



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: 3014325
Applicant Name: Wing-Yee Leung, Architect for Sundberg, Kennedy, Ly-Au Young
Address of Proposal: 1424 11th Avenue

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 5-story structure containing three residential units above 19,095 sq. ft. of office use at mid-level and 7,935 sq. ft. of retail use at street level. Parking for 12 vehicles and 14 bicycle stalls will be provided in below grade garage. Portions of existing character structure to be incorporated in new structure.

The following Master Use Permit components are required:

Design Review – Seattle Municipal Code Section 23.41 with Development Standard Departures:

1. Height of Structure above Character Structure (SMC 23.73.014.B.2)
2. Site Triangle (SMC 23.54.030.G.1)

SEPA Environmental Review - Seattle Municipal Code Section 25.05

SEPA DETERMINATION: Exempt DNS MDNS EIS

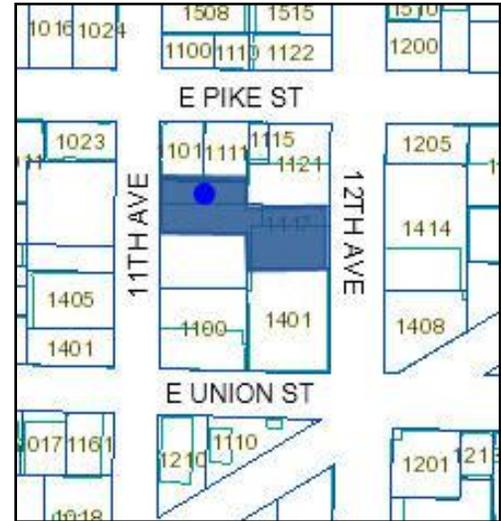
DNS with conditions

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

SITE AND VICINITY

The site is currently occupied by three buildings and an accessory surface parking lot for the existing commercial uses. The two buildings (commonly known as Retrofit Home and Pacific Supply) are classified as character structures with frontage along 12th Avenue have recently

been renovated, and will not be altered as part of this project. The west half of the development site, which is the proposed area of new development, contains a two-story commercial building (character structure) and surface parking lot. The existing two-story building is located on the north side of the surface parking lot. The asphalt surface parking lot sits approximately eight feet below street level. Parking is accessed off 11th Avenue through a two-way driveway approximately 84 feet south of the intersection of 11th Avenue and East Pike Street. The driveway also provides vehicle access to the adjoining development site Agnes Lofts (addressed at 1121 East Pike Street) to the northeast. The site moderately slopes downward, dropping approximately 12 feet, west to east, over a distance of approximately 120 feet. There are no other distinguishable characteristics associated with the development site.



The site is zoned Neighborhood Commercial Three Pedestrian with a height limit of 65 feet (NC3P-65), and is located within the Pike/Pine Urban Center Village and Pike/Pine Conservation Overlay District. Zoning in the immediate vicinity is currently NC3P-65, supporting a number of commercial uses including restaurants, manufacturing, retail, and surface parking lots. To the south, across East Madison Street the zone intensifies to Commercial Two with a height limit of 65 feet (C2-65) within the Major Institutional Overlay District for Seattle University with a height limit of 105 feet (MIO-105), for Seattle University owned projects. Development in the area is predominantly commercial with an increasing number of residential uses located throughout. Development on either side of the subject site includes a 3-story commercial building to the north, and a surface parking lot between the subject site and a 4-story commercial building to the south, at the corner of 11th and E Union Street. Across 11th Avenue is a surface parking lot occupying just over one third of the block, the remaining area hosts a 3-story commercial/residential use to the north and a 1-story warehouse building anchoring the block's south corner. Pike Street is a significant street connecting downtown to this area of Capitol Hill. Twelfth Avenue is a heavily traveled north-south street.

PROJECT DESCRIPTION

The proposal is for a five-story structure with 7,935 sq. ft. of retail, 19,095 sq. ft. of office use, and three residential units on the top floor. Accessory parking for 12 vehicles is proposed below grade, with underground access to approximately 18 parking spaces in an adjacent building (Agnes Lofts). A portion of the existing character structure is proposed to be incorporated in new structure.

