



City of Seattle

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

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

Project Number: 3013283

Applicant Name: Jeff Reibman of Weber Thompson Architects for Urban Evolution, LLC

Address of Proposal: 714 East Pike Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow two, 7-story structures with a total of 270 residential units and six live-work units and 19,090 sq. ft. of retail space over a three level sub grade parking garage for 225 vehicles. Project includes 55,000 cu. yds. of grading. Portions of existing character structures at 714 E Pike St to remain, all other structures to be demolished.

The following Master Use Permit components are required:

Design Review Departures (SMC Chapter 23.41)

Development Standard Departure to allow height area incentive throughout the site (23.73.010.B.2.b and 23.73.014.B.3)

Development Standard Departure to allow floor area and height incentive throughout the site (23.73.010.B.2b)

Development Standard Departure to allow wider than 50' street level retail use (SMC 23.73.008.C.3)

SEPA-Environmental Determination (Chapter 25.05 SMC)

DPD SEPA DETERMINATION:

Determination of Non-significance

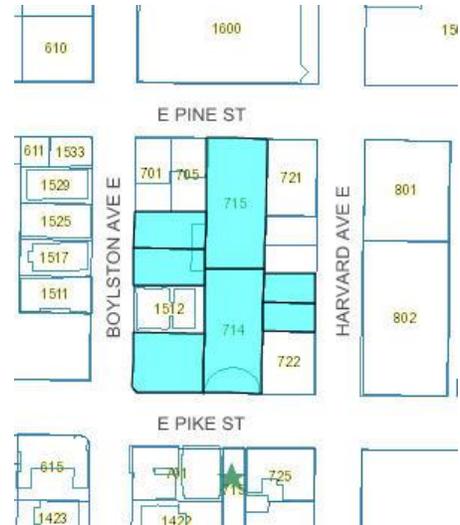
- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts

Current Development:

The site is located in the Capitol Hill neighborhood bounded by the designated principal pedestrian streets of East Pike St. to the south and East Pine Street to the north, and Boylston Ave. and Harvard Ave. to the east and west.

Due to the unique configuration of the lot, there is some limited street frontage on all four streets. The site slopes downward from east to west approximately 19 feet, and from north to south approximately ten feet.

The site is occupied by two one-story buildings and surface parking. One of the existing buildings is a character building in the Pike Pine Overlay District (curved BMW façade on Pike Street). The existing buildings have been used for automotive sales and services for their entire lifespan.



Access:

Existing vehicular access is via curb cuts on each of the street frontages. Pedestrian access is from the street frontages on E. Pine St and E. Pike St.

Surrounding Development and Neighborhood Character:

Structures adjacent to the site include a three-story early 20th century residential building and several early 20th century one-story commercial buildings.

Nearby development includes theaters and Seattle Central Community College offices across the street to the east, Seattle Central Community College to the north, residential buildings to the west, and a mix of residential and commercial buildings to the south.

Nearby areas include a wide range of uses, architectural styles, and age of buildings. The site is located in the Pike Pine Overlay District, which includes additional regulations for structures older than 75 years old.

Pike and Pine Streets are commercial corridor connecting downtown with the eastern areas of Capitol Hill. Nearby development includes 1-5 story commercial and mixed-use structures, as well as Seattle Central Community College. This street includes a high level of transit service.

Harvard Avenue includes theater uses, offices, restaurants, and bars. Boylston Avenue is a quieter predominantly residential street with early 20th century multi-family buildings and some surface parking lots.

Cal Anderson Park is located two blocks to the east and offers a wide variety of recreational opportunities as well as the future Capitol Hill Light Rail Station.

EARLY DESIGN GUIDANCE MEETING: June 20, 2012

Design Review Board Chair Wolf Saar began the meeting by disclosing his past professional connections to the applicant and developer. Mr. Saar stated that he did not feel he had a conflict of interest and could fairly review the proposal.

Design Review Board member Chip Wall noted near the end of the meeting that he considered recusing himself because he lives across the street, but he feels he can review the project without bias. DPD will check with Ethics and Elections to make sure there are no potential ethics violations due to his residential proximity to the site.

