



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 & DEVELOPMENT**

Application Number: 3016347
Applicant Name: Bryan Fish for Mill Creek Residential Trust, LLC
Address of Proposal: 435 Dexter Ave N

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 7-story structure containing 294 residential units. Parking for 246 vehicles to be provided at and below grade. Existing structure to be demolished.

The following Master Use Permit components are required:

Design Review Departures (Seattle Municipal Code 23.41)

Development Standard Departure to allow partially below grade parking with modified screening. (SMC 23.48.034.B.1.b)

SEPA-Environmental Determination (Seattle Municipal Code 25.05)

SEPA DETERMINATION:

Mitigated Determination of Non-Significance

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

Site:

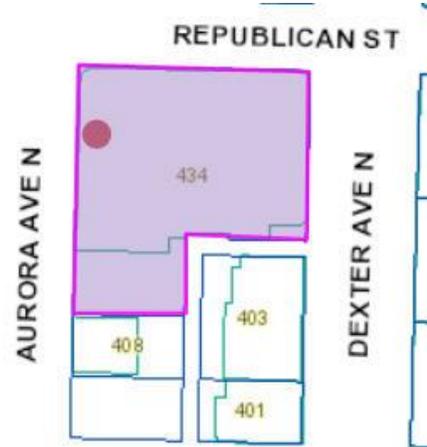
Site Zone: SM 160/85-240

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

Lot Area: 44,722 square feet

Current Development:

The site is currently occupied by a vacant 2-story commercial building (formerly the Hostess bakery and warehouse) with some surface parking. Existing vehicular access is via an L-shaped alley adjacent to the south edge of the site, with access to Dexter Ave N. and Harrison Street.



Surrounding Development and Neighborhood Character:

This site is located near the southwest edge of the larger South Lake Union neighborhood, and is referred to as the Aurora Corridor area in the South Lake Union Design Review Guidelines. The Aurora Corridor area of South Lake Union provides a diverse mix of buildings and uses, with residential uses near the northwest corner of the South Lake Union neighborhood and more commercial uses near the south edge of the Aurora Corridor.

Newer office and institutional buildings are located to the northeast. Newer residential development is proposed or recently constructed in the blocks to the east. The area also includes a mix of early to mid-20th century industrial/commercial buildings and some early 20th century residential. Older buildings are generally 1-3 stories tall. Newer construction is generally 6-8 stories tall. The area was recently rezoned to allow new construction up to 240' in height.

The site is adjacent to several significant rights of way. Aurora Ave/Highway 99 borders the west side of the site, Republican St (and future off-ramp for Highway 99) borders the north, and Dexter Ave N with a busy bicycle corridor borders the east. Highway 99 is currently under construction for realignment, which includes a curved roadway exiting the tunnel, an off ramp, and landscaped areas adjacent to the west and north sides of the subject property.

Denny Park is located a few blocks to the southeast of the site, with a playground area and off leash dog area. Seattle Center is another recreation opportunity with open space and activities, a few blocks to the west. Highway 99 currently requires pedestrians to access Seattle Center via Mercer Street or Denny Way, a few blocks to the north and south. Following the Highway 99 North Portal Project completion, pedestrians will also be able to cross over Highway 99 at Harrison St and other streets to the south, allowing a more direct connection between South Lake Union and Seattle Center.

I. ANALYSIS - DESIGN REVIEW

EARLY DESIGN GUIDANCE MEETING: January 8, 2014

DESIGN PRESENTATION

The packet includes materials presented at the meeting, and is available online by entering the project number (3016347) at this website:

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

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

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

Email: PRC@seattle.gov

The applicant noted that the proposed development has changed since the EDG packet was mailed to the Board, and now includes 294 apartments, 248 parking, and no retail.

The applicant provided a section showing the Highway 99 North Portal improvements, noting that the Highway 99/Aurora Ave N sidewalk will terminate and turn east at the northwest edge of this site, preventing pedestrians from crossing N. Republican St to continue on Aurora Ave N. A fourth EDG scheme was provided at the EDG meeting (Scheme F), showing a courtyard facing Dexter Ave N.