PUBLIC COMMENTS

EARLY DESIGN GUIDANCE MEETING:

Approximately 24 members of the public attended the Early Design Guidance meeting held on November 21, 2012. One comment letter was received and forwarded to the Board for consideration. The following comments were offered:

- Clarification whether existing access to below surface parking will be maintained.

- Micro retail space should be considered high value.
- Alley-like pathway should not be used as storage area for trash and recycling.
- Arrangement and placement of windows and decks should minimize impacts on the privacy of adjacent uses to the north.
- The south façade is highly visible and attention should be directed to scaling it down with design detailing. Be creative, this south wall could be visible for sometime in the future.
- Liked the preferred design option.
- Maintain adjacent plaza sense of openness were possible, create spatial separation.
- Building height should be sympathetic to adjacent structures.
- Pedestrian pathway connecting 11th to 12th must be secured to control for noise, inappropriate behavior and trash accumulation.
- Proposal should provide light details and shadow studies.
- Recognized this is a small infill project and should fit in with the surrounding context.
- The project site is unique and requires nuanced design consideration.
- Loves maintaining the front façade with opening for the walkway connection to 12th Avenue.
- Since the upper level will be stepping away from the north property line, the building should be designed to provide visual interest and minimize intrusion on adjacent uses privacy.
- Like the preferred design option, but would like to understand impacts, if any, on the rooftop deck of the adjacent building to the north.

MASTER USE PERMIT:

Date of Notice of Application:	January 31, 2013
Date End of Comment Period:	February 13, 2013
# Letters	0

The SEPA comment period for this proposal ended on February 13, 2012. The Department received no comment letters during the public comment period.

FINAL RECOMMENDATION MEETING:

Approximately eight members of the public attended the Final Recommendation meeting held on March 20, 2013. Prior to the meeting, one comment letter was received and was read during the public comment phase. The following comments were offered:

- Supported the design direction, a fabulous project that will be a beautiful infill addition to the neighborhood. The south wall is what it is, some day a new project eclipse the wall.
- Noted that design team listened to the neighboring tenants concerns by demonstrating proposed widows would be outset to protect privacy and the 2nd floor garden wall would soften hard surfaces.

DESIGN REVIEW

EARLY DESIGN GUIDANCE MEETING: November 21, 2012
DESIGN DEVELOPMENT

Three alternative design schemes were presented.

The first scheme (Alternative #1) showed the construction of a new code-compliant structure to replace the existing character structure. Under this scheme the building would raise seven-stories, firmly holding the street facing edge with 5-stories rising above street grade, with the two upper stepping back to give the building an articulated street presence. The rear would be set back by approximately 10 feet to enlarge an open plaza shared by adjacent uses and development sites. The building's program would feature ground floor retail, mid-level office use with upper level residential uses. This project phase completes a master plan for the development site integrating all the uses to share a through block connection, between 11th and 12th Avenues and interior multilevel pedestrian plaza. The scheme would maximize gross floor area and have the internal pedestrian connection internal through the proposed structure.

The second scheme (Alternative #2) showed an incorporation of a small portion of the existing character structure with greater articulation both vertically and horizontally that responded more directly to the historical and contemporary context. To achieve this, the first 15 feet of (measured from property line) the street facing façade of the character structure would be preserved and the new building would wrap around this core area. By saving a portion of the character structure the building could gain additional 10 feet in height to 76 feet. As was provided in Alternative #1, the floor levels would contain the same use program and rear set back maintained to allow an expanded pedestrian plaza. No departures were noted under this scheme.

The third and preferred scheme (Alternative #3) saved a more significant portion of the character structure. This scheme promoted a building that is more respectful its historic context and creating opportunities foster community engagement, with a distinctive through block connection, strong street presence and establishing outdoor rooms for social interaction. At the ground level, a distinctive gateway entry to the pedestrian mews, with opening into retail spaces as one heads to the plaza or restaurants facing the plaza or to 12th Avenue. The mews is located in the north portion of the eroded character building's exposed wood frame adjacent to an access easement when combine creates a unique "Post Alley" vibe. This scheme maximizes articulated features to be more respectful to the character structure and of adjoining properties. Additional space for and retail uses at ground level was provided. The mid-level would lose gross floor area to give greater presence to existing structures through adapting a design vocabulary seeking a harmonious integration on the block. The residential level's foot print will reinforced the neighborhood goals to minimize bulk at the upper level -- and decrease shadows on adjacent residential uses. A more efficient gross floor program is a result of adopting neighborhood guidelines; however, this scheme required a number of departures.