The packet includes materials presented at the meeting, and is available online by entering the project number (3013283) at this website:
http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The packet is also available to view in the file, by contacting the Public Resource Center at DPD:

Mailing Public Resource Center
Address: 700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

The applicant provided a physical model to demonstrate the proposed massing in the context of the adjacent blocks.

The proposed mid-block connections would be open to the public and intentionally designed to invite people into the site. The north-south connection would be flat. The east-west connection includes some grade change across the site, with direct visual connections through the site. The separation between buildings in this area would range from approximately 42' to 70'. The façade of the character structure on Pike Street would be modified with skylights to increase visibility into the storefront area from the street front.

The interior of the site would be designed with glassy retail spaces at grade and upper level residential units set back from the retail spaces. "Flexible commercial" spaces would be located at the street frontages on Boylston Ave and Harvard Ave. The applicant noted that they are considering a retail and commercial program that will suit this site and proposed circulation. The spaces labeled "flexible commercial" would be intended to serve as retail that could easily be configured into smaller or larger tenant spaces, or serve as live-work spaces. The goal is to maximize commercial or live-work functionality and human activity at the street level.

The upper level street facades would include a setback at the top floor in order to reduce the appearance of mass and relate the scale to the nearby context.

The proposed design concept would be contemporary, with façade references to adjacent datum lines.

Departures were proposed related to retention of the character structure, as described in the Departures section at the end of this document. Departures related to retention of Pike Pine character structures are subject to the criteria in SMC 23.41.012.E.

PUBLIC COMMENT

The following comments, issues and concerns were raised during public comment:

- Pike Pine Urban Neighborhood Council (PPUNC) submitted a letter to follow up on the discussions with the applicant in advance of the EDG meeting.
 - The letter included support for the proposal as meeting the intent of the Pike Pine Overlay, the modifications to the character structure are reasonable, the massing is appropriate to the neighborhood fabric, and the mid-block connections are a positive aspect of the design.
 - The letter recommended that the applicant carefully design the mix of commercial uses (a “curatorial and entrepreneurial” approach), supported mid-block connections clearly open to the public and activated with uses around the clock (residential and commercial), and encouraged that the plazas create opportunities to linger.
 - The letter advised that the open space next to the character structure should be designed to be responsive to context, included recommendations for flexible retail space design, and advised that the applicant should strive to address the Capitol Hill Housing Eco-District Report in this design.
 - Staff note: A copy of the full letter is available in the application file at DPD.
- Support for the proposed design concept and preservation of the BMW façade.
- The column in the center of the character structure with catenary lights should not obscure views of the façade.
- Typically a strong street wall is desirable, but carving away the façade at the arcade entries on Pine, Harvard, and Boylston is a positive design move at this location.
- The upper building mass should be set back at least to the second or third floor in order to create light bright open areas.
- The design should provide light and air to the Starbird residential building.
- The mid-block connection can help to enhance the area as a shopping district, but the entry points and interior will have to be carefully curated to create active retail.
- The mid-block connections should be guaranteed to remain public spaces in perpetuity.
- The new building between Olive-Bellevue-Denny with an entry on Olive is a good example of how to design new construction in context with older adjacent structures.
- The mid-block connections need to be designed for light and air.
- The Pine St entry point to the arcade needs to have visual cues to bring shoppers inside the site (perhaps a shop would visually cue to internal retail, instead of a restaurant).

- This site is most important to the history of the auto row area in the Pike Pine neighborhood and the proposal isn't doing enough for historic preservation of the iconic building; the design needs to reflect the auto row history.
- The mid-block passages are inconsistent with the character of the Pike Pine District.
- The monolithic mass will dominate the neighborhood, the modulation is insufficient, and the building will take away the view of the church to the south.
- The proposed departure for additional height on the north building is inconsistent with the Pike Pine Overlay.
- Asserted that Design Review Board Chair Wolf Saar should recuse himself.
- The facade treatment should include high quality materials for the entire height of the building, rather than change to a cheap material above the fourth story or similar strategy.
- The site could be developed with one building and not require any departures. The proposed departure is directly related to providing mid-block connections, so it appears to be warranted.
- The mid-block connections need to be carefully designed and maintained to create active retail spaces and avoid unsafe loitering.
- The Pike Pine conservation overlay intended preservation of more of the character structure than this proposal. The interior spaces with the high ceilings and timbers are the type of development that foster retail in the Pike Pine area, and these spaces should be preserved for the full depth of the character structure.

