City of Seattle
Edward B. Murray, Mayor

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: 3014773/ 3016586

Applicant Name: Jim Westcott, of WTGBD

Address of Proposal: 204 Pine Street/ 1608 2nd Avenue

SUMMARY OF PROPOSAL

3014773 – 204 Pine Street: Land Use Application to allow a 39 story structure containing 398 residential units and 3,100 sq. ft. of retail space at ground level. Parking for 217 vehicles to be provided within the structure. Project also includes 35,000 cu. yds. of grading. [NOTE: This application requires SEPA and Design Review]

3016586 – 1608 2nd Avenue: Land Use Application to allow a 144 stall, below grade parking garage accessory to the structure proposed at 204 Pine Street (Application #3014773). Project includes 2 surface parking spaces, perimeter streetwall treatment and above grade stair/exhaust enclosures. [NOTE: This application requires SEPA but not Design Review]

The following approvals are required:

Design Review (3014773 only) pursuant to Chapter 23.41, Seattle Municipal Code, with Departures:

Development Standard Departure to increase the maximum tower width. (SMC 23.49.058.D.2)

Development Standard Departure to reduce the amount of required common recreation area, and the percentage of it that is enclosed. (SMC 23.49.010.B.1)

Development Standard Departure to redistribute the required alternate uses screening the above grade parking. (SMC 23.49.019.2)

SEPA (3014773 & 3016586) – Environmental Determination – Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: [ ] Exempt [ ] DNS [ ] MDNS [ ] EIS

[X] DNS with conditions

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

Site:

Site Zone: DMC 240/290-400

Nearby Zones: (North) DMC 240/290-400
(South) DMC 240/290-400
(East) DRC 85/150
(West) DMC 240/290-400

Lot Area: #3014773: 14,171 sq.ft.
#3016586: 13,095 sq.ft.

Site Development:

The full site for both applications is a rectangular half block bounded by Pine Street on the south, 2nd Avenue on the west, Stewart Street on the north, and an improved public alley on the east. The entire site is currently occupied by surface parking.

Access:

Pedestrian access is from the three surrounding streets, Pine street, 2nd Avenue, and Stewart Street. Vehicular access to the site is from the alley adjacent.

Surrounding Development and Neighborhood Character:

The site is west of the half-block, nine level parking structure known as the 'Macy's garage', separated by the alley. A mix of 4 -14 story commercial buildings occupy the surrounding street faces, with consistent, active ground floor uses, usually retail. This visible site is in the heart of an active mixed use, downtown district, serving residents, workers, shoppers and tourists. The three adjacent streets are very active pedestrian corridors connecting to the waterfront and Pike Place Market; Pine Street and 2nd Avenue are classified Class 1 Pedestrian Streets and Principal Transit Streets.

ECA's:

None.

BACKGROUND

The #3014773 project requires Design Review pursuant to SMC 23.41. There was one Early Design Guidance (EDG) meeting before the Downtown Design Review Board (DRB) on May 7, 2013 (notice date: April 18, 2013), and a Final Recommendation DRB meeting on January 7, 2014 (notice: December 19, 2013). The project Master Use Permit (MUP) application was deemed complete on July 31, 2013. This project includes a residential tower above 5 levels of underground parking, which would be connected directly to the 5 underground levels of the accessory parking MUP #3016586.

The #3016586 project MUP application was deemed complete on January 3, 2014. This project includes 5 levels of underground parking that would be accessory to MUP #3014773, and accessed only through that project's alley portals. The parking would have a lid at approximately existing grade, and include two surface parking spaces off the alley, an exit stair and parking exhaust enclosure, a 15-20 foot tall perimeter streetwall treatment with art and retail alcoves, and a concrete core that would project approximately 8 feet above grade, anticipating a future above grade building's elevator core.