PRIORITIES & BOARD GUIDANCE

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. The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (Pike/Pine Urban Center Village) of highest priority for this project.

At the EDG meeting, the Board focused on the following issues as they provided guidance:

1. Master Plan:

- a. In a prior presentation, the developer mentioned the development site is part of a larger integrated half block Master Plan that has been designed comprehensively to functionally connect existing and proposed uses. In order to better understand the specific proposal as it relates to the expanded development site, the Board directed the architect to present the Master Plan at the next meeting. The Master Plan would allow better understanding of site context with its proposed pedestrian connection between 11th and 12th Avenue, through a multi layered plaza level with access to several buildings. The requested Master Plan for the expanded development site at the Recommendation meeting would further the following guidance (A-1, C-2, and C-3).

2. Massing:

- a. (Preferred) Alternative 3 visually reduces the massing from a street perspective while also emphasizing the pedestrian circulation pathway interior to the development. The design responds well to the adjacent (north) structure's mass. The Board directed the architect to develop the preferred option for the recommendation meeting with the following guidance (B-1).
- b. The adjacent structure to the north along 11th Avenue has a three-story street facing façade. The proposed structure will step back approximately 10 feet from the north property line at the roof height of the existing two-story Character Structure and from the west exterior wall. The Board directed the applicant to be respectful and develop a street façade incorporating the existing datum lines. (A-2).

3. Character Structures:

- a. The Board requested clarification on how the development standards are being met to achieve additional height for preserving the Character Structure. The Board does not want to set a precedent of allowing a design without proper documentation of preservation of the Character Structure per SMC 23.041.

4. Street Level Façade:

- a. The Board would like to see clarification on the location and readability of pedestrian entries; "mews", entry into building and parking access along street-level street facing façade (A-4, C-3, & D-1).
- b. Detailed documentation resolving pedestrian circulation and vehicular access is required at the next Board meeting. Pedestrian access to retail and lobby should be emphasized while simultaneously minimizing vehicular access (C-3, C-4, & D-11).
- c. The opening to the mews is a gateway through the development site and should be designed to create a safe defensible space for pedestrians accessing 11th and 12th avenues through the mid-block connection (B-5, D-1, & D-7).

5. Landscaping:

- a. At the Recommendation meeting a landscape plan locating all proposed landscaping in setbacks and courtyard should be presented (D-1, E-2).
- b. Explore opportunities to provide landscaping in the circulation areas and plaza (A-7, E-2).

6. Plaza (public/private):

- a. Design and integrate the courtyard plaza levels to address privacy issues for existing and proposed commercial and residential uses while reinforcing opportunities for light, air and ventilation (B-5, C-3, D-1, & E-2).

7. Interior Lot Façade:

- a. Provide more detail on location and design of the adjacent residential structure to the north. Clarify upper level setbacks depths, location of roof top decks of the abutting structures to the north (A-5, B-2).
- b. Design north façade to maximize privacy for existing residents by providing sufficient setback and locating windows to minimize direct line of site between existing and proposed residential units (A-5).
- c. Use materials to create a dynamic façade treatment, 3-D element if possible, to minimize the appearance of a blank wall facing an adjacent surface parking lot (A-5, D-2).

8. Solid Waste Recyclable Materials Storage and Access

- a. At the Recommendation meeting the Board would like to the applicant present materials to demonstrate how the solid waste materials will be managed; location of storage, pick-up days, etc. for the proposed development and for the entire development site (D-6).

FINAL RECOMMENDATION MEETING: March 20, 2013

The packet includes materials presented at the Recommendation meeting, and is available online by entering the project number (3014325) at this website:

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

or contacting the Public Resource Center at DPD:

Address: Public Resource Center
700 Fifth Ave., Suite 2000
Seattle, WA 98124

Email: PRC@seattle.gov

PRIORITIES & BOARD RECOMMENDATIONS

At the Final Recommendation meeting, the Board discussed responses to the EDG meeting and recommended conditions to meet the applicable Design Review Guidelines listed at EDG:

1. Master Plan:

- a. The Board unanimously agreed this was an optimum presentation to understand the full scope of the development proposal. The analysis was thoughtful, well executed within the expanded development site and within its neighboring context. (A-1, C-2, and C-3).