FINAL RECOMMENDATION MEETING: December 4, 2012

The packet includes materials presented at the meeting, and is available online by entering the project number (3013283) at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The packet is also available to view in the file, by contacting the Public Resource Center at DPD:

Mailing Public Resource Center
Address: 700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

The materials include Ceraclad and glass at the upper levels, with some vertical metal panels. The street level includes two colors of brick to differentiate the two buildings. The light fixture design is intended to reference the fluorescent tube lighting in the historic garage buildings and will be used as catenary lighting in the mid-block connection plazas.

The live-work units would include operable blinds (top down, bottom up shades) that allow residents to limit eye-level views into the unit, while maintaining upper level transparency into the units.

The mid-block connection would likely be open from approximately 6:00am to 10:00pm. A gate is proposed at the Pine Street elevation and lockable doors to the retail area are proposed at the Pike Street location. Roll-up doors that convert to awnings are proposed at the Harvard Avenue and Boylston Avenue mid-block entries.

The character structure would be modified to restore and enhance the Pike Pine characteristics of the building, including restoring some of the façade decoration, reclaimed wood to create a ceiling inside the building, baring the original concrete columns in the interior space, and adding a mezzanine balcony (similar to the Melrose Market renovations). The rear of the existing character structure is currently solid masonry, but would be modified to create a wall of fenestration, with a shorter addition to the back of the building, also highly glazed. The modified back of the character structure and the addition would reference the historic style of glazing for Pike Pine buildings (multi-paned fenestration, steel beams, and large pivoting storefront windows). The intent of these modifications to the character structure is to engage the character structure with pedestrian activity in the mid-block connections.

PUBLIC COMMENT

The following comments, issues and concerns were raised during public comment:

- The live-work units should include some form of visually interesting pieces or art work to create visual interest at the live-work units that may be shuttered in the evenings.
- The upper floors should include additional color to respond to the livelier character on Pike and Pine.
- PPUNC provided a letter including:
 - Support for the mid-block connection.
 - The materials should be used consistently at the upper and lower levels, given the context of the Pike Pine neighborhood.
 - The proposed materials are high quality, and the built project should reflect the same materials as proposed with the Recommendation packet.
 - Staff note: A copy of the full letter is available in the application file at DPD.
- Appreciation for the effort of the applicant team in working with the neighborhood.
- The departures are warranted due to the mid-block connections and quality of the public spaces. If granted, the departures shouldn't create any precedent for future developments seeking the same departure.
- Harvard Ave is not a residential block and putting residential uses at grade on that street level may be a challenge.
- The Harvard Ave mid-block connection entry needs to be more visually dynamic to enhance the visibility of that pedestrian entry.
- The mid-block connections need to be designed, operated and maintained to enhance security.
- The design concepts of the mid-block connections and character structure should be carried into the upper level building design.
- The upper building levels should reflect the quality and expression of the Pike Pine neighborhood.
- The courtyard and facades facing Linda's Tavern should be designed to minimize sound reflection.
- The building entries should be designed in consideration of the various sizes and locations of street trees.

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance.

EARLY DESIGN GUIDANCE (JUNE 20, 2012):

Dennis Meier from DPD attended to answer questions about the Pike Pine Overlay requirements and related departures.

DPD Clarification: the character structure is only half the depth of the block. The northern structure was constructed later and is not part of the character structure.