The applicant noted that the preferred alternative limits the blank wall from parking at the west property line and includes a modulated east façade at Dexter Ave N. Ground level residential unit entries on Dexter Ave N would include glazing with privacy screens, wider planted areas in the public right of way, and would be set back approximately 6.5' from the sidewalk, to provide usable patio areas.

Setbacks are minimal to zero on the north and west edges at sidewalk level, with the intent of maximizing safety through eyes on the street and clear sight lines.

The applicant noted that all the options include a rooftop deck. The preferred alternative includes an approximately 6,000 square foot rooftop deck on the eastern portion of the site, away from the highway noise to the west. The south-facing courtyard at the podium level would also provide outdoor residential amenity space. The applicant clarified that the podium level courtyard would be approximately 46' wide at the narrowest point and 52' at the widest point. The applicant noted the intent to create visually interesting massing along the alley, given that the façade may be visible for a number of years, over the lower height building on Dexter Ave N.

PUBLIC COMMENT

One person from the public asked a question about the average unit size and mix of unit types. The applicant indicated a mix of market rate units.

INITIAL RECOMMENDATION MEETING: June 18, 2014

DESIGN PRESENTATION

The packet includes materials presented at the meeting, and is available online by entering the project number (3016347) at this website:

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DESIGN DEVELOPMENT

The applicant explained that the adjacent sidewalk and landscaping would be provided by WSDOT along with the Highway 99 realignment and improvements.

The applicant provided a revised northeast corner design at the Initial Recommendation meeting, compared with the Initial Recommendation packets mailed to the Board (the packets at the website link above include the design shown at the meeting). The revised northwest corner design included glass balconies and screens to respond to the gateway context. The upper levels on Dexter were further recessed from the corner and lower three floors. The applicant explained that these moves were developed with the intent of better emphasizing the design concept of a hard shell peeled away from a lighter more translucent interior mass. The northeast corner was also shown with a different application of materials and colors to emphasize the 'gateway' concept. The changes included articulation that measured approximately 18" wide and 4-6" deep between material changes around the corner element.

The "hard shell" portion of the building faces the west and north facades, and wraps the northeast corner. This portion of the building was shown as darker gray aluminum wall panels with varying panel widths and profiles staggered at every second floor. The "lighter more translucent interior mass" is visible at Dexter Ave, the alley, and the interior courtyard. This area was shown as lap and panel cementitious siding. These areas of the building included more articulation, angled bay windows near the south and courtyard elevations, and balconies. Red integral color cementitious siding (Swiss Pearl brand) was shown as an accent color at the northeast primary residential entry. The building base was shown as architectural concrete.

Ground level patio screens and mechanical vent screens were shown as a variety of staggered metal panels in colors to reflect the materials above and the red accent color.

The applicant noted that in response to the EDG, the south façade was set back to allow windows. In response to EDG direction about the street level units and the need for flexibility of future commercial uses on Dexter, the patios include removable privacy screens, ADA access from the sidewalk, storefront window/entry design with large areas of glazing, and sufficient area for seating. The transition between sidewalk and residential unit includes planters as well as a 6'3" deep patio area. These units have access from the building corridor as well as the street frontage. The floor to floor height is approximately 9'6", and signage could be mounted from the building soffit above the entries if the spaces converted to a future commercial use.

The secondary entry/exits at the north and west facades were shown with colorful canopies and lighting. The applicant explained that due to the proposed changes to the sidewalk and circulation from the Highway 99 realignment, the southwest entry would function as a well-used secondary access for residents traveling between the site and the extension of Harrison Street to the west. This entry would include building signage, in addition to the canopy and lighting. The north exit door would likely be less used, since the sidewalk will terminate at this block and doesn't continue north on Highway 99/Aurora Ave. Both entries would include secured access for residents only. The applicant explained that the primary residential entry would include a bike rack and some form of seating.

