



City of Seattle

Department of Planning and Development

Diane M. Sugimura, Director

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

Application Number: 3013571
Applicant Name: Jon Hall of GGLO
Address of Proposal: 528 Pontius Avenue North

SUMMARY OF PROPOSED ACTIONS

Land Use Application to allow a seven-story, residential building containing 118 dwelling units and 127 parking stalls. Review includes 15,000 cubic yards of grading.

The following approvals are required:

Design Review - Seattle Municipal Code (SMC) Section 23.41

SEPA - Environmental Determination pursuant to SMC 25.05

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions*

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

* Notice of the Early Determination of Non-significance was published on November 26, 2012.

PROJECT DESCRIPTION

The applicant proposes to design and construct a residential building with 118 dwelling units and 127 below grade parking spaces. The proposed demolition would remove a commercial structure.

The three massing concepts introduced to the public and the Design Review Board highlight the placement of open space both at or near grade and at the rooftop. The variations in the massing of the large cubic volume occur in the orientation of the courtyard. In Concept #1, the architect carves a seven-floor courtyard oriented to the south overlooking the adjacent playground and the yet to be built AMLI project. The second and third options oriented the courtyard to the east. As presented at the EDG meeting, the design team positions the rooftop amenity space at the volumes northwest corner to capture views of Lake Union and the Space Needle. In Concept #2 the courtyard remains enclosed on three sides by residential units. The fourth side opens toward a one-story building and a shared access easement. Concept # 3 allows the courtyard to slide underneath the upper floors and connect to Pontius Ave N. A wide, two-story aperture announces a gateway that at once becomes a mixture of semi-public and private open spaces. The covered western most space would have the most public presence. To the east, the space divides into lawn and front entrances to seven, two-story lofts.

The design's intention, to create a series of entrance porches or stoops along the Pontius Ave. and Mercer St. perimeter, has its most extensive articulation in Concept #2. Crenulated walls in plan form two-story entrances anchored by an amenity space at the corner of the two streets. Concepts #1 and 3 place the driveway to the below grade parking garage near the site's northeast corner off Mercer St., the busier of the two streets. In Concept #2 the curb cut and driveway shifts to Pontius Ave near the south property line. In all three schemes, the dwelling units are arranged in a fairly conventional double loaded corridor scheme.

By the Recommendation meeting, the architect responded to the earlier guidance and had refined Option # 3. A significant change occurred with the proposed enclosure of the roof top open space at the structure's northwest corner.

SITE & VICINITY

Located at the southeast corner of the intersection at Pontius Avenue and Mercer Street and within the South Lake Union Urban Center, the site consists of 20,800 square feet with 128' of frontage on Mercer St and 160' of frontage on Pontius Ave. N. The site's seven foot declension begins from the southeast and runs diagonally to the northwest. A one-story building occupies the southern portion of the site. The rest of the property contains surface parking.

The site possesses a Seattle Mixed / Residential with a 55 to 75' height limit (SM/R 55/75) zoning classification. The SM/R 55/75 zone extends south to John St. and east to Yale Ave N. SM 75 defines the area to the west of I-5 to Yale Ave N and extends west to the border of the Cascade Park. The Industrial Commercial with a 65' height limit begins at the alley between Minor Ave N Fairview Ave. N. and extends west.

The Cascade neighborhood represents a significant portion of the large South Lake Union area. In recent years, the low-rise warehouse, back office and industrial character of the neighborhood has dramatically changed with midrise development housing technology based companies and mid-rise residential buildings. AMLI Residential Partners have developed two other projects in the immediate vicinity: a residential building directly to the west across Pontius Ave. and a recently permitted mixed use project to the south separated by a small playground. Other projects either recently built or under DPD review include the Art Stable on Yale Ave, the full block Laundry Block proposal immediately south of Republican St., Alley 24 three blocks to the

south and Alcyone, a mixed use project west of Cascade Park. The Amazon complex sits several blocks to the west. Recreational opportunities occur at nearby Lake Union and Cascade parks.

ANALYSIS - DESIGN REVIEW

A 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.

