



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 AND DEVELOPMENT**

Application Number: 3014045

Applicant Name: Dave Heater of Ankrom Moisan Architects for 8th & Thomas LLC

Address of Proposal: 777 Thomas Street

SUMMARY OF PROPOSAL

Land Use Application to allow a 7-story, 174 unit residential structure with 5,035 sq. ft. of retail at street level. Parking for 136 vehicles will be located below grade. Existing structures to be demolished. Addendum to South Lake Union Height and Density Alternatives Environmental Impact Statement has been prepared.

The following approvals are required:

Design Review – Chapter 23.41 Seattle Municipal Code.

Development Standard Departure for less than the minimum façade height on a Class 2 Pedestrian Street (Thomas Street). (SMC 23.48.014.B)*

Development Standard Departure to allow less transparency than required on Class 2 Pedestrian Streets (Thomas Street). (SMC 23.48.018.A)*

Development Standard Departure to allow more than the maximum permitted blank façade width on Class 2 Pedestrian Streets (Thomas Street). (SMC 23.48.018.B)*

*This project is vested to the Land Use Code requirements in effect at the date of EDG application (September 11, 2012)

SEPA – Environmental Determination – Chapter 25.05 Seattle Municipal Code.

SEPA DETERMINATION: Exempt DNS MDNS EIS**

DNS with conditions

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

**This project includes an Addendum to the South Lake Union Final EIS dated April 2012, which is adopted with this recommendation.

Site:

Site Zone: SM 85-240 (application is proceeding with procedures to vest to SM-85 and Land Use Code requirements in effect on September 11, 2012)

Nearby Zones: (North) SM 85-240
(South) SM 85-240
(East) SM 85-240
(West) SM 160/85-240

Lot Area: 28,800 square feet



Current Development

Two-story commercial structures and surface parking. The structure on the north end of the site was recently designated a historic landmark by the Landmarks Preservation Board.

Vehicular access is via the alley and curb cuts on Thomas St and 8th Ave N.

An early 20th century church is located immediately south of this site, and a mid-century building with another religious institution use is located across the street to the east. A newer six-story mixed-use residential and retail structure and a surface parking lot are located directly across the street to the east.

One-story and two-story commercial structures from early to mid-20th century are located to the west across the alley and to the north across the street. A proposed newer development (Compass Housing) is located southwest across the alley from this site.

This site is located near the southwest edge of the larger South Lake Union neighborhood, and is referred to as the Denny Park area. The Denny Park area of South Lake Union provides a diverse mix of buildings and uses.

Denny Park anchors the quiet non-arterial 8th Avenue at the south end of this block, with a playground area and off leash dog area. Dexter Ave N. is a busy arterial located one block to the west with a high level of cyclist, vehicle and transit traffic connecting downtown with areas north of the Ship Canal. A few blocks further to the north, the busy arterials of Mercer and Broad Streets provide a clear break with the rest of the South Lake Union neighborhood.

The Denny Park area consists of mostly older 1-2 story commercial uses with some newer mixed-use and multi-family structures. The epicenter of the neighborhood is the heavily wooded Denny Park, Seattle's oldest public park and the site of the Seattle Parks Department offices.

EARLY DESIGN GUIDANCE MEETING: October 24, 2012

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

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

The packet is also available to view in the 3014045 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 proposal is related to a previous project and EDG meeting for a development at this site (3013251). Since that meeting the site has become larger and the proposed development is also larger. This proposal is technically a first EDG meeting under the new project number (3014045). The applicant explained how this proposal was developed in response to the Board's guidance from the 3013251 EDG meeting.

The proposal includes two level residential units at grade on 8th Ave, with a stepped floor plate to bring the units near the changing sidewalk grade. The first floor residential units would be set 6' back from the property line to provide a landscaped buffer and stoop for the residential entries. One or two steps would separate the sidewalk from the stoops. Planters and screens would be used to create privacy for the units between the sidewalk and the units, as well as between the units. Blinds on the first floor residential units would allow residents to close off the view of the lower window areas for residents' privacy.