1. **Character Structure:** The existing skylights and clerestory with the tall ceiling heights and timbers are characteristic of the types of retail spaces that flourish on Capitol Hill. The proposed modification to the character structure would result in a lower ceiling height in the mid-block connection from Pike Street.
 - a. The Board encouraged the mid-block connections to maximize the clearance from grade to any building areas above the walkways, in order to provide light and air and encourage human activity in the mid-block connections. (A-1, A-4, D-1)
 - b. The Board noted that preserving the full height of the character structure for the depth of the structure could be combined with an internal circulation point for the residences, as well as provide commercial spaces that may be better suited for small local retailers. (A-4, D-12)
2. **Massing/Height Bulk Scale:**
 - a. The upper levels of the building should be designed consistent with the overall building quality. (B-1, C-2)
 - b. The design should not ‘marginalize’ the upper building levels in order to reduce the appearance of upper mass at the exterior or interior facades. (C-2)
 - c. Use techniques such as upper level setbacks, modulation, high levels of glazing, or other efforts to reduce the scale at the interior facades. The techniques should result in a scale that approximates the height that would be allowed without proposed Departure #1. (B-1, C-1, C-2)
 - d. Demonstrate how the interior facades will provide human scale appearance. (C-3)
 - e. On the north building, the Board noted that it will be more challenging to reduce the scale of the large L-shaped building with materials and articulation. The Board recommended that the north building should be carefully treated to reduce the scale, and that articulation and materials should relate to the overall design and building mass. (B-1, C-2)
3. **Through Block Connections; Gateway/Entry Design – Signage, etc.:**
 - a. The entries to the mid-block connections from the street frontages should be designed to maximize visual height, create an inviting space, and enhance retail uses. (A-2, A-3, D-7)
 - b. The entries to the mid-block connections should be designed to enhance the streetscape with both current and future adjacent development. (A-2)

- c. The Pike Pine mid-block connection needs more design development to demonstrate that it will be clearly open to the public as a connection for the public. The entry points from the street to the Pike-Pine mid-block connection should be clearly distinguishable from the rest of the street level façade, similar to the BMW entry design concept. (A-3)
4. **Retail/Live-Work:**
- a. All commercial uses at grade (retail and “flexible commercial”) should be designed with maximum transparency for human activity at the street and mid-block connections. (A-2, A-4, D-9 ,D-10, D-11)
 - b. If live-work uses are proposed, the applicant should demonstrate how the design will achieve maximum transparency at grade, while being sensitive to the need for residents’ privacy in these units. (A-4, D-11)
 - c. The commercial spaces should be designed to be truly flexible over time. (A-2)
 - i. One strategy is to design the spaces for easy separation to small tenant spaces, or combination to larger tenant spaces.
 - ii. Minimum depths and ceiling heights are important aspects of flexible commercial spaces.
 - d. The commercial spaces should be designed to have a comparable granularity to nearby Pike Pine commercial development, such as small storefronts and grouped entries with areas to ‘pause’ between grouped entries. (A-2, A-4, C-1, D-1)
5. **Respect for Adjacent Sites:**
- a. The proposal should be designed to maintain privacy, light, and air for the residential building on Boylston (Starbird Apartments). (A-5)
 - b. The facades facing the adjacent residential building should be articulated and set back to create a human scale for Starbird residents facing the proposal. (A-5, B-1, C-2, C-3)
 - c. The west courtyard entry should be designed to create a sensitive transition to the Starbird Apartment building and entry on Boylston, as well as create a transition opportunity for any future development at that site. (A-2, A-3, A-5, C-1, C-2, E-2)
6. **Materials:**
7. Materials should be permanent, durable, and graffiti-resistant. The Board noted that large areas of glazing, steel, and brick, are examples of desirable nearby contextual materials. (C-1, C-4)
 8. The application of materials to the façade should be consistent with the design strategy. (Ex. material changes should occur consistent with articulation and modulation.) (B-1, C-2, C-4)
 9. The materials palette should be simple and provide for a cohesive design, but differentiate the two buildings to avoid the impression of a campus. (B-1, C-2, C-4)
 - On the south building, the Board directed that the materials should accentuate the design as three distinct modules rather than one large building. (B-1, C-2)

FINAL RECOMMENDATIONS (DECEMBER 4, 2012):

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following recommendations.