SLU-specific supplemental guidance:

- **Encourage provision of “outlooks and overlooks” for the public to view the lake and cityscapes. Examples include provision of public plazas and/or other public open spaces and changing the form or facade setbacks of the building to enhance opportunities for views.**
- **Minimize shadow impacts to Cascade Park.**
- **New development is encouraged to take advantage of site configuration to accomplish sustainability goals. The Board is generally willing to recommend departures from development standards if they are needed to achieve sustainable design. Refer to the Leadership in Energy and Environmental Design*(LEED) manual which provides additional information. Examples include:**
 - Solar orientation
 - Storm water run-off, detention and filtration systems
 - Sustainable landscaping
 - Versatile building design for entire building life cycle

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

SLU-specific supplemental guidance:

The vision for street level uses in South Lake Union is a completed network of sidewalks that successfully accommodate pedestrians. Streetscape compatibility is a high priority of the neighborhood with redevelopment. Sidewalk-related spaces should appear safe, welcoming and open to the general public.

- **Provide pedestrian-friendly streetscape amenities, such as: tree grates; benches; lighting.**
- **Encourage provision of spaces for street level uses that vary in size, width, and depth. Encourage the use of awnings and weather protection along street fronts to enhance the pedestrian environment.**
- **Where appropriate, consider a reduction in the required amount of commercial and retail space at the ground level, such as in transition zones between commercial and residential areas. Place retail in areas that are conducive to the use and will be successful.**
- **Where appropriate, configure retail space so that it can spill-out onto the sidewalk (retaining six feet for pedestrian movement, where the sidewalk is sufficiently wide).**

The streetscape design should provide many of the amenities stated in the guideline.

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.

SLU-specific supplemental guidance:

- Create graceful transitions at the streetscape level between the public and private uses.
- Keep neighborhood connections open, and discourage closed campuses.
- Design facades to encourage activity to spill out from business onto the sidewalk, and vice-versa.
- Reinforce pedestrian connections both within the neighborhood and to other adjacent neighborhoods. Transportation infrastructure should be designed with adjacent sidewalks, as development occurs to enhance pedestrian connectivity.
- Reinforce retail concentrations with compatible spaces that encourage pedestrian activity.
- Create businesses and community activity clusters through co-location of retail and pedestrian uses as well as other high pedestrian traffic opportunities.
- Design for a network of safe and well-lit connections to encourage human activity and link existing high activity areas.

The guidance above should serve as a reminder of the sensitive transitions that will occur among the project's various spatial realms---the expansive entry court and the right of way; the individual residential entry porches or stoops and the sidewalk; and the covered entry court/passage and the more private courtyard.

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.

The architect should set the proposed structure five additional feet from the south property line. This act provides more open space at grade and, if the playground undergoes future redevelopment, ensures adequate natural light to the units facing this direction. See B-1 guidance.

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.

SLU-specific supplemental guidance:

Consider designing the entries of residential buildings to enhance the character of the streetscape through the use of small gardens, stoops and other elements to create a transition between the public and private areas. Consider design options to accommodate various residential uses, i.e., townhouse, live-work, apartment and senior-assisted housing.

See guidance A-4.

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

Agreeing with the applicant's preference, the Board encouraged the siting of the rooftop open space at the structure's northwest corner.

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.

Vehicular access at Mercer St. makes the most sense to the Board members.

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.

Considerable discussion focused on the corner's architectonic presence. Is it wise to have a ground floor dwelling unit occupy such a highly visible corner? How much emphasis should be placed on the entire corner? Noting the roof deck above and the overhang (Concept # 3) over the lower two floors, the Board expressed its comfort with the design's preliminary direction. With a grand entrance portal farther south on Pontius, this background building does not require an assertive corner.

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.

SLU-specific supplemental guidance:

- Address both the pedestrian and auto experience through building placement, scale and details with specific attention to regional transportation corridors such as Mercer, Aurora, Fairview and Westlake. These locations, pending changes in traffic patterns, may evolve with transportation improvements.
- Encourage stepping back an elevation at upper levels for development taller than 55 feet to take advantage of views and increase sunlight at street level. Where stepping back upper floors is not practical or appropriate other design considerations may be considered, such as modulations or separations between structures.
- Relate proportions of buildings to the width and scale of the street.
- Articulate the building facades vertically or horizontally in intervals that relate to the existing structures or existing pattern of development in the vicinity.
- Consider using architectural features to reduce building scale such as: landscaping; trellis; complementary materials; detailing; accent trim.

An opportunity exists to shape the space between this proposal and the other AMLI project on the subject block. Provide modulation on the south elevation to lend greater definition to this edge. As the architects explore the possibilities for this façade, they should consider the importance of bringing light into the south facing units. With

the exception of this south elevation, the Board expressed its comfort with the overall massing concept.

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.