2. Massing:

- a. The Board overwhelmingly supported the design direction of reducing the building's mass within the development site. The massing includes horizontal and vertical shifts in the building's mass on the upper level, to allow a greater sense of privacy to neighboring properties to the north and solar penetration directed into the plaza levels. (B-1)
- b. The Board agreed that the proposed integrated building (Chophouse and new structure) was sympathetic in scope and scale to its surroundings with the continuation of datum lines of the adjacent structure to the north, and noted its roof line was slightly sloped to decrease the area of shadows upon adjacent buildings. In the context of the surrounding buildings, the proposed building is well composed. (A-2)

3. Character Structures:

- a. The Board was pleased with the thorough analysis of the Character Structure's integration into the proposal. With several clarification questions surrounding floor heights and deconstruction details addressed during the presentation, the Board acknowledged support and focused on other design elements. (B-1, B-2, B-3, B-5, B-7)

4. Street Level Façade:

- a. The Board agreed that the large storefront windows along 11th Avenue, a heavily traveled pedestrian corridor, would provide opportunities to engage the public realm. The gateway entry into "The Mews" will feature a decorative gate that will remain open during business hours. The intention is to draw pedestrians into The Mews with the majority of entries into the building taken off The Mews with further connection to adjacent uses and 12th Avenue. A limited number of building access entries is programmed off 11th Avenue. (A-4, C-3, & D-1)
- b. The Board noted that the garage door and opening may prove detrimental to the pedestrian experience and wanted to know what mitigating measures were proposed to allow pedestrians to feel safe. The garage door would be recessed and the area would be well illuminated with down lighting. Overhead weather protection would only extend over the garage door and to the building's south façade. (C-3, C-4, & D-11)

- c. The Mews is set within a portion of the eroded Character Structure with structural elements retained to provide a framework for lighting, landscaping and other treatments to establish a unique experience creating a warm and welcoming pedestrian experience. The presentation included a multilayered visual tour of The Mews to the plaza levels with access connections to other businesses on adjacent parcels. The Board recognized this unique opportunity to allow the public access through this mid-block connection with multiple ways to access the central plaza would be an asset to the neighborhood. The Board supported a street-level design along 11th Avenue featuring a gateway entry into The Mews, large storefront windows, warm exterior wood materials, lighting and other details to engage the public. (A-4, B-5, C-3, C-4, D-1, D-7 & D-11).

5. Landscaping:

- a. The landscape design included a roof top green roof element, 5th floor residential decks, a 2nd floor green wall at street level along The Mews and at the plaza level outdoor decks vegetated walls and planter boxes. On the upper level landscaping features are mostly designed to provide visual relief for neighboring tenants whether on the roof top or affixed to an exterior wall. (A-7, D-1, & E-2)
- b. At street-level, along the 11th Avenue, two street trees and ground cover will be placed in the realigned curb bulb to help establish a sense of place. The street improvements will be coordinated with the new 11th avenue green street design standards. A number of landscape layers are presented in The Mews and plaza. Vegetated walls will be installed on existing concrete walls with overhead hanging planters softening the Mews. Reclaimed wood, planter boxes and vegetated walls will be installed in the plaza to help define a sense of place. The Board noted satisfaction with the execution of the landscape plan and was supportive of the proposed landscaping improvements. (A-7, D-1, & E-2)

6. Plaza (public/private):

- a. The Board enthusiastically agreed this was an optimum design for a multilayer and integrated plaza space. (See comment #4) (B-5, C-3, D-1, & E-2)

7. Interior Lot Façade:

- a. The Board generally agreed the presentation was optimum with conveying the design impact on the block and presentation materials. The Board identified a couple of lapses in the design execution of the south façade but was overall satisfied with the design response to EDG. The applicant clearly responded well to addressing spatial and privacy concerns upon adjacent properties to the north. Window placement and building mass were designed with a deft hand sensitive to the concerns of the tenants expressed during Early Design Guidance. (A-5, B-2)
- b. The Board agreed that the design challenge is the exposed party wall along the south property line. As viewed from the south along 11th Avenue, a perspective that will feature the greatest visibility, the proposed building introduces a 3-D relief by inserting two vertical steel channels with bright color on its inner face to create a striking visual element. The exterior wall is otherwise clad in painted hard panel

rainscreen to help scale down the blank wall. Another more vibrant south façade treatment was presented but it is dependent upon securing funding to support lamination of an art piece on the panels. If the artwork is financially unattainable, the Board encouraged the design to evolve a composition along the south façade to be more visually stimulating through increased color variations and/or greater intentionality. (A-5, B-2, & D-2)