I. ANALYSIS – DESIGN REVIEW for Application #3014773

EARLY DESIGN GUIDANCE MEETING: May 7, 2013
DESIGN PRESENTATION

The Early Design Guidance (EDG) booklet includes materials presented at the EDG 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. or contacting the Public Resource Center at DPD:

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

Email: PRC@seattle.gov

PUBLIC COMMENT

Approximately 15 members of the public attended this Early Design Review meeting. The following comments, issues and concerns were raised:

- Noted the sculptural character of the option A tower, especially to the south, was more interesting on the skyline than the "very flat walls" of options B & C.
- Stated the retail proposed is only about 20% of the ground floor, and that is not enough considering the corner is a "virtual 100% intersection" and could garner high rents.
- Objected to the largely blank, north party wall on the podium, even though it may be covered by an adjacent building in the future.
- Encouraged the addition of residents in the vicinity to balance the commercial and tourist population.
- Stated the option C proposed top was interesting, but was concerned the middle floors were lacking interest and too repetitive for such a highly prominent site.
- Concerned about wind shear down the face of flat tower walls, thus supported the large canopy at the podium of option A; would like to see an analysis of wind impacts to sidewalks.

FINAL RECOMMENDATION MEETING: January 7, 2014
DESIGN PRESENTATION

The Recommendation booklet includes materials presented at the Recommendation 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. or contacting the Public Resource Center at DPD:

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

Email: PRC@seattle.gov

PUBLIC COMMENT

There were no public comments at this 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 (the Board) provided the following site planning and design guidance. The Board identified the following Downtown Design Guidelines of **highest priority for this project**. Under each priority guideline, the EDG comments are followed by the **Final Recommendation comments in bold.**

The Priority Downtown guidelines are summarized below, while all guidelines remain applicable. For the full text of all guidelines please visit the Design Review website: http://www.seattle.gov/dpd/aboutus/whoweare/designreview/designguidelines/default.htm

Page references below are to the Recommendation booklet dated January 7, 2014.

Site Planning & Massing

Responding to the Larger Context

A-1 **Respond to the Physical Environment.** Develop an architectural concept and compose the building's massing in response to geographic conditions and patterns of urban form found beyond the immediate context of the building site.

At the Early Design Guidance Meeting, the Board agreed this is an exceptional corner site, highly visible, with an extremely active pedestrian street character. It fills a crucial missing tooth in the fabric and connects the inland commercial core to Pike Place Market and the waterfront. Therefore the project should strongly reinforce this vital pedestrian movement, and be well-informed by the uses, rhythm and patterns in the surrounding context, especially at the podium and street level [see B-1 below].

The Board agreed the response to the 2nd Avenue street axis and grid shift is promising, as it breaks the relatively long tower wall planes into smaller facets (also see departure request). They also encouraged more exploration of a vertical inter-lock between podium and tower, perhaps enlarging the proposed vertical slots, and/or carrying one of three tower corners right to sidewalk grade, as shown in option A. Other sculptural aspects of option A or B may be integrated into C, to increase variety in the middle zone of floors 10-34.

At the Final Recommendation meeting, the Board supported the rotated planes at the tower top, including the revisions that increased these rotated portions to 4 floors of height, and accentuated the two different cladding characters, thus perceivable from the street. See comments under B-1 and C-1 for additional response to context issues.

A-2 **Enhance the Skyline.** Design the upper portion of the building to promote visual interest and variety in the downtown skyline.

At the Early Design Guidance Meeting, the Board agreed the proposed tower would be visible essentially from all sides, from all distances, from the water and surrounding hills. Therefore the tower composition and especially the tower top are critical design elements. The Board agreed the step backs, angled top profile, large balconies and the large amenity canopy of option C were the most promising for creating a handsome transition to the sky. Based on the views down 2nd Avenue, the northwest corner of the top deserves more compositional effort, equal to the currently emphasized southwest corner view.

At the Final Recommendation meeting, the Board supported the tower top composition as shown on page 57/58 and the elevations, including the glass guardrails, the layered and canted screen around the mechanical enclosure, and the perforated canopy. The Board agreed the roof canopy should maintain a simple rectangular profile (rather than tapered as shown on page 53), which reinforces the continuity of the ground-to-roof ribbon 'spine' profile.

Architectural Expression

Relating to the Neighborhood Context

B-1 Respond to the Neighborhood Context – Develop an architectural concept and compose the major building elements to reinforce desirable urban features existing in the surrounding neighborhood.