SLU-specific supplemental guidance:

- **Support the existing fine-grained character of the neighborhood with a mix of building styles.**
- **Re-use and preserve important buildings and landmarks when possible.**
- **Expose historic signs and vintage advertising on buildings where possible.**
- **Respond to the history and character in the adjacent vicinity in terms of patterns, style, and scale. Encourage historic character to be revealed and reclaimed, for example through use of community artifacts, and historic materials, forms and textures.**
- **Respond to the working class, maritime, commercial and industrial character of the Waterfront and Westlake areas. Examples of elements to consider include: window detail patterns; open bay doors; sloped roofs.**
- **Respond to the unique, grass roots, sustainable character of the Cascade neighborhood. Examples of elements to consider include: community artwork; edible gardens; water filtration systems that serve as pedestrian amenities; gutters that support greenery.**

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.

SLU-specific supplemental guidance:

Design the “fifth elevation” — the roofscape — in addition to the streetscape. As this area topographically is a valley, the roofs may be viewed from locations outside the neighborhood such as the freeway and Space Needle. Therefore, views from outside the area as well as from within the neighborhood should be considered, and roof-top elements should be organized to minimize view impacts from the freeway and elevated areas.

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

The large portal into the courtyard requires considerable design attention. Its size, even in this urban setting, begs for sensitivity to proportions and an eye for fine grain detail so that the pedestrian doesn't feel overwhelmed at this gateway.

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.

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

More details of the garage entrance will be revealed at the next design review meeting. The garage's location appeared adequate to the Board.

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.

SLU-specific supplemental guidance:

- New developments are encouraged to work with the Design Review Board and interested citizens to provide features that enhance the public realm, i.e. the transition zone between private property and the public right of way. The Board is generally willing to consider a departure in open space requirements if the project proponent provides an acceptable plan for features such as: curb bulbs adjacent to active retail spaces where they are not interfering with primary corridors that are designated for high levels of traffic flow; pedestrian-oriented street lighting; street furniture.

In order to bring greater amounts of natural light into the large covered passageway to the courtyard, the portion of the third floor directly above the portal, which forms the ceiling of the passage, should be cut or stepped back to emit more western light.

The sequence of spaces into the courtyard should prepare one for the passage to the more private residential area and at the same time create a sense of place or community for the residents. See E-2 guidance.

The physical formation of the public space along the rights of way with the semi-public space at the interface of the entrances to the individual units along the sidewalk and the large covered passageway defining the heart of the project is critical to the project's success. Developed landscape plans must clarify how the spaces are both physically individuated and part of a larger urban streetscape. Both along the two streetscapes and within the passage and courtyard, the design must exude a clarity and purpose for the private and public spaces.

D-2 Blank Walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.

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

D-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.

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.

Show the location of the solid waste storage facility at the next meeting and screen the staging area if placed along the 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.

SLU-specific supplemental guidance:

- Enhance public safety throughout the neighborhood to foster 18-hour public activity. Methods to consider are: enhanced pedestrian and street lighting; well-designed public spaces that are defensively designed with clear sight lines and opportunities for eyes on the street; police horse tie-up locations for routine patrols and larger event assistance.

The Board discussed the issue of security within the courtyard and how it may become increasingly more private nearest the ground floor units in Concept #3. No specific guidance was made.

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.

The crenulated walls in Concept #2's site plan received the Board's endorsement. The stoops or patios should have greater depth on Mercer St. than the 4'6" shown in the EDG packet. Add a minimum of two feet to this depth.

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.

SLU-specific supplemental guidance:

- **Support the creation of a hierarchy of passive and active open space within South Lake Union. This may include pooling open space requirements on-site to create larger spaces.**
- **Encourage landscaping that meets LEED criteria. This is a priority in the Cascade neighborhood.**
- **Where appropriate, install indigenous trees and plants to improve aesthetics, capture water and create habitat.**
- **Retain existing, non-intrusive mature trees or replace with large caliper trees.**
- **Water features are encouraged including natural marsh-like installations.**
- **Reference the City of Seattle Right Tree Book and the City Light Streetscape Light Standards Manual for appropriate landscaping and lighting options for the area.**

How will the easement area be landscaped? Who will use it?

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.

