicant pursues Option # 3, the architects will need to provide 1) more analysis of the urban patterns, buildings and landscapes within the neighborhood and 2) character studies of the tower and how the stacked or engaged boxes, the leitmotif of the proposal, addresses issues of neighborhood scale, materials and prevailing architectural elements (fenestration patterns, pier and spandrel, and building form).

The massing and the street level setbacks for options #2 and 3 resemble more traditional building forms (albeit the grids inadvertently suggest office rather than residential structures). The Board expressed its comfort with the applicant proceeding to the Master Use Permit (MUP) stage should the applicant choose to develop one of these massing approaches. Concerns regarding these options' relationship to their context, scale etc., as described for Option # 3, would still be germane.

**EDG meeting #2:** Discussion of massing follows in the guidance for C-2.

## **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 #1:** P. 14 of the supplementary information and pp. 14-15 of the booklet begin to suggest underlying urban patterns and building forms within the neighborhood in spite of the salmagundi of architectural styles. As design development of any of the three options proceeds, the architect must produce a convincing visual argument that the choices made represent a thorough understanding of this portion of the First Hill context.

**EDG meeting #2:** The illustrations at the 2<sup>nd</sup> EDG meeting defined a four story base of mostly glazing and terra cotta piers capped with a wide entablature. The Board supported the general concept of the base and its relationship to the larger hierarchy. It did not comment upon the materials or the detailing of the podium.

**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 #1:** Although it goes without saying that any elaboration of one of the three options requires architectural consistency from small detail to building form, the third scenario, in particular, has a higher hurdle due to its unusual form.

**EDG meeting #2:** Although it endorsed the overall building form and appreciated the clarity of the layers expressed on the exterior, the Board preferred that the taller volume, rising from the Seneca and Boylston corner, possess the lighter coloration, and the flanking mass possess the darker color. This reversal would endow the taller corner volume with lightness and lift as it emerges from a slightly heavier dominant mass that flanks it on the two streets. In addition to color, the two engaged volumes that represent the tower would be further defined by distinctions in the detailing of the glazing pattern. The changes should support the implicit hierarchy established by the heavier appearing base, the enfolding dark grey tower and the lighter volume at the corner.

The Board could not discern how the balconies fit into this hierarchy. It asked for a reconsideration of their location and design. One possible change is to recess the balconies into the mass rather than to project them outward from it.

The south and west (alley) podium elevations, the Board observed, speak a visual language variant from the podium's dominant composition of terra cotta and glazing. These elevations should possess the same design leitmotif as the lower portion of the Seneca and Boylston facades.

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

**EDG meeting #1:** Depending upon the execution of the stacked boxes (Option #3) concept, the design's scale should not overwhelm the intimate residential character that much of the neighborhood exudes.

The architect's investigation should recognize that the building will be experienced from a variety of distances. The proposed structure should speak to those distances just as the First Baptist Church is experienced differently from both a variety of directions and distances.

**EDG meeting #2:** As the design evolves, this guideline should govern much of the architect's thinking.

**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 #1:** Should the architect choose to create a mostly transparent or porous base, then the programming of the uses along the two perimeter streets should engage the streetscape. Alternatively, a design emphasizing the street wall lined with residential uses and composed of predominantly opaque materials is also a suitable strategy. At the next Board meeting, the choice should be evident.

Do the stacked boxes have different materials depending upon their height? Do the base and possibly the lower boxes want to be a different material than the upper boxes? These considerations should be studied by the architect and brought forward at the next meeting.

The applicant will need to produce character sketches that illustrate the choice of materials or the range of materials being considered. The Board emphasized the desire for a richness of materials and noted that stone and brick were commonly found on First Hill.

**EDG meeting #2:** The Board did not dwell on the type and nature of materials shown at the 2<sup>nd</sup> EDG meeting with the exception of recognizing the potential variations in detailing of the fenestration at the upper levels.

## **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 #1:** Use principles of crime prevention through environmental design (CPTED) to influence the decision making for the landscape and streetscape designs.