1. Materials and articulation at the upper floors related to overall design concept:

- a. The Board noted that the proposed materials are durable, integral color, and express the building mass well. (A-2, B-1, B-3, C-1, C-2, C-4)
 - i. The large amount of fenestration contrasts well with the other solid durable materials.
 - ii. The proposed colors aren't 'trendy,' which will result in an overall design that fits with the character of the Pike Pine neighborhood.
 - iii. The mottled color metal panels will provide some interesting color on the building, but will be consistent with the overall design concept.
- b. The proposed design concept fulfills the design intent of providing a backdrop for the character structure and street level facades. (B-3, C-2, C-4)
- c. The Board noted that the façade above the character structure could be more muted to better enhance the character structure, but they declined to recommend a condition. (B-3, C-2, C-4)

2. Through Block Connections:

- a. The Board discussed the proposed strategy that converts the rollup doors to overhead weather protection when the doors are open.
 - i. The Board expressed some concern that the weather protection function is removed when the gate is lowered at the east and west mid-block entries, but declined to recommend a condition. (A-2, C-2, D-1)
- b. The Board advised the applicant to design the E. Pine St commercial space to be as porous as possible (operable windows, etc.) to activate the street frontage. The Board declined to recommend a condition for this item. (A-2, A-3, A-4)

3. Live-work units:

- a. The Board noted that live-work units are proposed adjacent to the east and west mid-block connections. (A-4, D-1)
- b. The Board discussed the need for enhancing the flow of commercial foot traffic near these 'portals,' and recommended a condition that the live-work units and entries to the east and west portals be modified to further reflect the retail nature of the interior courtyard spaces. (A-2, A-4, D-9, D-10, D-11)
 - i. The Board noted that possible solutions could include:
 1. Creating a more 'commercial' appearance for the live-work units adjacent to the portals;
 2. Treating the facades of live-work units facing the portals with visually interesting materials; and
 3. Using visual cues in the open spaces near the portals to indicate the retail uses in the middle of the site.
- c. The Board supported solely commercial uses rather than live-work on Harvard Ave and Boylston Ave, given the street level activity and context, but declined to recommend a condition. (A-2, A-4, D-9, D-10, D-11)

DESIGN REVIEW GUIDELINES

The Neighborhood specific guidelines are summarized below. For the full text please visit the [Design Review website](#).

- 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.
- Pike/Pine: Characteristics and opportunities to consider in Pike/Pine include both views and other neighborhood features including:**
- A change in street grid alignment causing unique, irregular-shaped lots, including Union and Madison and 10th and Broadway Court
 - “Bow tie” intersections at 13th/14th between Pike/Pine/Madison
- A-2 Streetscape Compatibility.** The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.
- 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.
- 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-8 Parking and Vehicle Access.** Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.
- 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.
- B-3 Pike/Pine: Integration of Character Structures in New Development** (Supplemental guidance especially for properties located within the Pike / Pine Conservation Overlay District.)
- a. Develop a design concept.
 - b. Do not overpower the character structure.
 - c. Express the relationship between the character structure and new portions of the project.
 - d. Emphasize the streetscape.
 - e. Align features of the character structure with features of new portions of the project
 - f. Consider design treatments that anchor the new structure to the streetscape.

- B-7 Conservation of Character Structures (Supplemental guidance especially for properties located in the Pike/Pine Conservation Overlay District.)**
- a. Maintain the architectural integrity of the character structure.**
 - b. Maintain Character-Defining Elements.**
 - c. Recognize the priority for maintaining the original floor-to-ceiling heights in character structures, especially for the ground floor and for features visible from the exterior.**
 - d. Sensitively locate additions so they do not dominate the appearance of the character structure.**
- 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.**
- Pike/Pine:** The Pike/Pine vernacular architecture is characterized by the historic auto-row and warehouse industrial features of high ground floor ceilings and display windows, detailed cornice and frieze work, and trim detailing. Architectural styles and materials that reflect the light-industrial history of the neighborhood are encouraged.
- 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.**
- C-3 Human Scale. The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.**
- Pike/Pine:** In order to achieve good human scale, the existing neighborhood context encourages building entrances in proportion with neighboring storefront developments.
- C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.**
- Pike/Pine:** New developments should respond to the neighborhood's light-industrial vernacular through type and arrangement of exterior building materials. Preferred materials include: brick, masonry, textured or patterned concrete, true stucco (DryVit is discouraged) with wood and metal as secondary, or accent materials.
- 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.**
- 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-5 Visual Impacts of Parking Structures. The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.

Pike/Pine: Incorporate vertical landscaping (trellises) or artwork as screens where feasible. Parking structures should provide commercial or other pedestrian-oriented uses at street level.

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.