At the Early Design Guidance Meeting, the Board emphasized how the lower levels and ground floor must continue the positive pedestrian experience and predominantly retail uses along both street fronts. The relevant urban analysis (pg 17-19) was sound, however the Board did not see how it informed the retail frontage shown in option C; which had the following weaknesses:

a) The height of glazing/transparency appears overwhelmed by the mass wall above; the glazed retail height should increase and less mass should bear down on it;

b) The renderings show about 23 ft of mass wall along the Pine sidewalk, this is too long a blank wall (and is not consistent with the departure portrayal on pg 69);

c) Although horizontal glazing slots are present in the podium parking floors, they are narrow and the percentage of mass to glazing is very high; redesign to add more glazing. And consider more material variation, layering and perhaps a third translucent material that helps reduce the mass wall bulk (the Board was certain that parked cars should not be visible from the street, but is receptive to bikes, storage and other semi-active 'shadows' being visible to pedestrians).

At the Final Recommendation meeting, the Board applauded the thoughtful analysis of adjacent podium materials, datums and context, and supported the revised podium elevations as shown, including: the enlarged horizontal slots, the elimination of ground floor mass along 2nd Avenue, and the deep, angled reveals/joints in the white precast material (as best shown on pages 37 and 45) . See comments under C-1 for Board required refinements to the southeast corner.

B-3 Reinforce the Positive Urban Form & Architectural Attributes of the Immediate Area . Consider the predominant attributes of the immediate neighborhood and reinforce desirable siting patterns, massing arrangements, and streetscape characteristics of nearby development.

At the Early Design Guidance Meeting, the Board discussed how the surrounding buildings display a consistent street level experience, largely transparent, diverse active uses, and richly layered materiality. The proposed storefronts and podium should be informed by a fulsome analysis of these attributes and the intelligent transfer of essential principles to the proposed ground floor.

At the Final Recommendation meeting, the Board appreciated the physical models and complete range of perspective renderings, which greatly assisted the Board's understanding of the proposal in context.

B-4 **Design a Well-Proportioned & Unified Building.** Compose the massing and organize the publicly accessible interior and exterior spaces to create a well-proportioned building that exhibits a coherent architectural concept. Design the architectural elements and finish details to create a unified building, so that all components appear integral to the whole.

At the Early Design Guidance Meeting, the Board discussed how this prominent site deserves a very integrated and high quality design, especially at the podium and tower top. The Board mildly supported the applicant-preferred option C, but they stressed more interlock of the podium to tower and major revisions to the podium itself. They welcomed the positive attributes of Options A & B to be integrated into C, including more sculptural treatments to the middle floors.

At the Final Recommendation meeting, the Board supported the essential façade compositions and high material quality as presented, but requested the south and west facades be simplified to ensure the primary reading of the two mid-tower vocabularies is not diluted (the more vertical west and south, versus the more quiet and horizontal east and north). The Board agreed the perspectives shown on pages 52-55 were more convincing and coherent than the physical model. The following mid-tower elements are critical for the design approval and should be retained:

- West/South: white 'spine' ribbon and deep slots adjacent; 4 story, staggered white louvers and fritted glass verticals; subordinate horizontal spandrels and corner wraps, deep balconies and resultant shadow play. (pages 52/53)
- East/North (excepting the southeast corner and top 4-5 stories): staggered horizontal accents and extrusions at northeast corner; flush/integrated horizontal louvers; stronger horizontals and subordinate verticals. (pages 54/55)

The Streetscape

Creating the Pedestrian Environment

C-1 **Promote Pedestrian Interaction.** Spaces for street level uses should be designed to engage pedestrians with the activities occurring within them. Sidewalk-related spaces should be open to the general public and appear safe and welcoming.

At the Early Design Guidance Meeting, the Board extensively discussed the relatively small amount of ground floor retail, the minimal retail frontage on 2nd Avenue, and the absence of a retail door on 2nd Avenue.

The Board was in unanimous agreement that the retail use should wrap the corner more than shown, to at least the line of the elevator core doorway, and ideally being 50 -75% of the 2nd avenue frontage. They also required provision for a retail door on 2nd, and encouraged the storefronts on Pine to contain multiple door-sets and be demisable into 2-3 spaces. They applauded the 16-20 ft clear retail heights and stated the proposed 31-37 ft depth to be minimally acceptable.

The Board agreed the residential lobby should shift further north on 2nd Avenue, that the lounge function along the street should be reduced or internalized, but that the leasing office/sales office provides 9-5 active use behind large transparent windows, and the amount could remain as shown on pg 69.