**EDG meeting #2:** The earlier guidance continues to apply.

**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-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 #1:** The Board requested more descriptive information showing how the services areas function. Where is the waste storage area? How will it be delivered to the recycling and garbage trucks? Will there be an exterior storage area on the alley?

**EDG meeting #2:** The earlier guidance continues to apply.

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

**EDG meeting #1:** See guidance for D-1.

**D-8 Treatment of Alleys. The design of alley entrances should enhance the pedestrian street front.**

**EDG meeting #1:** A considerable portion of the alley has exposure to Seneca St. Materials should wrap around the corner from Seneca into the alley.

**EDG meeting #2:** Based on a statement by a representative of Therapeutic Health Services, the Board requested that the applicant meets with its neighbor to solve issues of access from the alley. The applicant should provide a diagram of the relationship of the garage and driveways in the alley and intended vehicular movements. The Board noted the requirement to widen the alley by two feet.

**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 #1:** As design development occurs, the quality and placement of signage for the live/work or commercial spaces will be reviewed by the Board.

**EDG meeting #2:** The earlier guidance continues to apply to the proposed live/work units.

**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 #1:** The Board expects the submittal of a lighting plan for the exterior commercial spaces prior to the Recommendation meeting.

**EDG meeting #2:** The earlier guidance continues to apply.

**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 #1:** As design progresses, the character of the storefronts or live/work units facing Boylston Ave will need to meet the aspirations for a pedestrian oriented streetscape.

**EDG meeting #2:** Please see A-2 guidance.

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

**E. Landscaping**

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

**EDG meeting #1:** Other than offering vicinity photos and some text, the applicant has not fully investigated the context in which landscaping choices should be considered. How do the insights from this analysis inform the design? Is the proposal a tower in a garden or does it evoke a more traditional urban pattern in which the building sits close to the adjacent streets?

**EDG meeting #2:** Although the Board did not discuss this guideline at the second EDG meeting, it will continue to have relevance as the design evolves.

**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 #1:** The concerns noted by the public and the Board as reflected in the guidance provided in A-2, A-6, A-7 and E-1 should influence the decision making as the landscape design develops.

## **DEVELOPMENT STANDARD DEPARTURES**

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

At the time of the first Early Design Guidance meeting, the following departures were requested:

1. The applicant proposes a departure from SMC 23.45.518 requiring lot lines abutting neither a street nor alley to have a minimum 20 foot setback above 45 feet. The applicant initially requests a 15' setback above 150 feet on the south side.
2. The applicant proposes a departure from SMC 23.45.518 requiring lot lines abutting a street to have a 10' minimum setback above 45'. The applicant diagrammed a five foot setback above 150' on the west side.
3. The applicant proposes a departure from SMC 23.45.518 requiring lot lines abutting neither a street nor alley to have a seven foot average (five foot minimum) setback at or below 45'. The applicant proposes a two foot setback on the ground floor and 15' setback on floors two through four.

In order to provide meaningful consideration of the departure requests, the Board requested more information regarding the impacts of this project to future construction around it. The setbacks on the south and west sides, the non-street conditions, would have the most impact on existing and future development of the adjacent sites. The Board also noted its concern about the setback departure close to the Hilltop Court after the representative spoke in opposition to it.

By the second EDG meeting, the applicant identified one departure from the land use code which reiterated the # 3 request from the earlier meeting. The Board preferred to wait and see how the negotiation between the Hilltop Court and the applicant proceeded.

## **MASTER USE PERMIT APPLICATION**

The applicant revised the design and applied for a Master Use Permit with Design Review and SEPA components on August 29, 2012.