8. Solid Waste Recyclable Materials Storage and Access

- a. The Board concurred that the applicant provided detailed information demonstrating no adverse impacts at the development site. (D-6)

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

A. Site Planning

- A-2 **Streetscape Compatibility.** The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.
- A-4 **Human Activity.** New development should be sited and designed to encourage human activity on the street.
- A-5 **Respect for Adjacent Sites.** Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.
- A-8 **Parking and Vehicle Access.** Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

B. 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.

Pike/Pine-specific supplemental guidance:

B-2 Pike/Pine Neighborhood Scale and Proportion

- a) Design the structure to be compatible in scale and form with surrounding structures.
- b) Relate the scale and proportions of architectural features and elements to existing structures on the block face to maintain block face rhythm and continuity.

- c) **Address conditions of wide or long structures. For structures that exceed the prevailing height, reduce the appearance of bulk on upper stories to maintain the established block face rhythm.**
- d) **Design the first floor façade to encourage a small-scale, pedestrian-oriented character**

B-3 Integration of Character Structures in New Development (Supplemental guidance especially for properties located within the Pike / Pine Conservation Overlay District.)

- a) **Develop a design Concept**
- b) **Do not overpower the character structure.**
- c) **Express the relationship between the character structure and new portions of the project.**
- d) **Emphasize the streetscape.**
- e) **Align features of the character structure with features of new portions of the project.**
- f) **Consider design treatments that anchor the new structure to the streetscape.**

B-5 Through-Block Development

- a) **Avoid monolithic development on through lots.**
- b) **On blocks bounded by designated principal pedestrian streets, take advantage of opportunities to include through-block connections.**
- c) **Capitalize on opportunities to provide utility functions in through-block development.**

B-7 Conservation of Character Structures (Supplemental guidance especially for properties located in the Pike/Pine Conservation Overlay District.)

- a) **Maintain the architectural integrity of the character structure**
- b) **Maintain Character-Defining Elements**
- c) **Recognize the priority for maintaining the original floor-to-ceiling heights in character structures, especially for the ground floor and for features visible from the exterior.**
- d) **Sensitively locate additions so they do not dominate the appearance of the character structure.**

C. Architectural Elements and Materials

- C-1 Architectural Context. The Pike/Pine “vernacular” architecture is characterized by the historic auto row and warehouse industrial buildings featuring high ground-floor ceilings, articulated ground-floor commercial space, display windows, detailed cornice and frieze work, and trim detailing.**

(Pike/Pine-specific supplemental guidance)

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

C-3 Human Scale. In order to achieve good human scale, the existing neighborhood context encourages building entrances in proportion with neighboring storefront developments. In addition to the Citywide Design Guidelines, developments should successfully contribute to the vitality of the street level and pedestrian scale relationships to the right-of-way. Thus, the design of the ground floor of new developments should include:

- Pedestrian-oriented architectural elements.
- A rhythm of building modulation comparable or complimentary to adjacent buildings.
- Transparent, rather than reflective, windows facing the street.

This is important throughout the neighborhood. It is preferred that ground floor development echoes the patterns established by adjacent buildings in this area, including high bays and glazing along the ground floor. To this regard, cues can be taken from the Odd fellows and Elliott Bay Bookstore buildings on 10th Avenue E. between Pike and Pine and from the buildings on the south side of Pike Street between Boylston and Harvard Avenues.

(Pike/Pine-specific supplemental guidance)

C-4 Exterior Finish Materials. New development should complement the neighborhood's light-industrial vernacular through type and arrangement of exterior building materials. Preferred materials and approaches include:

- Brick, masonry, textured or patterned concrete, true stucco (Dryvit is discouraged), with wood and metal as secondary or accent materials.
- Other high quality materials that work well with the historic materials and style of neighboring buildings.
- Limited number of exterior finish materials per building.
- High quality glazing and trim as a vital component of exterior finish.