At the Final Recommendation meeting, the Board supported the shifted residential lobby on 2nd Avenue, and applauded the retail corner wrap and added retail doors on Pine and 2nd Avenue, all as shown on page 26. The Board was concerned the crucial southeast corner did not exhibit sufficient transparency to Pine Street, or to the parking elevator and retail for pedestrians along this prime retail route. The Board recommended the following conditions:

- Condition A: Eliminate the mass wall east of the elevator vestibule door, and create a glass corner up to the same transom datum shown to the west.
- Condition B: Change the west vestibule wall to glass to provide views into the retail.
- Condition C: Explore pushing the elevator further north (and create a retail access door in the west wall mentioned above) to increase the view of retail from the sidewalk.
- Condition D: Add a low planter or other device to the southeast corner recess, plus lighting to discourage transient activities.
- Condition E: Provide well integrated signage for the public parking elevator, which maintains a highly transparent corner but makes the elevator evident for users.

C-2 **Design Facades of Many Scales.** Design architectural features, fenestration patterns, and materials compositions that refer to the scale of human activities contained within. Building facades should be composed of elements scaled to promote pedestrian comfort, safety, and orientation.

At the Early Design Guidance Meeting, the Board applauded the light, crystalline character of the tower renderings shown (pg 44-46). They supported the activity and scale contribution that the 4 levels of micro-units provided at the strategic corner; these should remain as shown, regardless of other podium changes, as these provide middle scale compositional interest and help to de-emphasize the parking floors. The Board encouraged more interlocking of the podium and lower tower.

At the Final Recommendation meeting, the Board supported the placement and façade composition of the efficiency units at the southwest corner, the podium materials, and the depth and detailing as presented (including the light box recesses at the parking slots), except for the refinements noted under C-1 and C-4.

C-3 **Provide Active—Not Blank—Facades.** Buildings should not have large blank walls facing the street, especially near sidewalks.

At the Early Design Guidance Meeting, the Board agreed this highly pedestrian location warrants almost no blank façades, certainly along Pine and 2nd (see B-1 for concern about the blank wall shown at south east corner). They agreed even the north podium party wall should display less monolithic mass and/or more material variation.

At the Final Recommendation meeting, the Board agreed the north podium elevation with recessed dark panels (as presented at the meeting, in same locations shown with glass in the Recommendation booklet, page 41) is acceptable as an interim condition until and when a building infills the north part of the block. Also see comments under C-1.

C-4 **Reinforce Building Entries.** To promote pedestrian comfort, safety, and orientation, reinforce the building's entry.

At the Early Design Guidance Meeting, the Board supported the recessed residential entrance and its reinforcement with a strong fin element visible up through the podium; but that entrance location should shift north, even if stepped floors result.

At the Final Recommendation meeting, the Board applauded the shifted residential lobby entrance, the transparent, retail use along the remainder of the 2nd Avenue frontage, and the use of stepped floor slabs to eliminate entrance step transitions. The Board recommended that the northwest door to that retail be shifted south 10-15 ft to eliminate most of the risers shown currently (5 to 2 or 3), and to create a more visible and welcoming entrance from the sidewalk, preferably a double door.

C-5 **Encourage Overhead Weather Protection.** Encourage project applicants to provide continuous, well-lit, overhead weather protection to improve pedestrian comfort and safety along major pedestrian routes.

At the Early Design Guidance Meeting, the Board agreed generous protection is essential on all frontages of this highly pedestrian location. They noted extensive canopies were shown on the detailed podium studies, and they should be retained and provide continuous protection.

At the Final Recommendation meeting, the Board discussed this topic thoroughly. They agreed the solid canopy signifying the primary residential lobby on 2nd Avenue is acceptable, but the solid retail canopies shown (even tapered as shown on page 46) wrapping the rest of perimeter are too heavy, and detract from the legibility of the white ribbon. They also interfere with the tall transparency of the retail, a desirable proportion established by the applicant's context analysis (see page 47).

The Board supports integrated canopy lighting, but did not accept that glare or maintenance is a valid justification for wide, solid canopies in a northwest climate. The Board recommended that the retail canopies should be revised to clear or fritted glass with minimal struts or frames, preferably of a silver or dark color that blends into the retail storefront. The assembly should not emulate or detract from the primary white metal ribbon above it.

C-6 **Develop the Alley Façade.** To increase pedestrian safety, comfort, and interest, develop portions of the alley façade in response to the unique conditions of the site or project.