The applicant explained how the alley was designed in response to EDG. Scored concrete was shown at the ground floor, with scoring lines to relate to the articulation and windows in the levels above. A solid waste staging area was designed to provide sufficient storage for all the solid waste for a twice-weekly pickup, outside of any alley circulation area. Building mounted light fixtures were shown on the alley facades to enhance safety. An exit door adjacent to the north leg of the alley would allow residents to access Dexter Ave without having to go through the northeast lobby. The building is set back at the ground floor along this side of the alley to provide a safe path of travel for pedestrians between the door and Dexter Ave N.

Other areas of lighting were proposed in response to the different street frontages and entry. The alley light fixtures were also shown at the north and west facades, to maximize safety and security in those areas. These light fixtures provide horizontally focused light that avoids light spillage to the residents above. The residential entry canopy and the street level units on Dexter Ave N were shown with soffit lighting.

The applicant noted that the intent of the signage plan is to provide building identification at each street frontage. Signage near the top of the building was shown on the northeast and northwest corners, in response to the gateway location and the Highway 99 realignment and exit. The applicant explained that the northeast corner sign would be a blade sign facing either Republican or Dexter. The northwest corner sign would be either a blade sign facing Republican or a wall sign facing Highway 99. Additional pedestrian level signage is proposed near the primary northeast residential entry and the secondary southwest residential entry.

PUBLIC COMMENT

No public comments were offered at the Initial Recommendation meeting.

FINAL RECOMMENDATION MEETING: August 6, 2014

DESIGN PRESENTATION

The packet includes materials presented at the meeting, and is available online by entering the project number (3016347) at this website:

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

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DESIGN DEVELOPMENT

Substitute Board member Matt Roewe disclosed that his firm is studying the possibility of a future development on the site to the south. He noted that that project is in the early phases of consideration and could fairly review the proposed development without bias. Board member Kate Idziorek is from the same firm.

The applicant summarized how the proposal was modified in response to the Board's initial recommendations, including a northeast corner with a higher northeast parapet, additional vertical modulation, and additional red accent material. The street level northeast corner entrance was shown with bike racks, seating, planters, accent paving inside the property line, and a canopy with a wood soffit and integrated lighting.

The applicant noted that the streetscape level of the building is constrained by the landscaping to be developed by WSDOT on the west and north edges. The proposed sidewalk paving was designed to meet WSDOT requirements at the west and north edges and SDOT standards at the northeast corner and east street frontage, with some integral color accent paving inside the property lines.

Planters were shown between the east street level residential units near the individual entries. The applicant noted that the plant palette is intended to highlight the primary residential entry, with shorter varied plant materials providing a transition between the individual street level units and the sidewalk.

The visual screens between the street level residential units were lowered from six feet to 42". The applicant noted that the proposed residential patios at Dexter Ave N are 4'6" deep between the planter and residential units. The privacy screens between units could be removed to allow live-work or future commercial uses.

The north and west facades were modified to include a wider variety of materials, lighter materials, and increased use of accent colors. The concept of the shell and the core was modified to extend the 'core' language and materials to the north and west facades, providing a reduction in scale and lighter materials and forms than the design shown at the Initial Recommendation meeting. The northwest and southwest corners were eroded and additional red accent material was provided, along with larger glazed areas, sunshades, and increased use of decorative panels.

Textured materials at the base of the west façade, large areas of lighting, and a plan by the building management are strategies proposed to address potential graffiti.

The south façade was modified to extend the upper level Dexter Ave façade treatment to the southeast corner, and to include treatment of the street level façade in the alley between the exit door and Dexter Ave N. The applicant showed three options for treatment of the alley façade, including decorative panels, an art piece showing a schematic design of the original Hostess Bakery conveyer belt and line process, or building identification signage. The applicant noted that scoring would be included with any of the three options.

The south façade materials were also modified near the west half of the building, to further reduce the scale and relate this area of the building to the other facades.

The materials include the same palette as those shown at the Initial Recommendation meeting, with a staggered profile for the metal panels. The red accent material was proposed as Swiss Pearl or a similar high quality integral color material. The lighter and darker materials would be coplanar, as opposed to offset.