The site is immediately north of a religious institution building. The applicant noted that the lower area of the north façade of this building includes some windows and doors, but they serve unoccupied spaces such as corridors and stairwells. The upper portion of the north façade includes a colored stained glass round window that provides some light into the interior sanctuary. The south façade of the proposed development would be treated with glass and light colors to reflect light into this upper level north-facing stained glass window.

The proposal would be set back 7' from the alley at the southwest corner of the site, to give more privacy to the residential development that is proposed diagonally across the alley.

The applicant showed a rendering of a conceptual building design at the EDG meeting.

The applicant clarified that no loading is proposed on the site, but it's anticipated that the on-street parking on 8th Ave would be used for residents moving in and out, likely with a metered on-street loading space. Trash and recycling would be brought up by the building management through the garage to the alley.

PUBLIC COMMENT

The following comments, issues and concerns were raised:

- DPD Staff Geoff Wentlandt noted that the proposal relates to the proposed legislative South Lake Union rezone and street plans for this area. The City's proposed long range plan for this area includes the following, as related to the proposal:
 - 8th Ave N is intended as a residential enclave, with more focus on pedestrian amenities and reduced car traffic.
 - Residential stoops and porches are encouraged on 8th Ave N.
 - Thomas St will be a green street. The applicant's proposed north setback responds well to the future green street requirements.

- On 8th Ave N, the applicant should consider moving the curb further into the street to provide more pedestrian area and narrow the driving area for traffic calming. This could allow for more space between the sidewalk and residential entries for landscaped buffers.
- 10' separation between the sidewalk and residential entry will likely be required in the new zoning.

INITIAL RECOMMENDATION MEETING: May 1, 2013

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

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

The packet is also available to view in the 3014045 file, by contacting the Public Resource Center at DPD:

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The applicant described the historic landmark on site and the changes to the proposed development since the EDG meeting as a result of the landmark designation. The roof and floor of the historic landmark will be removed, along with a portion of the west façade and the south façade. The south façade would be rebuilt with the historic brick to enhance the original architectural character of the landmark.

In response to Board questions, the applicant clarified that the frame of the vertical bays would be a fiber cement product. The applicant noted that the fiber cement infill panels would be varied shades and may be painted or integral color.

A gate would separate the sidewalk from the south facing residential units on 8th Ave N. The ground level units on the south façade would have individual patio areas between the building and the south property line. The patios would be accessed from the individual units, rather than the drawings that appear to show a common walkway on the south side of the property.

The rooftop terraces above the landmarked structure would be divided with plantings to delineate the private patios assigned to units. The northwest corner of the landmark building roof would include a common amenity area with tables and chairs.

PUBLIC COMMENT

The following comments, issues and concerns were raised:

- The future designation of Thomas Street as a green street is an important aspect of the neighborhood planning effort.
 - Preservation of the historic façade is a nice addition to the future Green Street, but also offers challenges for viable commercial tenants canopies, signage, transparency, access, etc.
 - Any future retail on Thomas Street should include overhead weather protection and signage that enhances the proposed design (such as blade signs).

FINAL RECOMMENDATION MEETING: July 31, 2013

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

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

The packet is also available to view in the 3014045 file, by contacting the Public Resource Center at DPD:

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The applicant described the changes to the design concept since the Initial Recommendation meeting. The proposed design incorporates the same upper level setbacks above the landmark structure. The top penthouse floor is set back 18” from the lower levels. The vertical bays along 8th Ave N are designed to reference the scale of the landmark structure. The design is intended to enhance the base-middle-top composition.

The ground floor residential units have been modified to include individual patio areas, rather than the shared patios shown at the Initial Recommendation meeting.

The applicant provided information in response to the Initial Recommendation meeting, including an area designed for solid waste staging at the alley, clarification of the south facing residential units at grade, lighting plans, retail uses in the landmark building, and design of the outdoor deck on the roof of the landmark building. The applicant clarified that building identification signage would be located near the entry, but could not be located on the landmark building.

Materials include stacked bond dark gray brick with lighter gray mortar, light gray fiber cement panels and planks in a stacked bond rainscreen application with dark gray reveals, and dark silver at the penthouse level.

PUBLIC COMMENT

No public comments were offered at the Final Recommendation meeting.