At the Early Design Guidance Meeting, the Board discussed how pedestrian active the vicinity is and that all alleys are also pedestrian; they encouraged the alley façade to be developed similar to a street facing one, especially for the visible south half, employing quality materials, details and lighting, yet not creating CPTED issues. They encouraged the southeast corner be eased back and/or transparent to promote sight angle visibility and pedestrian/vehicle safety.

At the Final Recommendation meeting, the Board discussed the southeast corner at length; see comments under C-1. The Board supported the quality materials and pedestrian friendly door treatments shown on page 49, which create a variety of transparencies and visual texture. The Board recommended that the lowest band of wall materials – shown as metal panel - should be durable stone, architectural concrete or similar, to resist dents and damage over the life of the building.

Public Amenities

Enhancing the Streetscape & Open Space

D-3 **Provide Elements that Define the Place.** Provide special elements on the facades, within public open spaces, or on the sidewalk to create a distinct, attractive, and memorable "sense of place" associated with the building.

At the Early Design Guidance Meeting, the Board reiterated that the key attributes of this location are the highly visible building corner and pedestrian concentration/ linkages to nearby destinations. Thus the architectural composition, materiality, pedestrian interest, and transparency of the street level should be very well resolved, acknowledging the richly layered and human scaled elements in most all of the surrounding street levels. The entry reveals and slots provide a place-making opportunity for material variation and other identifying treatments inside the property line.

At the Final Recommendation meeting, the Board strongly supported the multiple retail entry doors (with the revision described under C-4), the light, transparent storefronts depicted on page 37 and 43, and the special sidewalk treatment at the 2nd Avenue residential lobby entrance. The Board reiterated that the tall, transparent storefronts are the critical defining feature of this pedestrian intensive corner location.

D-4 **Provide Appropriate Signage.** Design signage appropriate for the scale and character of the project and immediate neighborhood. All signs should be oriented to pedestrians and/or persons in vehicles on streets within the immediate neighborhood.

At the Early Design Guidance Meeting, the Board discussed that commercial and building signage – especially the residential lobby - should be well integrated and detailed in the Recommendation submittal.

At the Final Recommendation meeting, the Board supported the signage plan as shown, with caution that the "potential fascia signs" indicated in the transom zone above the canopy not become too large or extensive, since they interfere with the valuable storefront proportion and transparency cited above; they should be located directly above the retail doorsets along Pine Street.

D-5 **Provide Adequate Lighting.** To promote a sense of security for people downtown during nighttime hours, provide appropriate levels of lighting on the building facade, on the underside of overhead weather protection, on and around street furniture, in merchandising display windows, and on signage.

At the Early Design Guidance Meeting, the Board agreed the lighting strategy should be well developed for Recommendation, including abundant light level for safety along the alley and a rich scheme along the street sides. They also encouraged a distinctive but not garish lighting strategy for the tower shaft and top, as the profile will be visible from all sides, and residents will not want light intrusion. Consider a glow of light off the proposed fins on each side and the amenity canopy, rather than garish or self-important lighting accents.

At the Final Recommendation meeting, the Board supported the podium lighting boxes, roof top lighting wash, canopy/sidewalk lighting, and other lighting elements as shown on pages 72-74, plus the addition of generous lighting along the alley walls.

D-6 **Design for Personal Safety & Security.** Design the building and site to enhance the real and perceived feeling of personal safety and security in the immediate area.

At the Early Design Guidance Meeting, the Board agreed the alley and even north party wall should have ample lighting to improve safety and minimize vagrancy. Also see C-6 for comments on safety at the southeast corner next to the alley.

See comments under C-1 and D-5.

Vehicular Access & Parking

Minimizing the Adverse Impacts

E-2 **Integrate Parking Facilities.** Minimize the visual impact of parking by integrating parking facilities with surrounding development. Incorporate architectural treatments or suitable landscaping to provide for the safety and comfort of people using the facility as well as those walking by.

At the Early Design Guidance Meeting, the Board agreed how the above grade parking podium is handled on this strategic, highly visible corner, is in many ways the key to the project. They spent considerable time discussing the podium, its screening treatment and retail storefronts. See comments under A-1, B-1 and B-4 above.