SLU-specific supplemental guidance:

- **Consider integrating artwork into publicly accessible areas of a building and landscape that evokes a sense of place related to the previous uses of the area. Neighborhood themes may include service industries such as laundries, auto row, floral businesses, photography district, arts district, maritime, etc.**

The landscape design, mostly an inchoate set of ideas at EDG, requires careful design development to define the covered open space and passageway that represents the heart of the project. Its relationship to the Pontius Ave streetscape, the amenity area, lobby, and private outdoor spaces beyond will have significant impact on the building's success. A strong design concept or parti will tie in the building program with the rights-of-way components to shape an active streetscape that flows into the center of the complex.

At the next design review presentation, the development team will need to show how the spaces are programmed, the location of art, furniture, planting materials etc., and how and where the various spaces within the passageway and courtyard are secured if warranted.

MASTER USE PERMIT APPLICATION

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

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation Meeting on April 24, 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 COMMENT

One person affixed her name to the Recommendation meeting sign-in sheet. The speaker raised a question about the size of the mechanical penthouses.

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

SLU-specific supplemental guidance:

The vision for street level uses in South Lake Union is a completed network of sidewalks that successfully accommodate pedestrians. Streetscape compatibility is a high priority of the neighborhood with redevelopment. Sidewalk-related spaces should appear safe, welcoming and open to the general public.

- **Provide pedestrian-friendly streetscape amenities, such as: tree grates; benches; lighting.**
- **Encourage provision of spaces for street level uses that vary in size, width, and depth. Encourage the use of awnings and weather protection along street fronts to enhance the pedestrian environment.**
- **Where appropriate, consider a reduction in the required amount of commercial and retail space at the ground level, such as in transition zones between commercial and residential areas. Place retail in areas that are conducive to the use and will be successful.**
- **Where appropriate, configure retail space so that it can spill-out onto the sidewalk (retaining six feet for pedestrian movement, where the sidewalk is sufficiently wide).**

The Board accepted the streetscape design and recommended approval of the related departures.

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

SLU-specific supplemental guidance:

- **Create graceful transitions at the streetscape level between the public and private uses.**
- **Keep neighborhood connections open, and discourage closed campuses.**
- **Design facades to encourage activity to spill out from business onto the sidewalk, and vice-versa.**
- **Reinforce pedestrian connections both within the neighborhood and to other adjacent neighborhoods. Transportation infrastructure should be designed with adjacent sidewalks, as development occurs to enhance pedestrian connectivity.**
- **Reinforce retail concentrations with compatible spaces that encourage pedestrian activity.**

- Create businesses and community activity clusters through co-location of retail and pedestrian uses as well as other high pedestrian traffic opportunities.
- Design for a network of safe and well-lit connections to encourage human activity and link existing high activity areas.

No further guidance was provided.

- 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.**

The applicant responded to the earlier guidance by setting the structure a total of eight feet from the south property line. This met the Board's approval.

- 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.**

SLU-specific supplemental guidance:

Consider designing the entries of residential buildings to enhance the character of the streetscape through the use of small gardens, stoops and other elements to create a transition between the public and private areas. Consider design options to accommodate various residential uses, i.e., townhouse, live-work, apartment and senior-assisted housing.

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

The applicant replaced the northwest corner open space with a 20 foot high glass solarium. Enclosing the corner roof top open space met received Board acceptance.

- 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.**

Following up on the earlier guidance, the Board welcomed the understated treatment of the corner at street level.

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.**

SLU-specific supplemental guidance:

- Address both the pedestrian and auto experience through building placement, scale and details with specific attention to regional transportation corridors such as Mercer, Aurora, Fairview and Westlake. These locations, pending changes in traffic patterns, may evolve with transportation improvements.

- Encourage stepping back an elevation at upper levels for development taller than 55 feet to take advantage of views and increase sunlight at street level. Where stepping back upper floors is not practical or appropriate other design considerations may be considered, such as modulations or separations between structures.
- Relate proportions of buildings to the width and scale of the street.
- Articulate the building facades vertically or horizontally in intervals that relate to the existing structures or existing pattern of development in the vicinity.
- Consider using architectural features to reduce building scale such as: landscaping; trellis; complementary materials; detailing; accent trim.

Rather than adding modulation to the elevation's vertical plane as suggested in earlier guidance, the architect responded by setting the building back about eight feet from the shared property line with the playground. The architect added color to the projecting frames around each window endowing the south façade with a separate color at each floor level.

C. Architectural Elements and Materials

- C-2 **Architectural Concept and Consistency.** Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.