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 (OCTOBER 24, 2012):

1. **8th Ave N: (A-2, A-3, A-6, C-4, D-1, D-12, E-2)** The first floor residential units and street frontage should be designed in the context of the long range vision of 8th Ave N as a quieter residential street with higher levels of pedestrian traffic.

- a. The Board encouraged the applicant to discuss options with Seattle Department of Transportation to move the curb line further out to the street and provide the planting buffer in the public right of way.
 - i. The setback between the individual residential entries and sidewalk should include a 6'-8' flat usable area, in addition to the 'buffer' (stairs and landscaping).
 - ii. Moving the planting buffer into the sidewalk area would allow more soil depth for better plant health and larger plants.
 - b. The stoops should include usable areas for outdoor seating.
 - c. The Board noted that the 4' patio depth appears to be too small to provide usable areas so close to the sidewalk.
 - d. Screens and other materials at grade should be graffiti resistant and highly durable.
 - e. The primary residential entry should be designed to serve two purposes:
 - i. This bay should be used to visually knit the northern portion of the building with the southern portion of the building.
 - ii. The primary residential entry should be designed to signify the 'public' entry to the building, in contrast to the individual residential entries on 8th Ave N. Landscaping, paving textures, and other methods can be used at the ground level to help distinguish the primary residential entry from the private residential entries.
- 2. Thomas St: (A-2, A-4, A-10, C-2, C-4, E-2)**
- a. The change to the north façade and the modification to the program (compared with 3013251) are positive revisions.
 - b. If SDOT allows the curb to be moved out into the street, then the sidewalk and paved areas should be designed to allow more of a gathering area at the corner.
 - c. The hand rail between the sidewalk and the amenity area walkway should be designed to provide a better visual transition between these areas, and should relate to the overall building design.
- 3. Alley: (D-6, D-8)**
- a. The trash and recycling strategy should include a landing adjacent to the alley to stage dumpsters on collection days and allow clear travel paths through the alley.
 - b. The Board noted that the increasing density of the area translates to a need for better design of alley circulation.
- 4. South façade: (A-3, A-6, C-2, D-7)**
- a. The Board appreciated the goal to use light colors and reflective materials to reflect light back into the church sanctuary.
 - b. The Board would like to see more information about the design of the south-facing residential units. These units should be designed to provide inviting entries and also provide security for residents.
- 5. Massing: (A-2, C-2)**
- a. The Board supported the preferred alternative massing.
 - b. The Board encouraged the applicant to further develop the design concept of smooth texture siding and contrasting, high quality materials.

At the Recommendation meeting, the applicant should provide graphics and text to demonstrate the response to the Early Design Guidance. The Board specifically requested the following additional information at the Recommendation meeting:

1. The dimensions of buffers, patios areas, screening panels, etc. for the first floor residential units at 8th Ave N.

INITIAL RECOMMENDATIONS (MAY 1, 2013):

1. 8th Ave N:

- a. The Board appreciated the orientation of the street level entries and felt that the design of the front patios would serve to enhance the entries and usability of the patios. (A-2, A-3, D-12)
- b. The Board recommended that the planters separating the residential entries and the sidewalk should relate to a human scale and provide a visual transition to the entries. The planters as shown are too tall and should be revised to meet this recommendation. (A-2, A-3, D-12, E-2)
 - i. The Board suggested that the planter walls be replaced with lower planters and taller landscaping to soften and screen the patios.
 - ii. If the height of the planters is intended to architecturally reference the art deco historic landmark, then the Board recommended that the design of the planters should be revised to reduce the height and reference the architectural character with a different strategy.
- c. The Board would like to see details of landscaping at the base of the dark masonry piers. The landscaping should serve to soften the material and enhance the residential entries. Possible landscape opportunities include espalier, climbing vines, or other narrow plant materials. (A-2, A-6, D-12)
- d. The landscape plan should enhance both sides of the sidewalk (adjacent to the building and in the planter strip adjacent to the curb). (E-2)
- e. The Board reiterated guidance from EDG regarding the curb bulbs: the applicant should discuss options with Seattle Department of Transportation to move the curb line further out to the street and provide the planting buffer in the public right of way. (A-2, D-1, E-2)
 - i. The setback between the individual residential entries and sidewalk should include a 6'-8' flat usable area, in addition to the 'buffer' (stairs and landscaping).
 - ii. Moving the planting buffer into the sidewalk area would allow more soil depth for better plant health and larger plants.
 - iii. The Board noted that the landscape plans and proposed Street Improvement Plans (SIP) are consistent with the proposed South Lake Union neighborhood plan street concept plans for the area.