At the Final Recommendation meeting, the Board supported the parking screening design and efficiency units as shown on page 37, 45 and the lighting strategy shown on page 51, which animates the blank walls at night.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departure(s) will be based upon the departure's potential to **better meet** these design guideline priorities, and achieve a better overall design than could be achieved without the departure(s). At the time of the Final Recommendation meeting, the following departures from current code requirements were requested:

1. **Maximum Tower Width (SMC 23.49.058.D.2):** In brief, the Code requires the maximum north-south length of a facade above 85 ft to be 80% of the lot length, meaning 105 ft in this instance. The applicant proposes a maximum length of 116 ft, which is +10.5% or 11 feet more. Also, they propose 1094 sf in the 15 ft setback zone, where the code limits that to 983 sf maximum.

   This departure would provide an overall design that better meets the intent of Design Review Guidelines A-1, B-3 and B-4, as the slight width increase is offset by a more complex tower shape on all sides, and the area in the setback zone is shaped in response to forces in the context.

   The Board unanimously recommended that DPD grant this departure.

2. **Common Recreation Area (SMC 23.49.010.B.1):** In brief, the Code requires 5% of the total residential GSF to be common amenity/recreation area (in this case 10,667 sf) and for 50% maximum of that sf to be enclosed. The applicant proposes 9,705 sf of recreation space (962 sf or 9% less than required), and about 76% of it enclosed (26% beyond code).

   This departure would provide an overall design that better meets the intent of Design Review Guidelines A-1, C-5 and D-1, by distributing the common exterior space on levels 7 and 40, and with a sizable amount at level 40 and oriented to the west views and sun. The enclosed portions are reasonable to afford weather protection in a windy location.

   The Board unanimously recommended that DPD grant this departure.

3. **Podium Parking Screening (SMC 23.49.019.2):** In brief, the Code requires any parking above the third story to be 'wrapped' by another use for 30% minimum of its street frontage, and if a corner site, those other uses must occupy the corner. The applicant proposes all 4 levels of above grade parking, levels 2-5, to have another use, at the corner, resulting in a total of 3,960 sf of activated façade, compared to the 2,008 minimum total required, if only done at third and fourth levels.

   This departure would provide an overall design that better meets the intent of Design Review Guidelines B-3, C-2 and E-2, by placing the activating alternative uses closer to the street and animating the crucial corner, and the overall area of other uses is larger than code requires.

   The Board unanimously recommended that DPD grant this departure.

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated January 7, 2014, and the materials shown and verbally described by the applicant at the January 7, 2014 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: (Guidelines referenced)

1) **Tower Façade Refinements:** Simplify the south and west facades to ensure the primary reading of the two mid-tower vocabularies is not diluted. (See B-4)

2) **Southeast Corner Ground Level Revisions**: Decrease the mass wall at this corner. Increase the storefront proportion, safety and ground level transparency to the parking elevator and retail for pedestrians along this prime retail route. (See C-1)

   - Condition A: Eliminate the mass wall east of the elevator vestibule door, and create a glass corner up to the same transom datum shown to the west.
   - Condition B: Change the west vestibule wall to glass to provide views into the retail.
   - Condition C: Explore pushing the elevator further north (and create a retail access door in the west wall mentioned above) to increase the view of retail from the sidewalk.
   - Condition D: Add a low planter or other device to the southeast corner recess, plus lighting to discourage transient activities.
   - Condition E: Provide well integrated signage for the public parking elevator, which maintains a highly transparent corner but makes the elevator evident for users.

3) **Northwest Retail Door**: Shift the northwest retail storefront door south 10-15 ft to eliminate most of the risers shown currently (5 to 2 or 3), and to create a more visible and welcoming entrance to the sidewalk. (See C-4)

4) **Retail Canopies Revisions:** Revise solid materials to clear or fritted glass with minimal struts or frames, preferably of a silver or dark color that blends into the retail storefront. (See C-5)

5) **Alley Wall Lighting**: Add generous, integrated lighting along the alley walls, for pedestrian safety. (See D-5)

6) **Alley Wall Materials:** The lowest band of wall materials – shown as metal panel - should be durable stone, architectural concrete or similar, to resist dents and damage over the life of the building. (See C-6)

Response to Recommended Design Review Conditions:

1) The applicant redesigned the south and west tower facades to clearly distinguish them. The proposal meets recommended condition #1.

2) The applicant redesigned the southeast corner elevations, materials, lighting and signage. The proposal meets recommended condition #2.

3) The applicant redesigned the retail door. The proposal meets recommended condition #3.