## **DESIGN REVIEW BOARD RECOMMENDATION**

The Design Review Board conducted a Final Recommendation Meeting on February 20, 2013 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**

At the Recommendation meeting eighteen members of the public affixed their names to the sign-in sheet. The speakers raised the following comments:

- Representatives of Hilltop Court support the code complying option rather than the departure. They would like to protect their property line.
- Noise produced by the residents on the proposed deck facing south will bother the Hilltop Court residents.
- Granting the departure will compromise the building rights of the Hilltop Court.
- The balconies risk becoming storage areas. The balconies should be eliminated. (Several speakers repeated this sentiment.)
- Balconies above five stories are useless amenities.
- Residents of First Hill Plaza will lose views of Lake Union. Several modifications to the design would open up views. 1) Lower the height of the amenity from 15 to ten feet; 2) reduce the height of the mechanical screening to align with the top of the equipment; 3) shift the amenity area and mechanical equipment to the west in order to provide views parallel to Boylston Ave. These actions will preserve views to Lake Union.
- Please consider glare impacts from all of the proposed structure's glazing.
- Provide enough parking to accommodate one space per dwelling unit at the very least.

By the Recommendation meeting, DPD received several additional letters. The themes reiterated many of those described in the earlier public comments and letters.

## **Site Planning**

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

**Recommendation Meeting:** Directed to increase the amount of transparency along the Seneca street level, the architects increased the amount of glazing and proposed a wall of fixed, terra cotta louvers in front of the generator room.

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

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

**Recommendation Meeting:** Revisions in response to the earlier guidance for a greater connectivity between the interior life of the building and street activity illustrate somewhat more glazing. This satisfied the Board. Staff note: The row of trees and wide planting area between the windows and the sidewalk along with the series of back of house functions along Seneca creates a realm much less interactive than the Boylston street front.

### **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.**

**Recommendation Meeting:** An increase in the depth of the landscaping at the second floor terrace addresses some of the concerns about the proximity of the proposed

structure to the Hilltop Court. The Board approved the departure for the smaller setback from the property line at the lower level.

See B-1 guidance for a discussion of the roof top.

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

**Recommendation Meeting:** See Board guidance for D-1, Pedestrian Open Spaces and Entrances.

- 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.**

**Recommendation Meeting:** See Board guidance for D-1.

## **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.**

**Recommendation Meeting:** The Board, in response to public comment, considered modifications to the roof noting that reducing the heights of the amenity area and the screens surrounding the mechanical equipment would demonstrate an act of neighborliness. The applicant should also consider relocating some of the mechanical equipment to the garage.

A shift of the amenity space and the mechanical equipment from the east to the west to create a view to Lake Union for some residents in First Hill Plaza would entail significant reworking of the proposal's massing. The Board noted that it had asked for modifications to the mass at an earlier meeting and the applicant responded positively to these. It would be problematic to change the massing at this point since the overall concept was acceptable at the 2<sup>nd</sup> EDG meeting.

## **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.**

**Recommendation Meeting:** See the Board's discussion of the terra cotta frames under the guidance for C-3.

- 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.**

**Recommendation Meeting:** After listening to public comment, the Board discussed the balconies and concluded that the design with its enclosing glass walls and two foot projection beyond the larger building mass was a clever solution to inclement weather and winds at greater heights. The Board urged the applicant to provide well secured bike storage areas to minimize the placement of bikes on the balconies.

The revisions to the alley and south podium facades met with the Board's acceptance.

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

**Recommendation Meeting:** Although the terra cotta frames that form the suggested podium facing Seneca and Boylston act to reduce the scale of the tower, the frames, particularly above the first floor, possess an unintended sense of monumentality. To reduce this scale and the starkness of the void/solid relationship formed by the alternating piers and fenestration, the Board recommended that the architect introduce more detailing at the three upper levels to create a secondary or intermediary condition that responds to the larger frames and the fine grain of the ground floor. One strategy may include installation of a spandrel, solid in appearance, to express the floor level changes.

**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.**

**Recommendation Meeting:** The Board did not elaborate on the choice of materials.

**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.**

**Recommendation Meeting:** Identifying the formal residential entry area as unresolved and non-urban in character, the Board recommended eliminating the four trees at the corner for a larger more capacious pedestrian oriented plaza. Combined with revisions to the canopy, the design should act as a gathering space.