2. Primary Residential Building Entry:

- a. The Board recommended that the ROW should include items to delineate the entry location, such as benches or landscaping. (A-3, D-12, E-2)
- b. The Board noted that the area adjacent to the south facing wall of the historic landmark should be designed to enhance the recessed entry with items such as

lighting, landscaping, and benches. (A-3, D-12, E-2). Possible treatments include:

- i. Narrow plantings such as espaliers,
 - ii. An interesting design for the overhead blade sign shown in the Initial Recommendation packet on page 27,
 - iii. Extending the canopy out to the street edge,
 - iv. Trees flanking the entry,
 - v. Interesting lighting strategies,
 - vi. Opportunities for seating, and
 - vii. Hardscape or rock areas for pet owners near the curb edge.
- 3. Thomas St:** The previous design had a difficult approach to the grade changes, and the proposed new design incorporating the landmark offers a better response to the grade changes. (A-2, A-4, A-10, C-2, C-4, E-2)
- 4. Alley:**
- a. The Board was concerned with the safety issues presented by the recessed garage entry. The Board recommended bringing the garage door entry closer to the alley property line to assist with safety and security. The Board noted that locating the garage door entry should line up with the wall of the building above. (D-7, D-8)
 - b. The Board appreciated the solution for solid waste staging on collection days, but expressed concern that the size of the staging area may not be sufficient. The applicant should demonstrate how the staging area will sufficiently accommodate the collection schedule and amount of solid waste on collection days. (D-6)
- 5. South façade:**
- a. The Board noted that the design of individual terraces, setback, and reflective surfaces is a positive response to the EDG regarding the response to the adjacent church and sanctuary window. The reflective surfaces and setback from the south facade will help to provide light to the adjacent sanctuary window. (C-2)
 - b. The lighting plan will be important to enhance safety and security in the recessed area between the wall and the church. (D-7, D-12)
 - c. The landscape plan should be designed to enhance the individual patio areas, rather than linear landscaping that appears to delineate a walkway. (A-6, C-2, D-7, E-2)
- 6. Massing:**
- a. The massing response to the landmarks building is a positive response to the EDG and Design Review Guidelines. (A-2, C-2)
 - b. The Board noted the parti diagram is very helpful in demonstrating how the proposed new construction scale relates to the historic landmark scale and context. (C-2)
 - c. The idea of modifying the tone of the fiber cement panels is an important aspect of the proposed design, and the color should be integral. The color in painted panels won't be as durable, and repainting will likely result in one consistent color. (C-2)
 - d. The mortar in the brick should be used to enhance the brick appearance, such as using a dark mortar color as shown on page 29 of the packet. (C-2)

- e. The Board noted that the windows could either be black or another color that enhances the proposed design. (C-2)
7. **Response to the historic landmark:**
- a. Uplighting and/or downlighting of the historic structure would be helpful, but the Board noted this would be in the purview of either SDOT or the Landmarks Preservation Board since the lighting would be located either on the landmark or in the public right of way. (C-2, D-10)
 - b. The Board noted that the historic garage door design included multi-paned horizontal lights that previously referenced the windows of the landmark. The Board would like to see a similar glazed overhead rollup door, to add to transparency and porosity at the street level to enhance the commercial street frontage. This relates to the proposed departures. (C-2, D-11)
 - c. Operable rollup doors, lighting, and any other strategies that can help to enhance the commercial viability on Thomas St would be strongly supported by the Board. This relates to the proposed departures. (D-10, D-11)

FINAL RECOMMENDATIONS (JULY 31, 2013):