4) The applicant changed the canopy glass and redesigned the support struts. The proposal meets recommended condition #4.

5) The applicant added lighting in the specified location. The proposal meets recommended condition #5.

6) The applicant changed the material along the alley. The proposal meets recommended condition #6.

DECISION – DESIGN REVIEW

The proposed design and Development Standard Departures are **CONDITIONALY GRANTED** subject to the conditions listed on last pages below.

II. ANALYSIS – SEPA - for Both Applications #3014773 and #3016586

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant, received date July 9, 2013. The Department of Planning and Development (DPD) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or it's agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

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, mitigation can be considered. Thus a more detailed discussion of some of the impacts is appropriate.

Public Comments:

The SEPA public comment period for #3014773 ended on August 21, 2013; a few SEPA comments were received. The SEPA public comment period for #3016586 ended on January 22, 2014; no SEPA comments were received.

Short-Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes construction-related noise, air quality, greenhouse gas, construction traffic and parking impacts, as well as mitigation.

Noise

Noise associated with construction of the buildings could adversely affect surrounding uses in the area, which include residential uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities, in particular the residences existing across the street to the north and to the south. Due to the proximity of the project site to residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7:00 A.M. to 6:00 P.M. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9:00 A.M. and 6:00 P.M. Once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, and weather protection may occur outside these hours.

If the applicant intends to work outside of the limits of non-holiday weekdays between 7am and 6pm, the applicant will submit **a Construction Noise Mitigation Plan (CNMP)**. This plan will

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

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

Air Quality

Construction for this project is expected to add temporarily particulates to the air that will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the nearby residential buildings. This must be included in the **Construction Traffic Management Plan**, required by SEPA condition #2 on the last pages of this document; see discussion under Traffic and Parking below.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. This will assure proper handling and disposal of asbestos.

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.

Construction Traffic and Parking

Duration of construction of the structures may last approximately 30 months. During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities and parking (SMC 25.05.675 B and M).

The construction of the project will have short term adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. All three adjacent sidewalks have heavy

pedestrian volumes, especially Pine Street and 2nd Avenue, so protected and generous sidewalks should be maintained during the entire construction. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. To minimize impacts to proximate short term commercial parking, a Construction Worker Parking Plan is required per SEPA Condition #3 on the last pages of this document.

Approximately 62,300 cubic yards of soil are expected to be excavated from the project site (at the same time for both MUP applications). The soil removed for the structure will not be reused on the site and will need to be disposed off-site. Excavation and construction materials will require numerous truck trips, in a location constrained by busy arterials on all sides.

City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Considering the volume of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours; large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 4:00 PM. This must be included in the **Construction Traffic Management Plan (CTMP),** and the CTMP is outlined in SEPA Condition #2 on the last pages of this document.

Truck access to and from the site shall be documented in a **Construction Traffic Management Plan**, to be submitted to DPD and SDOT and approved by SDOT prior to the issuance of any demolition, grading or construction permits. This plan shall include: a prohibition on trucks queueing on streets fronting nearby residential buildings, and also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular emphasis on maintaining pedestrian access along Pine Street, which might include flaggers. This pedestrian continuity is addressed by SEPA Condition #4 on the last pages of this document. The Plan shall also include Construction Haul Routes for expected excavation of soils. Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

Long –Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; parking; potential blockage of designated sites from the Scenic Routes nearby; possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, greenhouse gas emissions; views from scenic routes; historic resources; height, bulk and scale; traffic and transportation; and parking impacts warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change

and global warming. While these impacts are adverse, they are not expected to be significant; therefore, no further mitigation is warranted.

4th Avenue Scenic Route

The site is within 500 feet of the SEPA designated Scenic Route of 4th Avenue (approximately 470 feet), but the proposed buildings will not block public views from that route of any of the SEPA designated features.

Historic Resources

The project is adjacent to three designated Seattle Landmarks, the JS Graham/Doyle Building at 119 Pine Street, the Olypic Tower at 217 Pine Street, and the Josephinum at 1902 2nd Avenue, across Stewart Street from this site. The materials and colors of the project were intentionally designed to respect this historic context. Landmarks Preservation Board staff reviewed the proposed design, materials and colors of the project, and concluded no additional mitigation of the project for compatibility is required (see letter #LPB 40/13, dated January 29, 2014).