SLU-specific supplemental guidance:

Design the “fifth elevation” — the roofscape — in addition to the streetscape. As this area topographically is a valley, the roofs may be viewed from locations outside the neighborhood such as the freeway and Space Needle. Therefore, views from outside the area as well as from within the neighborhood should be considered, and roof-top elements should be organized to minimize view impacts from the freeway and elevated areas.

The Board recommended that the two-story datum line established on the west and north facades should extend the full length of the south and west facades with the same color and/or materials to provide visual continuity.

Although it replaced open space, the solarium received the Board's endorsement; however, in order to ensure the integrity of its cubic form, the architect must work with the planner to provide greater resolution to the fenestration design. The sliding glass doors break the consistency of the spandrel on the west and north elevations.

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

The earlier guidance focused on the scale of the entry portal to the courtyard. At the Recommendation meeting, no further discussion ensued.

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

The selection of mesh for the balcony walls and the entrance wall and gate provoked considerable discussion. Question arose as to its integrity and quality. The applicant will work with the land use planner to ensure well detailed and high quality mesh. Should the applicant choose to use glass rather than mesh, the Board would find this satisfactory.

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

No further discussion of the garage entrance occurred.

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.**

SLU-specific supplemental guidance:

- New developments are encouraged to work with the Design Review Board and interested citizens to provide features that enhance the public realm, i.e. the transition zone between private property and the public right of way. The Board is generally willing to consider a departure in open space requirements if the project proponent provides an acceptable plan for features such as: curb bulbs adjacent to active retail spaces where they are not interfering with primary corridors that are designated for high levels of traffic flow; pedestrian-oriented street lighting; street furniture.

Prior deliberation focused on the amount of light into the covered passageway, the sequencing of spaces through the passageway/outdoor amenity area and relationship of the individual unit entries to the two streets and the adjacent public realm. The solutions offered at the meeting satisfied the Board.

- 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.**

The Board found the location and operation of the solid waste storage area acceptable.

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

SLU-specific supplemental guidance:

- **Enhance public safety throughout the neighborhood to foster 18-hour public activity. Methods to consider are: enhanced pedestrian and street lighting; well-designed public spaces that are defensively designed with clear sight lines and opportunities for eyes on the street; police horse tie-up locations for routine patrols and larger event assistance.**

The arrangement of fences and gates into the complex appeared appropriate, particularly at the courtyard.

- 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.**

The applicant responded to the earlier guidance by increasing the depth of the stoops or patios in front of units facing Mercer St.

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.**

SLU-specific supplemental guidance:

- **Support the creation of a hierarchy of passive and active open space within South Lake Union. This may include pooling open space requirements on-site to create larger spaces.**
- **Encourage landscaping that meets LEED criteria. This is a priority in the Cascade neighborhood.**
- **Where appropriate, install indigenous trees and plants to improve aesthetics, capture water and create habitat.**
- **Retain existing, non-intrusive mature trees or replace with large caliper trees.**
- **Water features are encouraged including natural marsh-like installations.**
- **Reference the City of Seattle Right Tree Book and the City Light Streetscape Light Standards Manual for appropriate landscaping and lighting options for the area.**

The Board questioned the usability of the landscaped area between the south elevation and the playground. No further guidance or recommendation incurred.

- 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.**

SLU-specific supplemental guidance:

- **Consider integrating artwork into publicly accessible areas of a building and landscape that evokes a sense of place related to the previous uses of the area.**

Neighborhood themes may include service industries such as laundries, auto row, floral businesses, photography district, arts district, maritime, etc.

The landscape design formed a strong narrative reinforcing the building concept. The entry and courtyard, resonate with the idea of hearth and table, provides a strong axial circulation and an armature for an array of associated communal spaces. The designs for the common areas and the private courts for the six interior residential units support a cosmopolitan vision of urban life. The short metal bridge from sidewalk to entry court announces in subtle form the transition from the pedestrian realm to a semi-private room for gathering and circulation.

The distinct approaches to building form and landscaping at the Pontius and Mercer street frontages recognize the separate conditions of the two streets, yet visually unite in ensemble.