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

Pike/Pine: Lighting installed for pedestrians should be hooded or directed to pathways leading towards buildings.

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.

Pike/Pine:

a. Promote the pedestrian environment.

b. Reflect the special neighborhood character.

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.

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

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

E-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.

Pike/Pine: The creation of small gardens and art within the street right-of-way is encouraged in the Pike/Pine neighborhood in order to enhance and energize the

pedestrian experience. This is especially desirable for residential and mixed use developments as well as a means to distinguish commercial areas from institutional areas. Providing vertical landscaping, trellises or window boxes for plants is also desirable. Street greening is specifically recommended along the following streets:

- Avenues between Union and Pike Streets, from Minor Avenue on the west to Harvard Avenue on the east;
- Along Bellevue, Summit, Belmont, and Boylston (except from Pike to Pine)
- Union Street from Boren to Broadway
- Avenues between Pike and Olive Streets from 11th Ave. on the east to 14th Ave. on the west including Pine from 14th and 15th and Olive from 11th to 15th (except along 14th Ave. from Pine to Pike)

DEVELOPMENT STANDARD DEPARTURES

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

- 1. Floor Area Ratio and Height for retaining character structures (SMC 23.73.010.B.2.c.3 and 23.73.014.B.2.c):** The Code requires that in order to qualify for a 25% increase in floor area and a 10' increase in height, the original floor to ceiling height of the ground story of the character structure must be maintained for the full depth of the structure. The floor to ceiling height of the existing structure ranges from 18' near the north and south edges to 24' in the middle of the structure. The applicant proposes to provide a consistent height of 22', except to retain the 9' height near the Pike Street façade, and to modify the back of the building to provide open area. A mezzanine would also be located approximately 13' above the floor level inside the structure.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines B-3 and C-1 by enhancing the character structure, making modifications to the character structure to integrate the old and new portions of the development, and by enhancing human activity at the north end of the character structure.

The Board unanimously recommended that DPD grant the departure, subject to the condition listed at the end of this report.

- 2. Floor Area Ratio and Height for retaining one character structure (SMC 23.73.010.B.2.b and 23.73.014.B.3):** The Code requires that one character structure must be retained in order for one building to qualify for a 25% increase in floor area and 10' additional height. The applicant proposes to retain the only character structure on site, but distribute the 25% increase in floor area and 10' height among both proposed new structures on site.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-4, B-3, C-1, and D-1 by enhancing the character structure, making modifications to the character structure to integrate the old and new portions of the

development, providing mid-block connections across the site, and by enhancing human activity in the character structure and throughout the site.

The Board unanimously recommended that DPD grant the departure, subject to the condition listed at the end of this report.

- 3. Street Level Uses - Retail Width (SMC 23.73.008.C.3)** The Code requires that the length of street frontage for each business in a new structure may not exceed 50 feet. The applicant proposed one retail space on E. Pine St that is 59' wide.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-1, D-1, and D-11 by creating a highly transparent commercial space with a design that responds well to the grade change at E. Pine St. The Board also noted that the one larger commercial space provides variety in context with the number of small commercial spaces proposed across the site.

The Board unanimously recommended that DPD grant the departure, subject to the condition listed at the end of this report.

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated December 5, 2012, and the materials shown and verbally described by the applicant at the December 5, 2012 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the three Design Review Board members recommended APPROVAL of the subject design and departures, with the following condition:

1. The live-work units adjacent to the mid-block connections and the pedestrian entrances to the east and west mid-block connections should be modified to indicate the retail activity at the interior courtyard spaces. (A-2, A-4, D-9 ,D-10, D-11)

Applicant response to Recommended Design Review Conditions:

1. The live-work units and mid-block entries have been revised as shown in the MUP plans. The proposal satisfies condition #1.

DECISION – DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED** subject to the conditions listed below.

SEPA ANALYSIS

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated August 15, 2012. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans and any additional information in the file, and pertinent comments which may have been received regarding this proposed action have been considered.

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

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, *“Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation”* subject to some limitations.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for many short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. Additional discussion of short and long term impacts is found below.

PUBLIC COMMENT:

The public comment period ended on September 19, 2012. Comments were received in response to the design review aspects of the proposal.