The entry canopy does not need to engage with the terra cotta piers on Seneca St; however, its structural expression ought to echo the asymmetry of its form and visually exude a sense of thrust. The canopy and the landscaping at the plaza should work as one coherent tableau.

**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.**

**Recommendation Meeting:** Because the Board endorsed the departure request, the solid waste storage and loading areas met expectations.

**D-8 Treatment of Alleys. The design of alley entrances should enhance the pedestrian street front.**

**Recommendation Meeting:** See guidance for D-6.

**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.**

**Recommendation Meeting:** See guidance for D-1.

**E. Landscaping**

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

**Recommendation Meeting:** Connecting the need for resident privacy at the Hilltop Court to the departure request for the setback at grade, the Board recommended a wider landscape buffer at the second floor terrace overlooking the south property line.

**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.**

**Recommendation Meeting:** Other than recommending changes to the design of the entry plaza and the second floor terrace, the Board appeared satisfied with the overall landscape plan.

**Board Recommendations:** The recommendations summarized below were based on the plans submitted at the February 20th, 2013 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 February 20th 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. High Rise Setbacks SMC 23.45.518	At lot lines abutting neither a street nor alley: Portions of a structure 45' or below: 7' average; 5' minimum.	At the lot line abutting the neighbor to the south: portions of a structure 45' or below: 2' setback on the ground floor and 15-20' setback on floors 2-4.	<ul style="list-style-type: none"> <li>▪ Allows for a more generous separation between the upper levels of the podium and the neighboring building to the south. Guideline A-5.</li> </ul>	Approved contingent on Condition # 1.

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

- 1) Increase the depth of the landscaping at the second floor terrace to address the concerns about the proximity of the proposed structure to the Hilltop Court. (A-5)
- 2) To reduce the scale and the starkness of the void/solid relationship formed by the alternating piers and fenestration of the terra cotta plinth introduce more detailing at the three upper levels to create a secondary or intermediary condition that responds to the larger terra cotta frames and the fine grain of the ground floor. One strategy may include installation of a spandrel solid in appearance to express the floor level changes. (C-3)
- 3) Eliminate the four trees at the corner for a larger more capacious pedestrian oriented plaza. Combined with revisions to the canopy, the design should act as a gathering space. (D-1)
- 4) The entry canopy's structural expression ought to echo the asymmetry of its form and visually exude a sense of thrust. The canopy and the landscaping at the plaza should work as one coherent tableau. (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 51.5 feet and will consist of an estimated 27,700 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Future phases of construction will be subject to the same regulations. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

### Construction Impacts

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

### Traffic and Parking

Duration of construction of the tower 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 27,700 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 2,760 round trips with 10-yard hauling trucks or 1,380 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.

Truck access to and from the site shall be documented in a construction traffic management plan, to be submitted to DPD and SDOT prior to the beginning of construction. This plan also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular consideration given to maintaining pedestrian access along Boylston Avenue and Seneca Street.

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, public view protection, historic preservation, shadows on public spaces, and glare impacts warrant further analysis.

### Historic Preservation

The proposed structure lies directly across Boylston Avenue from the city historic landmark, the Seattle First Baptist Church (1910). Based on the Landmarks Preservation Board staff review, the Department of Neighborhoods (DON) does not require mitigation from the project.

### Public View Protection

In order to protect views of Seattle's natural and built surroundings, the City has developed particular sites and corridors for public enjoyment of views. It is the City's policy to protect public views of historic landmarks designated by the Landmarks Preservation Board which, because of their prominence of location or contrasts of siting, age, or scale are easily identifiable visual features of their neighborhood or the City and contribute to the distinctive quality or identify of their neighborhood or the City. SEPA public view protection policy is stated in SMC 25.05.675P.

The applicant provided views studies with images of the proposed structure along Seneca St. as a vehicle or pedestrian approaches the Seattle First Baptist Church. Analysis of the images illustrates some view blockage to the landmark's west or side façade. As one approaches the church, the intervening parking lot allows the view to widen capturing the entire elevation. DPD does not consider the view blockage significant to warrant mitigation.