1. **Architectural Concept:** The Board discussed the proposed changes to the architectural concept since the Initial Recommendation meeting, and recommended that the changes met the Design Review Guidelines.
- a. The Board noted several aspects of the design that are critical to the recommended approval. (A-2, A-6, C-1, C-2, C-4)
 - i. The proposed penthouse design reinforces the scale of the historic landmark at street level.
 - ii. The parti using the historic landmark scale in the vertical residential bays is a positive response to the context on site.
 - iii. The use of scale and modulation at the pedestrian level is a good response to the pedestrian conditions and the plan for 8th Ave N as a residential enclave.
 - iv. The change in plane throughout the building relates well to the architectural concept, provides modulation and articulation of the long façade, and provides visual interest.
 - v. The pattern of siding above the historic landmark provides good contrast between the old and new portions of the development.
 - vi. The design of the individual residential entry doors responds well to the residential enclave designation of 8th Ave N.
 - vii. The exterior lighting plan shown in the replacement Recommendation packet enhances the proposed architectural concept.
 - b. The Board noted that the overall design concept is strong and simple, but the color palette is too subtle to sufficiently enhance some of the changes in plane and massing. The Board recommended a condition to modify the color palette to include more contrasting colors to enhance modulation and articulation. (C-2, C-4)
 - c. The Board recommended a condition that due to the residential units' proximity to the sidewalk, translucent rather than clear glass panels should be used at the lower portion of the individual residential doors. (A-3, D-12)

2. **8th Ave N:** The Board discussed the proposed departures and the response to the street level on 8th Avenue North. The Board noted that the proposed changes to the historic landmark are within the purview of the Landmarks Preservation Board, but strongly encouraged that additional transparency be added on this street frontage.
 - a. The Board recommended a condition that if the Landmarks Preservation Board agrees, the proposal should be modified to replace the opaque garage door on 8th Ave N with a transparent glazed garage door. (A-2, A-4, C-2, C-4, D-11)
3. **Primary Residential Building Entry:** The proposed residential entry design is recessed deeply into the façade, appears dark and unwelcoming, and requires modification to meet the Design Review Guidelines.
 - a. The Board recommended a condition to modify the residential entry to activate the streetscape, using techniques such as lighting, art, and landscaping. (A-3, A-4, D-1, D-12, E-2)
 - i. The Board clarified that the treatment of the entry should create an “exciting, unique, bold, and welcoming” condition at the street frontage.
 - ii. The Board suggested the entry door could be made wider, or shifted to a central location in the entry bay. The Board declined to make this a specific condition.
 - b. The Board noted that the glazed large canopy and the paving pattern are important aspects of the entry design. (A-3, C-2, C-4, D-12)
 - c. The Board noted appreciation for the exposed brick wall on the south side of the historic landmark, since this material offers visual interest at the residential entry. (C-4, D-12)
 - d. The Board noted that the wall adjacent to the residential entry offers the opportunity for signage, but declined to recommend a condition for this item. (D-12)
 - e. The Board recommended a condition to use light fixtures to wash the south wall of the landmark with lighting, adjacent to the entry. (A-3, D-1, D-12)
 - i. The fixtures can’t be mounted on the historic landmark without Landmarks Board approval, but could be mounted on the residential canopy, at grade, or on the new construction portion of the building.

DESIGN REVIEW GUIDELINES

The Board identified the following Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

- 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).

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.

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-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.

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-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.

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.

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.

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.

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

- 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.

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.

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. Minimum Façade Height (SMC 23.48.014):** The Code requires minimum façade heights of 25' on all Class 2 Pedestrian Streets. Thomas Street is a Class 2 Pedestrian street, but the requested departure is for a 14'6" high façade to retain the existing historic landmark.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-2 and C-2 by maintaining the historic landmark, retaining the positive aspects of the existing streetscape, and designing the proposed new construction to create a strong overall architectural composition.

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

- 2. Transparency (SMC 23.48.018):** The Code requires minimum 60% of the width of the street level façade to be transparent on all Class 2 Pedestrian Streets. Thomas Street is a

Class 2 Pedestrian street, but the requested departure is for 58% transparency in the existing historic landmark façade, and 30% transparency for the street frontage on Thomas Street.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-2 and C-2 by maintaining the historic landmark, retaining the positive aspects of the existing streetscape, and designing the proposed new construction to create a strong overall architectural composition. However, the Board noted that additional transparency should be added in the form of a glazed garage door on 8th Ave N in order to mitigate the results of this departure, enhance human activity at the street level, encourage viable retail storefronts, and better respond to the 8th Avenue and Thomas Street plans.