Short Term Impacts

Air

Greenhouse gas emissions associated with development come from multiple sources; the extraction, processing, transportation, construction and disposal of materials and landscape disturbance (Embodied Emissions); energy demands created by the development after it is completed (Energy Emissions); and transportation demands created by the development after it is completed (Transportation Emissions). Short term impacts generated from the embodied emissions results in increases in carbon dioxide and other greenhouse gases thereby impacting air quality and contributing to climate change and global warming. While these impacts are adverse they are not expected to be significant. The other types of emissions are considered under the use-related impacts discussed later in this document. SEPA conditioning is not necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675.A.

Noise

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends. Some of the surrounding properties are developed with housing and will be impacted by construction noise.

The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM, unless modified through a Construction Noise Management Plan, to be determined by DPD prior to issuance of a demolition, grading, or building permit, whichever is issued first.

Construction Parking and Traffic

During construction, parking demand is expected to 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.

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The immediate area is subject to traffic congestion during the PM peak hours on California Ave SW and nearby arterials, and large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic.

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted.

To mitigate construction parking impacts and other haul truck trip impacts, the applicant shall submit a Construction Haul Route for approval by Seattle Department of Transportation and Construction Parking Plan for approval by DPD. These plans may include a restriction in the hours of truck trips to mitigate traffic impacts on nearby arterials and intersections. Evidence of these approved plans shall be provided to DPD prior to the issuance of demolition, grading, and building permits.

Long Term Impacts

Historic Preservation

The Department of Neighborhoods indicated the structures on site are unlikely to qualify for historic landmark status (Landmarks Preservation Board letter, reference number LPB 488/12). Therefore, no mitigation is warranted for historic preservation.

Parking and Traffic

As part of the environmental checklist, the project submitted a transportation analysis (Transportation Impact Analysis by TranspoGroup, 714 E Pike Street, dated August 2012) :

The project is expected to generate a net total of 800 daily vehicle trips, with 50 net new AM Peak Hour trips and 68 net new PM Peak Hour trips. Level of service analysis was performed for nearby intersections. That analysis showed that the project is expected to add a small amount of delay at each of the study intersections, but is not expected to significantly affect their overall operation.

DPD's Transportation Planner has reviewed the Traffic and Parking Analysis and determined that the additional peak hour trips do not contribute significant adverse impacts requiring mitigation. Accordingly, no mitigation of impacts disclosed in this section is required.

The Transportation Impact Analysis noted that the residential peak parking demand for this development is 177 vehicles and peak commercial parking demand is 18 vehicles. The proposed number of parking spaces (220) is anticipated to supply more parking than would be needed at peak demand times.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in the Capitol Hill Urban Center. This site is located in that Urban Center, and the project is mostly residential with some commercial. Regardless of the parking demand impacts, no SEPA authority is provided to mitigate impacts of parking demand from the residential components of this project, even if impacts were identified.

DETERMINATION OF NONSIGNIFICANCE

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

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

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

This DNS is issued after using the optional DNS process in WAC [197-11-355](#) and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

SEPA - CONDITIONS OF APPROVAL

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

1. The applicant shall provide a copy of a Construction Haul Route, approved by Seattle Department of Transportation, and a Construction Parking Plan approved by DPD.
2. If the applicant intends to work outside of the limits of the hours of construction described in condition #3, a Construction Noise Management Plan shall be required, subject to review and approval by DPD, and prior to a demolition, grading, or building permit, whichever is issued first. The Plan shall include proposed management of construction related noise, efforts to mitigate noise impacts, and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short-term transportation impacts that result from the project.

During Construction

3. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. This condition may be modified through a Construction Noise Management Plan, required prior to issuance of a building permit as noted in condition #2.

DESIGN REVIEW - CONDITIONS OF APPROVAL

Prior to Certificate of Occupancy

4. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).
5. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Shelley Bolser (206) 733-9067 or shelley.bolser@seattle.gov).

For the Life of the Project

6. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

Signature: _____ (signature on file) Date: April 11, 2013
Shelley Bolser, AICP, LEED AP
Senior Land Use Planner
Department of Planning and Development

SB:drm

H:\DOC\SEPA\Size of Construction\3013283\3013283.Reibman.UrbanEvolution.docx