(Pike/Pine-specific supplemental guidance)

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.

(Pike/Pine-specific supplemental guidance)

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.

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.

(Pike/Pine-specific supplemental guidance)

- 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.
- Lighting installed for pedestrians should be hooded or directed to pathways leading towards buildings.
- a) Promote the pedestrian environment
 - b) Reflect the special neighborhood character

(Pike/Pine-specific supplemental guidance)

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

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.
- E-2 Landscaping to Enhance the Building and/or Site.** The creation of small gardens and art within the street right-of-way is encouraged in the Pike/Pine neighborhood in order to enhance and energize the pedestrian experience. This is especially desirable for residential and mixed use developments as well as a means to distinguish commercial areas from institutional areas. Providing vertical landscaping, trellises or window boxes for plants is also desirable. *Street greening* is specifically recommended along the following streets:
- Avenues between Union and Pike Streets, from Minor Avenue on the west to Harvard Avenue on the east;
 - Along Bellevue, Summit, Belmont, and Boylston (except from Pike to Pine)
 - Union Street from Boren to Broadway

- **Avenues between Pike and Olive Streets from 11th Ave. on the east to 14th Ave. on the west including Pine from 14th and 15th and Olive from 11th to 15th (except along 14th Ave. from Pine to Pike).**

DEVELOPMENT STANDARD DEPARTURES

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

1. **Site Triangle (SMC 23.54030.G.518):** The Code requires a site triangle on both sides of a two-way driveway with a width 22 feet or less. The site triangle shall be kept clear of any obstructions for a distance of 10 feet from the intersection of the driveway with the intersection of the sidewalk. The applicant proposes to erode the building on either side of the driveway entrance and introduce pedestrian safety devices at the property line.

The Board unanimously recommended approval of the proposed departure with the understanding that mirrors and/or lighting will be deployed to protect pedestrian safety in the 11th Avenue right-of-way. The Board specified that no audible warning signals shall be installed. (A-8, C-5, B-5, D-1, & D-7)

2. **Height of Structure Above Character Structure (SMC 23.73.014.B.2):** The Code requires if a project incorporates a character structure on the lot, the Director may permit the height of a structure to exceed the height limit by 10 feet, if the project meets the following conditions: a) all street-facing facades of the character structure shall be retained; b) all portions of the new structure above the height of the street-facing facades of the character structure shall be setback a minimum of 15 feet from all street property lines that abut the character structure; and c) the original floor to ceiling height of the ground story shall be maintained. The applicant proposes to erode a portion of the street-facing façade to allow a pedestrian outdoor through block connection to 12th Avenue, and removal of portion of the second floor to allow a double height space facing the street and rear facing plaza.

The revised design with detail renderings capturing a design aesthetic incorporating the Character structure into the new building and open up the street-level experience to neighboring uses and inviting the public to experience a dynamic mid-block connection through a central plaza area is truly inspired, the Board voted unanimously in favor of the requested departure. (A-2, B-1, B-3, B-5, B-7, C-1, C-2, C-3, & E-1)

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated March 20, 2013, and the materials shown and verbally described by the applicant at the March 20, 2013 Final Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended APPROVAL of the subject design and departures, with the following conditions:

1. The south façade should provide greater visual interest as viewed from neighboring buildings and sites. The south expanse of the exterior wall is underwhelming with slight

movements to create visual interest. An artistic move is required to add vibrancy to the exposed wall. If the lamination of the artwork is not feasible, then a more intentional design move with the finish material and color is required. This could be a subtle move to give the exposed wall more refinement. (A-5, B-2, C-2, & D-2)

2. The street-level façade surrounding the opening into the parking garage along 11th Avenue should put greater emphasis on the pedestrian experience by framing the development site with a continuous sidewalk experience unbroken by the curb cut. (A-8, C-3, C-5, D-1, & D-7)
3. Installation of mirrors and/or lighting or other devices are required at the garage entry to safeguard pedestrians in the in the right-of-way. (A-8, C-3, C-5, D-1, & D-7)

Subsequent to the March 20, 2013 meeting, the applicant has worked with DPD staff to respond to the Design Review Board Recommended Conditions as follows:

1. The applicant has redesigned the south façade to be more intentional, better proportioned and scaled creating a more visually interesting exterior wall in response to recommended condition #1. This recommended design review condition has been satisfied.
2. The applicant has modified the drawings to show uninterrupted sidewalks placing a higher emphasis on the pedestrian experience, in response to recommended condition #2. This recommended design review condition has been satisfied.
3. The applicant will add mirrors and/or auto-actuated strobe lighting to facilitate safe and an aesthetically designed program to allow pedestrians to safely cross the driveway, in response to recommended conditions #3. These recommended design review conditions have been satisfied.