### Shadows on Open Spaces

SEPA section SMC 25.05.675Q states that access to sunlight represents an amenity of public open spaces, which acknowledges the possibility of designing and locating structures to minimize the extent to which they block light from public open spaces. First Hill Park adjacent to the Stimson Green House lies approximately two blocks from the proposal. Shadow studies provided by the architect show that the shadows generated by the proposed structure would not strike the park during the summer and winter solstice.

### Glare

SEPA section SMC 25.05.675K, Light and Glare, serves to protect motorists, pedestrians and surrounding areas from adverse affects from lighting and/or reflective surfaces. City policies authorize the department to condition or deny a proposed project to mitigate its adverse impacts due to light and glare. The applicant's computer analysis indicates that glare impacts from the proposal on nearby buildings would be modest and, in some cases, improved due to shadows cast by the structure. Glare impacts do not warrant mitigation.

### Greenhouse Gas Emissions

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

### Traffic and Transportation

The proposed apartment development would generate approximately 490 new daily vehicular trips with 46 week day PM peak hour trips. The additional peak hour traffic would be relatively small and produce a minor impact on the nearby intersections. The two un-signalized intersections at the alley also would not degrade to an unsatisfactory level of service. The project is not expected to result in any adverse impacts to site access or local area traffic operations.

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

### Parking

Per Seattle Municipal Code (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 174 parking spaces in a below-grade garage with access from the adjacent alley. The transportation consultant, Heffron Transportation, Inc., estimates that vehicle ownership rates for this area of First Hill is approximately 60 percent (or .6 vehicles per unit. Peak parking demand is estimated at 158 vehicles overnight on weekdays. The 174 spaces provided in the garage should adequately accommodate residential demand. Some parking demand generated by visitors to project residences would likely occur at meter on-street spaces or in nearby pay lots.

The removal of a temporary pay surface lot currently on the site would displace approximately 32 vehicles observed at 11:00 AM and fewer vehicles that park there in the evenings. Other pay lots in the area and/or on-street parking (if demand is for short-term parking of two hours or less) could potentially accommodate this demand. The project is not expected to result in significant adverse impacts to local parking supply.

No SEPA mitigation of parking impacts is warranted. Based on SMC section 25.05.675M.2.b.2, no SEPA authority is provided for the decision maker to mitigate the impact of development on parking availability for residential uses located within the Capitol Hill/First Hill Urban Center.

### Summary

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

### **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this

declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

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

## **CONDITIONS – DESIGN REVIEW**

### *Prior to MUP Issuance*

#### Revise plans sets to show:

1. Increase the depth of the landscaping at the second floor terrace to address the concerns about the proximity of the proposed structure to the Hilltop Court.
2. To reduce the scale and the starkness of the void/solid relationship formed by the alternating piers and fenestration of the terra cotta plinth introduce more detailing at the three upper levels to create a secondary or intermediary condition that responds to the larger terra cotta frames and the fine grain of the ground floor. One strategy may include installation of spandrels, solid in appearance, to express the floor level changes.
3. Eliminate the four trees at the corner for a larger more capacious pedestrian oriented plaza. Combined with revisions to the canopy, the design should act as a gathering space.
4. The entry canopy's structural expression shall echo the asymmetry of its form and visually exude a sense of thrust. The canopy and the landscaping at the plaza should work as one unified entrance.

### *Prior to Building Application*

5. 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*

6. 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*

7. 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

8. 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

9. 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

10. Provide a construction worker parking plan with the intent to reduce on-street parking.
11. Submit a construction traffic management plan to be reviewed and approved by SDOT and DPD. The plan shall, at a minimum, identify truck access to and from the site, pedestrian accommodations, and sidewalk closures. Large trucks (greater than two-axle) shall be prohibited from entering or exiting the site between 3:30 P.M. to 7:00 P.M.

During Construction

12. 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.
13. 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.

14. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

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) Date: March 21, 2013  
Bruce P. Rips, AAIA, AICP  
Department of Planning and Development

BPR:bg

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