The lighting plan was also modified to include the same fixtures on Republican as on Dexter. The signage plan showed building identification signage at the northeast entry canopy (stainless steel letters with a backlit panel) and two blade signs at the upper levels of the northwest and southwest corners (aluminum cabinets with backlit letters). The northwest corner sign would be mounted on Republican Street, and the southwest sign would be located on the Aurora façade.

PUBLIC COMMENT

The following comments were offered at the Final Recommendation meeting:

- Appreciation for the lighting plan as helpful information.
- Asserted that the south alley should be treated similarly to the east alley facade, so it encourages the same pedestrian activity.
- Appreciated the proposed design and changes since the Initial Recommendation meeting.

PRIORITIES & BOARD RECOMMENDATIONS

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

EARLY DESIGN GUIDANCE (JANUARY 8, 2014):

1. **Massing and Site Response.** The Board agreed that preferred scheme seems the best option for arrangement of uses, entries, and courtyard location. (A-1, A-4, A-7, B-1)
 - a. The Board supported the proposed siting response to view opportunities and noise from the highway.
 - b. The Board noted that this site will be a future gateway to the neighborhood, given the realignment of, entrances to, and exits from Highway 99. The proposal should be designed in response to this opportunity. (A-1, A-2)
 - c. The Board supported making the podium level courtyard as wide as possible. (A-7)
 - d. Upper levels should be set back to allow windows on the potentially blank south wall. (B-1, D-2)
2. **Scale and Architectural Concept.** The Board supported the initial design concept and treatment of building scale, as shown in the preliminary sketches presented in the EDG packet. (B-1, C-2)
 - a. The proposed design concept should be strongly expressed design and be composed of high quality materials. The Board noted that a design response to nearby context is less important for this site. (C-2, C-4)
 - b. The Board supported the initial design response to the corner condition, and recommended a continued design focus on the corner expression. (A-10)
 - c. The south edge of the site presents a potential blank wall that will be visible from nearby public rights of way, including the proposed on-ramp from Harrison St. This façade should be set back to allow windows and modulation, and should be designed to be consistent with the overall architectural concept. (A-1, A-2, B-1, C-2)
 - d. Any above-grade garage walls should be designed to be consistent with the architectural concept and present a human scaled street frontage. (D-2)
3. **West Street Frontage.** The Board recognized the safety challenge that will arise from the WSDOT Highway 99 plan, which maintains a sidewalk that only runs along the west and north edges of this site, cut off from nearby sidewalks by highway off-ramps to the west and north. The north and west facades should therefore be designed with clear sight lines, minimal building modulation at street level, increased transparency, lighting, and any other strategies to provide safe areas for pedestrians and residents on these street frontages. (A-2, D-7)
 - a. The Board recommended that the residential amenities at the north street frontage should be designed to enhance the activation of the west sidewalk. For example,

- the amenity of a fitness center in this area could include a ‘runner’s entrance’ to the west sidewalk. (A-2, A-4, D-7)
- b. Any entrances on the west edge should be designed to clearly indicate access only for residents, and should be designed to maximize safety for residents and other pedestrians (clear glazed entries and street frontage, lighting, eyes on the street, etc.) (A-2, D-7, D-12)
4. **Dexter Ave N.** The residential units on Dexter Ave N should be designed with a more commercial appearance, for flexibility to function as live-work or commercial uses in the future. (A-2, A-4, C-3)
- a. The residential stoops and landscaping should be designed to provide usable patio areas in addition to landscaped areas. The Board indicated approximately 6’x 6’ paved area is expected for patios. The landscaping should be designed accommodate both the future potential commercial/live work use, and the proposed residential use. (A-6, E-2)
 - b. The Board noted that the Dexter Ave N façade should be designed for human scale. (C-3)
5. **Alley.** The building edge at the alley exit to Dexter Ave N should be designed for clear sight lines. (A-8, D-8)
- a. The Board noted that alley has the potential for use by pedestrians, due to nearby existing and proposed changes to the sidewalks and Highway 99. The alley should be designed for pedestrian safety using lighting and other techniques. (D-7, D-8)
 - b. Solid waste storage should be located to provide ease of collection and clear alley circulation. (D-6)
6. **Landscaping.** The landscaping should be designed to enhance the site and proposed design. (E-2)
- a. The Board noted that it’s not necessary for the landscape plan to respond to the adjacent WSDOT landscaping.
 - b. Paved areas should be designed to clarify primary entry and pedestrian areas (such as those on the east or north edges) and discourage non-residential access of residential-only entries (such as those on the west street frontage). (E-2)