The plans on file reflect the updated design and will be included in the issued MUP plan set.

ANALYSIS & DECISION – DESIGN REVIEW

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director’s decision reads in part as follows:

The Director’s decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

- a. *Reflects inconsistent application of the design review guidelines; or*
- b. *Exceeds the authority of the Design Review Board; or*
- c. *Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or*
- d. *Conflicts with the requirements of state or federal law.*

Director's Analysis:

Four members of the East Design Review Board were in attendance and provided recommendations to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with and accepts the conditions recommended by the Board that further augment the selected Guidelines.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting and finds that they are consistent with the Citywide Design Guidelines and City of Seattle Design Review Guidelines for Pike/Pine Urban Village. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board. The Director is satisfied that all of the recommendations imposed by the Design Review Board have been met.

Director's Decision:

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Pike/Pine Urban Village. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departure with the conditions summarized at the end of this Decision.

ANALYSIS - SEPA

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated January 16, 2013 and annotated by the Land Use Planner. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant and reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in adverse impacts to the

environment. However, due to their temporary nature or limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, “*Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*” subject to some limitations. Short-term adverse impacts are anticipated from the proposal. No adverse long-term impacts on the environmentally critical area are anticipated.

The SEPA comment period for this proposal ended on February 13, 2012. The Department received no comment letters during the public comment period.

Short Term Impacts

Greenhouse gas emissions

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 due to the relatively minor contribution of greenhouse gas emissions from this project.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Noise

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

The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 7:00 PM. Interior work that involves noisy construction equipment, including electrical compressors, may be allowed on Saturdays between 9:00 AM and 7:00 PM 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.

Construction activities outside the above-stated restriction may be authorized by the Land Use Planner when necessitated by unforeseen construction, safety, or street-use related situations.

Requests for extended construction hours or weekend days must be submitted to the undersigned Land Use Planner at least 3 days in advance of the requested dates in order to allow DPD to evaluate the request. Alternatively, the applicant may prepare and submit a Construction Noise Management Plan to mitigate noise impacts, to be determined by DPD prior to issuance of a demolition, grading, or building permit, whichever is issued first.

Construction Parking and Traffic

During construction, parking demand is expected to increase due to additional demand created by construction related impacts including personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities. The development site provides vehicular access to an underground parking garage servicing 18 parking spaces for the Agnes Loft Building. During construction, it is anticipated that access to the underground parking garage will become inaccessible. Residents of Agnes Loft and construction workers will place additional demand for off-site parking for a period of time. With limited on-street parking in the area additional measures are needed, including promoting alternatives modes of travel for construction workers, up to securing temporary parking or alternative transportation options for Agnes Loft residents.

Urban Shelter, LLC is developing contractor specifications that among other provisions require their contractors to take specific measures to reduce potential impacts including material hauling activity associated with the temporary construction staging activity. Further, the contractor will arrange for off-site parking to be available for all of its employees and subcontractors. Urban Shelter will prohibit employees of the contractor or its subcontractors from parking anywhere other than the contractor designated parking lots.

Due to limited amount of available on-street parking, the contractor will arrange for off-site parking to be available for all of its employees and subcontractors and, if necessary, provide worker transportation to the work site. Urban Shelter will procure parking for the tenants of Agnes Loft during construction.

Pedestrian circulation will essentially remain unchanged during construction. During the construction related activity, pedestrian traffic will be rerouted when necessary along the west side of 11th Avenue. This includes an approximately one month period when a crane will be used for steel erection. After completion of the project, the sidewalks and streets will be realigned to widen the pedestrian streetscape.