Board Recommendations: The recommendations summarized below were based on the plans submitted at the April 24th, 2012 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the April 24th 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. Street-Level Setbacks. SMC 23.48.014D	Structures may be set back up to 12' from the property line. Additional setbacks shall be permitted for up to 30% of the length of the setback street wall.	37% of the Mercer St. façade is setback 13'9" from the property line.	<ul style="list-style-type: none"> ▪ Board requested deep stoops along Mercer St. (A-2) ▪ Provides a consistent pattern of entries along the street. (D-1) 	Approved
2. Street Level Landscaping SMC 23.48.014D.1 B	Structures may be set back up to 12' from the property line and the setback area shall be landscaped according to SMC 23.48.024.	Patio terrace hardscape and concrete driveway are proposed in some areas.	<ul style="list-style-type: none"> ▪ Board requested deep stoops along Mercer (A-2). ▪ Mercer St. was agreed upon as most likely location for garage access. (C-5) 	Approved

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

- 1) The two-story datum line established on the west and north facades should continue the length of the east and south elevations with the same color and/or materials to provide visual continuity and consistency. (C-2)
- 2) In order to ensure the integrity of the solarium's cubic form, the architect shall work with the planner to provide greater resolution to the fenestration design. (C-2)
- 3) The applicant will work with the land use planner to ensure well detailed and high quality mesh at the balconies and entry to the portal. (C-4)

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 October 25, 2012. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

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

Short-term Impacts

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

Noise

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

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

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

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

Air Quality

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

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

Earth

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

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to

assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit.

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

Grading

Excavation to construct the mixed use structure will be necessary. The maximum depth of the excavation is approximately 44 feet and will consist of an estimated 15,000 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Future phases of construction will be subject to the same regulations. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Construction Impacts

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

Traffic and Parking

Duration of construction of the apartment building may last approximately 18 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 15,000 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on

the site and will need to be disposed off-site. Excavation and fill activity will require approximately 1,500 round trips with 10-yard hauling trucks or 750 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

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

Long-term Impacts

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

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

Greenhouse Gas Emissions

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

Historic Preservation

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

Traffic and Transportation

The proposed apartment development would produce approximately 440 new daily vehicular trips, with 44 week day, PM peak hour trips. The addition of the residential building would not likely cause nearby intersections to degrade to an unsatisfactory level of service. No SEPA mitigation of traffic impacts to the nearby intersections is warranted.

The South Lake Union Transportation Study developed by the Seattle Department of Transportation, provides a comprehensive, multi-modal plan for the area's transportation system, and is intended to serve as a blueprint for financing and prioritizing SDOT's capital investments in the South Lake Union area. Traffic from the proposed development is expected to impact

several locations where these capital investments are planned. To mitigate these impacts, the development is required to help fund proximate capital projects identified in the SLU Transportation Study on a pro-rata basis. The total amount of this pro-rata contribution is \$24,249. Therefore, the project will be conditioned to pay this amount prior to issuance of a building permit.

Parking

Per SMC 23.54.015 Tables A and B, urban centers have no minimum parking requirements. Located in the South Lake Union Urban Center, this project would not have to supply parking. The applicant proposes 127 parking spaces in a below-grade garage with access from Mercer St. With a total of 118 residential units, there should not be parking spillover into the neighborhood. No SEPA mitigation of parking impacts is warranted.

Summary

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

DECISION - SEPA

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

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

CONDITIONS – DESIGN REVIEW

Prior to MUP Issuance

Revise plans sets to show:

1. The two-story datum line established on the west and north facades should continue the length of the east and south elevations with the same color and/or materials to provide visual continuity and consistency.
2. In order to ensure the integrity of the solarium's cubic form, the architect shall work with the planner to provide greater resolution to the fenestration design.

3. The applicant will work with the land use planner to ensure well detailed and high quality mesh at the balconies and at the entry portal.

Prior to Building Application

4. 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

5. 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

6. 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

7. 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 one working week 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

8. 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

9. A transportation route plan shall be provided to DPD and SDOT; this plan shall document proposed truck access to and from the site, and shall indicate how pedestrian connections around the site will be maintained during the construction period.
10. Provide a construction worker parking plan with the intent to reduce on-street parking. Construction workers may park on-site once the garage is completed.

11. The development is required to help fund proximate capital projects identified in the South Lake Union Transportation Study on a pro-rata basis. The total amount of this pro-rata contribution is \$24,249. Payment of the \$24,249 shall occur prior to issuance of a building permit.
12. Attach a copy of the PSCAA demolition permit to the building permit set of plans.

During Construction

13. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M:
 - A. Surveying and layout.
 - B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
 - C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.
14. In addition to the Noise Ordinance, requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:
 - A. Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
 - B. Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
 - C. Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
 - D. Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
15. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.
16. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

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

Signature: _____ (signature on file) Date: August 15, 2013
Bruce P. Rips, AAIA, AICP
Department of Planning and Development

BPR:drm

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