INITIAL RECOMMENDATIONS (JUNE 18, 2014):

1. **Northeast Corner.** The northeast corner should be further developed in response to the highly visible gateway corner and emphasize the primary residential entry at the street level. (A-1, A-2, A-10, D-12)
 - a. The Board noted that the current design of the corner element appears to be more related to the expression of the second and third floors of the east façade, which

doesn't sufficiently emphasize the vertical expression of the corner element. (A-10)

- b. The Board stated that further development of the corner is needed, to emphasize verticality and the primary entry location. Possible modifications include modifying the corner parapet to emphasize the corner mass and modifying the materials and articulation to further differentiate the corner from the adjacent facades. (A-3, C-2, C-4, D-12)
 - c. The Board also required further development of the street level near the northeast corner, in order to emphasize the residential entry and differentiate the entry from the nearby street level residences. The street level near the primary entry should be designed with pedestrian furnishings such as special paving, bike racks, container plants, and other amenities to enhance the street level experience. The Board recommended that the landscape plan be designed to create a hierarchy between the primary residential entry and the individual street level residences. (A-2, A-3, D-1, D-12, E-2)
 - d. The Board discussed the design of the secondary entry at the north façade and the relationship to the street level amenity area and corner. The Board determined that the design shown at the Initial Recommendation meeting, with the colorful canopy and accent material around the entry, was a sufficient response to relate to the north façade. (A-2, C-2, C-4)
2. **Scale and Architectural Concept.** The Board noted that the north and west facades need further development to reduce the scale of the building and relate better to the architectural concept. (A-2, B-1, C-2, C-3, C-4)
- a. The Board observed that the intended design concept of dark shell and lighter interior isn't expressed on the north and west facades. (C-2, C-4)
 - b. The west façade will be highly visible from the new Harrison Street connection and areas west of Highway 99, in addition to drivers on the roadway. (A-2, B-1, C-2)
 - c. The Board recommended that the applicant study the use of color, application of materials, and the scalar proportions on the Dexter Ave N façade. Similar strategies should be applied to the north and west facades. (B-1, C-2, C-3, C-4)
 - d. The Board noted that the colorful patio screens at the Dexter Ave N façade provide visual interest and color in an otherwise very gray building. These screens could be expanded for use in other areas of the facades. (C-3, C-4)
 - e. The Board appreciated the design response in the courtyard with angled bays for privacy and the variety of landscaping at the courtyard level. (C-2, E-2)
3. **Dexter Ave N.** The street level residential spaces and patio dimensions are designed as a sufficient response to EDG, but the Board recommended changes to the plant materials and privacy screens. (A-2, A-6, D-12)
- a. The plant materials need to be taller and more varied to soften the edge between the sidewalk and patios. (D-6, E-2)
 - b. The privacy screens should be lower to create more visibility of the street level. (A-2, A-4)