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

To mitigate construction parking impacts, the applicant shall submit a Construction Parking Plan for approval by DPD, prior to the issuance of the demolition, grading and building permits.

Long Term Impacts

Historic Preservation

The Department of Neighborhoods indicated the structures on site that are proposed to be demolished are unlikely to qualify for historic landmark status (Landmarks Preservation Board letter, reference number LPB 64/13). Therefore, no mitigation is warranted for historic preservation.

Parking and Traffic

As part of the environmental checklist, the project submitted a transportation analysis (Transportation Impact Analysis by Gibson Traffic Consultants, Inc., dated March, 2013). An addendum addressing trip generation estimates and commercial parking demand was prepared on July 23, 2013 and submitted the DPD for review on July 24, 2013.

The project is expected to generate a net total of 656 daily vehicle trips; with 43 net new AM Peak Hour trips and 59 net new PM Peak Hour trips. Level of service analysis was performed for nearby intersections. That analysis showed that the project is expected to add a small amount of delay at each of the study intersections, but is not expected to significantly affect their overall operation.

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

The Transportation Impact Analysis noted that the average parking demand for the proposed residential units is 4.8 parking stalls, 55 parking stalls for office demand, and 29.5 stalls for retail parking. The total unconstrained demand is up to 85 parking stalls; the number of proposed parking spaces (12) is anticipated to fall short of the demand. The proposed 12 parking stalls are earmarked for residential use, well in excess of the residential demand in the proposed structure. The parking program includes providing tenants of Agnes Lofts off-site parking privilege to the remaining parking spaces at development site.

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

Based on the information provided in *Parking Generation, 4th Edition by the Institute of Transportation Engineers (ITE)*, total nonresidential parking demand is 72 parking spaces (51 from office and 21 from retail demand). When factoring into account several additional data sources that study older urbanized neighborhoods and locations with multimode transit share options, the rate of nonresidential parking demand decreases. Taking these factors into account would reduce parking demand as low as 21 for office and 6 for retail. Although this demand is reduced from initial estimates, this amount of additional parking demand in the vicinity of the project would constitute an adverse impact. To mitigate the resultant parking demand the applicant has identified 4 parking lots totaling 113 parking stalls within 2,200 feet of the development site that could be utilized for off-site parking by the commercial uses. To further mitigate parking demand, the applicant proposes to install a visually prominent transportation information kiosk with flat screen display monitor. The kiosk would include the following: Area map with bus stops; Car2Go map with available cars; streetcar departure times; bus and streetcar schedules, urban cycling routes. The kiosk will be located within the main lobby's threshold.

By providing information about alternate modes, the kiosk is expected to reduce the off-site parking impacts anticipated from the commercial uses. No additional mitigation of parking impacts is necessary pursuant to SEPA.

Greenhouse Gas

Operational activities, primarily vehicular trips associated with the project and the projects' 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.

DECISION – STATE ENVIRONMENTAL POLICY ACT (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. 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 of 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(2)(c).

CONDITIONS – SEPA

Prior to Issuance of any Construction, Shoring or Grading Permits

1. The applicant shall be required to submit a Construction Parking Plan, subject to review approval by DPD.
2. If the applicant intends to work outside of the limits of the hours of construction described in condition #3, Construction activities outside the above-stated restriction may be authorized by the Land Use Planner when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the undersigned Land Use Planner at least 3 days in advance of the requested dates in order to allow DPD to evaluate the request. Alternatively, the applicant may prepare and submit a Construction Noise Management Plan to mitigate noise impacts, to be determined by DPD prior to issuance of a demolition, grading, or building permit, whichever is issued first.

During Construction

3. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 7pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 7pm 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.

CONDITIONS-DESIGN REVIEW

During Construction

4. Any changes to the design, building exterior or landscape plan shall be submitted to DPD for review and approval.

Prior to Issuance of any Certificate of Occupancy

5. The applicants shall arrange for an inspection with the Land Use Planner to verify that the construction of the buildings with siting, materials, and architectural details is substantially the same as the graphic presentation submitted to and approved by the Design Review Board on March 20, 2013, and updated and documented in the approved plan set.

For the Life of the Project

6. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner.

Signature: _____ (signature on file) Date: August 19, 2013
Bradley Wilburn, Senior Land Use Planner
Department of Planning and Development

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