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

- 3. Blank Facades (SMC 23.48.018):** The Code requires blank facades on Class 2 Pedestrian Streets to be less than 15' wide, or less than 30' wide if the DPD Director approves the proposed architectural detailing, artwork, landscaping, or other similar features that have visual interest. Thomas Street is a Class 2 Pedestrian Street. The applicant proposes to retain the existing historic landmark, which will result in blank facades that are as much as 22'3" wide.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-2 and C-2 by maintaining the historic landmark, retaining the positive aspects of the existing streetscape, and designing the proposed new construction to create a strong overall architectural composition. However, the Board noted that additional transparency should be added in the form of a glazed garage door on 8th Ave N in order to mitigate the results of this departure, enhance human activity at the street level, encourage viable retail storefronts, and better respond to the 8th Avenue and Thomas Street plans.

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

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated July 31, 2013, and the materials shown and verbally described by the applicant at the July 31, 2013 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the five Design Review Board members recommended APPROVAL of the subject design and departures, with the following conditions:

- 1. The proposed color palette should be modified to include stronger contrasting gray tones that enhance the modulation and articulation. (C-2, C-4)**
- 2. If the Landmarks Preservation Board agrees, the proposal should be modified to replace the opaque garage door on 8th Ave N with a transparent glazed garage door. (A-2, A-4, C-2, C-4, D-11).**
- 3. The residential entry should be modified to activate the streetscape, using techniques such as lighting, art, and landscaping. (A-3, A-4, D-1, D-12, E-2)**

4. **Translucent rather than clear glass panels should be used for the ground level individual residential doors. (A-3, D-12)**
5. **The proposal should be modified to add light fixtures to wash the south wall of the landmark with lighting, adjacent to the entry. (A-3, D-1, D-12)**

These conditions will be required to be resolved prior to MUP issuance, as conditioned at the end of this document.

DECISION – DESIGN REVIEW

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

ANALYSIS - SEPA

Environmental review is required pursuant to the Washington Administrative Code 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05). 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, 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 such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

A Final Environmental Impact Statement (FEIS) was published for the South Lake Union Height and Density Alternative in April 2012. The FEIS identified and evaluated the probable significant environmental impacts that could result from the redevelopment of the South Lake Union for a variety of rezone scenarios. That analysis evaluated the direct, indirect and cumulative impacts of the Preferred Alternative and other alternatives.

The subject site is within the geographic area that was analyzed in the FEIS and the proposed development is within the range of actions and impacts that were evaluated in the various alternatives. The site is located within the Denny Park area described in the EIS. DPD determined that it is appropriate to adopt the FEIS and prepare an EIS Addendum to add more detailed, project-specific information related to the proposed development.

DPD adopts the FEIS. DPD relies on SMC 25.05.600, allowing the use of existing environmental documents as part of its SEPA responsibilities with this project. DPD has determined that the proposed impacts for this Master Use Permit are identified and analyzed in the referenced FEIS; however additional analysis is warranted as permitted pursuant to SMC 25.05.625-630, through an Addendum to the FEIS.

The EIS Addendum and related documents addressed the following areas of environmental impact:

- Construction
- Land Use
- Historic Resources
- Aesthetics (Views, Shadows)
- Transportation and Parking

An Addendum analyzing these areas of environmental impact was prepared and the Notice of Adoption and Availability of Addendum (“Addendum to the South Lake Union Final EIS for the Height and Density Alternatives”) was published in the City’s Land Use Information Bulletin on August 12, 2013. A copy of the Addendum was sent to parties of record that commented on the EIS. In addition, a copy of the notice was sent to parties of record for this project.

ENVIRONMENTAL IMPACTS

The following is a discussion of the impacts identified in each element of the environment, along with indication of any required mitigation for the impacts disclosed. The impacts detailed below were identified and analyzed in the FEIS with more specific project-related discussion in the 2011 Addendum and related documents.