Height, Bulk & Scale

The project #3014773 went through a Design Review process which addressed the issue of Height, Bulk & Scale; see the above Design Review Analysis for details of the process and design changes.

Pursuant to SEPA Policy 25.05.675.G.2.c: Height, Bulk and Scale, "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 is presumed to comply with the 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 that have undergone design review shall comply with the design guidelines applicable to the project."

Additional SEPA Mitigation of height, bulk and scale is not warranted.

Transportation

A transportation impact analysis dated February, 2014, was prepared for the project by Transpo Group. Based on rates from the Institute of Transporation Engineers (ITE) Trip Generation manual the analysis reports the proposed uses will generate 770 weekday daily trips, and 72 PM peak-hour trips. These forecasts are adjusted to reflect local conditions, which provide substantial opportunities for transit, walking, and bicycle usage. The vehicle traffic that the project is forecast to generate is within the capacity of the nearby roadway system, and the project is not expected to have substantial adverse transportation impacts.

Parking

The project's traffic consultant, Transpo Group, estimated that the peak parking demand rate for this project would be approximately 0.61 vehicles per apartment unit, including a unit visitor allowance. This rate reflects the proximity of the project to transit and its location in a high-density urban center with many services, jobs and commercial needs within walking distance. Using this rate, the 398 units in the project would generate a parking demand of about 243 vehicles at peak times. The commercial uses are estimated to generate 3 spaces demand, considering the dense urban location and quanity of short term public parking immediately adjacent. The total parking demand is therefore 246 spaces; the proposed 361 total spaces for both MUP applications will accommodate this peak demand. No adverse parking impacts are anticipated from this project.

Summary

The Department of Planning and Development has reviewed the environmental checklist submitted by the project applicant; reviewed the project plans which were outcomes of the Design Review process; reviewed additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in the checklist and this analysis, this action will result in probable adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant, given the conditions and mitigations contained herein.

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

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

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

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

SEPA - CONDITIONS OF APPROVAL

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

1. If the applicant intends to work outside of the limits of non-holiday weekdays between 7am and 6pm, a **Construction Noise Mitigation Plan** shall be required and approved by DPD, prior to issuance of a demolition, grading, or building permit, whichever is issued first. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:

   i. Non-holiday weekdays between 7:00 A.M. and 6:00 P.M.
   ii. Non-holiday weekdays between 6:00 P.M. and 8:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
   iii. Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

   Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

2. The applicant shall provide DPD with a copy of a **Construction Traffic Management Plan**, including **Construction Haul Routes**, both aspects approved by Seattle Department of Transportation, including minimizing of large truck use of the alley, plus prohibition on trucks queueing on streets under windows of nearby residential buildings, and time limits on large (greater than two-axle) trucks.

3. The applicant shall provide DPD with a **Construction Worker Parking Plan**, including: identified off-street parking lots in the vicinity, with daily spaces available; instructions to not disrupt on-street parking or operations; transit route and schedule information and encouragement to use transit whenever possible. This shall be provided to the Land Use Planner for review and approval (Garry Papers, (206) 684-0916, garry.papers@seattle.gov).

During Construction

4. The applicant or their contractor will ensure that open, continuous, well-signed and safe pedestrian routes adjacent to the site are maintained in a manner approved by SDOT. An SDOT determination that this requirement is not feasible during a period or periods of construction will temporarily override this Condition.

DESIGN REVIEW - CONDITIONS OF APPROVAL

For the Life of the Project

5. Materials and colors shall be consistent with those presented at the design recommendation meeting and the Master Use Plan sets. Any change to materials or colors **shall require prior approval by the Land Use Planner** (Garry Papers 206-684-0916 or garry.papers@seattle.gov).

Prior to Certificate of Occupancy

6. 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 Master Use Plan sets. Any change to the proposed design, materials, or colors **shall require prior approval by the Land Use Planner** (Garry Papers 206-684-0916 or garry.papers@seattle.gov).

7. The applicant shall provide a Landscape Checklist from Director's Rule 6-2009 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 prior to landscape installation** (Garry Papers 206-684-0916 or garry.papers@seattle.gov).

Signature: (signature on file) Date: August 28, 2014

Garry Papers
Senior Land Use Planner
Department of Planning and Development

GP:rgc
K:\Decisions-Signed\3014773-3016586.docx