A. Short Term Impacts Identified in the FEIS

Construction

SMC 25.05.675.C provides policies to minimize or prevent temporary adverse impacts associated with construction activities. To that end, the Director may require an assessment of noise, drainage, erosion, water quality degradation, habitat disruption, pedestrian circulation and parking, transportation, and mud and dust impacts likely to result from the construction phase.

The FEIS generally identified potential impacts from new construction in the South Lake Union area.

Construction: 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 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends.

Some of the nearby 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 building permit. Several mitigation strategies were listed in the South Lake Union EIS. These should be included in any Construction Noise Management Plan, as they are deemed by DPD to be applicable to the site and proposed activity.

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, with haul routes restricted to nearby arterials. The immediate area is subject to traffic congestion during the PM peak hours, 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 to SDOT for approval, and Construction Parking Plan to DPD for approval. The Construction Haul Route plan should incorporate mitigation listed in the Addendum, and may include a restriction in the hours of truck trips to mitigate traffic impacts on nearby arterials and intersections. The Construction Parking Plan shall include an analysis of nearby off-street parking lots, including the number of parking spaces per lot, and the peak demand for construction parking for the proposed development.

Evidence of these approved plans shall be provided to DPD prior to the issuance of demolition and building permits.

B. Long Term Impacts Identified in the FEIS

The following is a discussion of the impacts identified in each element of the environment, along with indication of any required mitigation for the impacts disclosed. The impacts detailed below were identified and analyzed in the FEIS.

Land Use

The FEIS recommended specific strategies to mitigate the impacts of Land Use changes from the proposed rezoning of South Lake Union. Most of these mitigations were related to additional building height impacting the flight path near Lake Union.

The proposed development has been designed to be consistent with the SM-85 zoning that was in effect at this site prior to the EIS and the 2013 rezoning of South Lake Union. The land use impacts are less than the impacts of development resulting from the land use and zoning changes contemplated through the EIS. Therefore, the department concludes that no adverse land use impacts will occur as a result of the proposal, and conditioning is not warranted.

Land Use (Height, Bulk, and Scale)

The FEIS recommended specific strategies to mitigate the impacts of additional height, bulk, and scale for new development that conforms to the new zoning designations. Most of these strategies are implemented through the Design Review process, as required by SMC 23.41.

Section 25.05.675.G.2.c of the Seattle SEPA Ordinance provides the following: “The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project.”

The proposal has gone through the Design Review process as described earlier in the Design Review Analysis portion of this document. Therefore, the department concludes that no adverse height bulk and scale impacts will occur as a result of the proposal, and further conditioning is not warranted.

Historic Resources

SMC 25.05.675.H provides policies to minimize impacts to designated historic landmarks, as well as historic districts and sites of archaeological significance.

The EIS listed potential mitigation for the rezoning of South Lake Union, including a new historic resources assessment, exploration of potential Transfer of Development Rights program for historic resources in South Lake Union, and additional funding for the Department of Neighborhoods review of potential historic landmarks. The EIS didn't include mitigation for specific historic buildings or sites in South Lake Union beyond the existing referral and landmark nomination process.

This site includes three buildings more than 50 years old. Two of the buildings were determined ineligible for historic landmark designation. The other building (777 Thomas Street) was designated as a historic landmark by the Landmarks Preservation Board. The proposed modifications and addition to the historic landmark has been subject to review by the Landmarks Preservation Board and Department of Neighborhoods, as described in the Addendum to the EIS. A Certificate of Approval for the modifications to the landmark is required prior to MUP issuance.

Pursuant to the SEPA Overview Policy in SMC 25.05.665.D, it is presumed that the existing regulations and authority through the Landmarks Preservation Board and Department of Neighborhoods are adequate to achieve sufficient mitigation of the historic landmark, and additional mitigation is not warranted.

Aesthetics (Public Views)

SMC 25.05.675.P provides policies to minimize impacts to designated public views listed in this section. The South Lake Union FEIS discussed potential public view impacts from Volunteer Park (Capitol Hill) and Bhy Kracke Park (Queen Anne).

The proposed development is lower than the potential height changes described in the FEIS (approximately 70' proposed; 240' analyzed). The proposed development is set back on Thomas Street, where views to the Space Needle could potentially be impacted. The site is also in a location that would not result in blockage of public views of mountains, water, or the Space Needle from either of the listed parks.

The proposed development does not block views of any nearby historic landmarks. The proposed development includes a historic landmark. The review of impacts to the historic landmark is within the purview of the Landmarks Board, as described in the Historic Resources section of this document.

Consequently the impact to the public views from parks is less than identified in the EIS, and conditioning is not warranted.

Aesthetics (Shadows on Public Open Spaces)

SMC 25.05.675.Q provides policies to minimize impacts to designated public views listed in this section. The EIS included consideration of shadow impacts to public spaces, including Denny Park, which is located to the south of the subject property.

The Addendum to the EIS included shadow studies that indicated that no shadows will be cast on the Park from the proposed development. Therefore, the department concludes that no adverse shadow impacts will occur as a result of the proposal, and conditioning is not warranted.

Transportation and Parking

SMC 25.05.675M and 25.05.675R require that the Director assess the extent of adverse impacts of traffic, transportation, parking and the need for mitigation. The FEIS analysis considered the direct, indirect and cumulative impacts of the EIS alternatives as they relate to the overall transportation system and parking demand. The subject site is within the area analyzed in the EIS and the proposed development is within the range of actions and impacts evaluated in the EIS.

Traffic analyses associated with the proposed development were reviewed by DPD, as described in the Addendum (Transportation Technical Analyses reports by TranspoGroup, dated November 2012, December 2012 and March 2013). The March 2013 traffic analysis found that the proposed development would result in approximately 400 daily trips, including 18 PM peak hour trips. This is within the range of potential trips analyzed in the FEIS.

The study also examined impacts to nearby intersections and corridors in the project vicinity and found that the vehicle trip impacts were consistent with the analysis in the EIS.

The Transportation Technical Analyses found that the peak parking demand for the proposed development is 93 vehicles. The proposed amount of parking is for 136 spaces. The number of parking spaces proposed exceeds the anticipated parking demand, therefore conditioning to mitigate parking impacts is not warranted.

The project will be required to mitigate traffic impacts by participating in the City of Seattle transportation mitigation program for South Lake Union as outlined in DPD Client Assistance Memo (CAM) 243. Pursuant to that mitigation payment system, the project proposes to pay a pro rata contribution of \$4,396 in order to help reduce the project's transportation impacts. This fee shall be paid prior to building permit issuance, consistent with DPD business rules, and conditioned with this decision.

The mitigation measures are consistent with those discussed in the EIS. The condition to pay a pro rata contribution of \$4,396 is expected to adequately mitigate the adverse impacts from the proposed development.

DECISION - STATE ENVIRONMENTAL POLICY ACT

The proposed action is APPROVED WITH CONDITIONS.

SEPA - CONDITIONS OF APPROVAL

Prior to Issuance of a Building Permit

1. If the applicant intends to work outside of the limits of the hours of construction described in condition #6, 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.
2. The applicant shall provide DPD with a copy of a Construction Haul Route, approved by Seattle Department of Transportation.
3. A DPD approved Construction Parking Plan is required, demonstrating that specific locations and amounts of parking in nearby off-street parking lots will accommodate the project's parking demand during construction. This plan shall be provided to the Land Use Planner for review and approval (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).
4. The applicant shall make a pro rata mitigation payment pursuant to CAM 243 in the amount of \$4,396 to the City of Seattle.

During Construction

5. 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 Issuance of a Master Use Permit

6. The applicant shall provide the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov) with a modified building color palette that demonstrates increased color contrast to enhance the proposed modulation and articulation.
7. The MUP plans shall show a transparent glazed garage door on 8th Ave N., subject to approval by the Landmarks Preservation Board.
8. The MUP plans shall be modified to show a residential entry design that activates the streetscape, using techniques such as lighting, art, and landscaping.

9. The MUP plans shall be modified to show translucent rather than clear glass panels at the ground level individual residential doors.
10. The MUP plans shall be modified to show light fixtures that wash the south wall of the landmark with lighting, adjacent to the entry.

Prior to Certificate of Occupancy

11. 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).
12. 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

13. 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: September 19, 2013
Shelley Bolser, AICP, LEED AP
Senior Land Use Planner
Department of Planning and Development