- c. The possible future commercial uses would likely be more live-work than retail, so the Board noted that the transition to the sidewalk grade is sufficient. (A-2)
4. **Alley.** The Board recommended that the alley façade be modified to relate to the street facing elevation at Dexter Ave N. and for pedestrians at the ground floor, between the secondary alley entrance/exit door and Dexter Ave N. (C-2, C-3, D-2)
 - a. Modify the upper level façade at the alley to wrap the Level 2 and 3 east façade materials into the alley façade, for at least one bay width. (C-2, C-4)
 - b. Develop the alley ground level façade between the south façade exit door and the Dexter Street frontage, to add human scale in response to the pedestrian and cyclist experience. The treatment could relate to the decorative vent screening design on the west façade. (C-2, C-3, C-4)
5. **Lighting.** The Board recommended that the overall lighting plan is sufficient, with the exception of the Republican Street frontage. The Republican street frontage should be designed with light fixtures that relate more to the Dexter street frontage fixtures. (A-2, C-2)
6. **Signage.** The Board recommended further development of the building identification signage, including pedestrian scale signage at the Dexter Ave N canopy, and upper level building signage that is creatively designed and integrated into the building design. The signage should be located to minimize any visual impacts to future residents of the proposed building. (D-9)
7. **West Façade Design at Grade.** The Board acknowledged that the ground level design relates to the proposed departure for screening of the above grade garage walls. The Board was generally supportive of the relationship between the visually interesting screening materials and the articulation and materials at the upper building levels.
 - a. The Board noted that if SDOT doesn't approve the half tree grates at the west façade CMU wall, the landscaping may go away at the west façade, which would also be acceptable since the ground face CMU presents sufficient visual interest. (C-2, C-3, E-2)
 - b. The Board was concerned that the west façade may attract graffiti, due to the proximity to Highway 99 and the separation of the sidewalk from other active street frontages. The applicant should clarify how the design treatment responds to this condition. (D-2)
 - c. The Board clarified that the screening proposed in the Initial Recommendation presentation was supported by the Board, since it more fully screened intake vents. (C-2, C-3, D-2)

FINAL RECOMMENDATIONS (AUGUST 6, 2014):

1. **Northeast Corner.** The modifications to the northeast corner resolved the issues raised at the Initial Recommendation meeting, and the Board recommended approval of this aspect of the design. (A-1, A-2, A-10, D-12)
 - a. The use of the accent material and revised articulation result in a better overall response to the corner and the context. (A-1, A-10)
 - b. The proposed street level amenities and façade treatment emphasize the building entry and enhance the pedestrian environment. (A-2, D-12)
 - c. The Board discussed possibly raising the canopy above the residential entry in response to the scale of the corner, but declined to recommend a condition for this item. (A-10, C-2, D-12)
 - d. The Board discussed vertically aligning the red accent material from the street level through the parapet, but declined to recommend a condition. (C-2, C-4)
 - e. The Board approved of the use of the accent color to enhance the ‘shell and core’ concept at the corner. (C-2, C-4)
 - f. The Board approved of the modified entry awning as a strategy to emphasize the entry. The Board noted that all design strategies in response to initial recommendations (modified awning, planters, seating, paving, and bike racks) are part of the rationale for recommending approval of the design. A reduction in the quality or quantity any of these items would require additional review by the Design Review Board. (A-1, A-2, A-10, D-12)
 - g. The Board strongly supported the special paving near the northeast corner, within the public right of way. (A-2, D-12)

2. **Scale and Architectural Concept.** The Board recommended approval of the changes to the north and west facades, as shown at the Final Recommendation meeting. (A-2, B-1, C-2, C-3, C-4)
 - a. The Board recommended approval of the design moves on the north and west facades, including lighter colored materials, varied materials and articulation to reduce the scale, eroded corners, and the use of accent colors. (B-1, C-2, C-3, C-4)
 - b. The Board noted that the north façade scale still seemed large, possibly because the break between the 2nd and 3rd floors are less vertically organized than on the west façade and the bands of accent material are thicker on the north façade. However, the Board declined to recommend a condition. (B-2, C-2, C-4)

3. **Dexter Ave N.** The Board recommended approval of the Dexter Ave street frontage design, based on the proposed modifications to the planters, plant materials, and height of the screen walls shown at the Final Recommendation meeting. (A-2, A-6, D-12)

4. **Alley.** The Board approved of the modifications to the upper level alley facades, and recommended a condition to design and install the metal design referencing the site's history on the alley façade adjacent to Dexter Ave N. (C-2, C-4, E-2)
 - a. The Board observed that the Hostess Bakery blueprint option relates specifically the history of the site and also the industrial character of the alley and neighborhood. The Board discussed the treatment of the alley façade adjacent to Dexter Ave N and observed that this area experiences much higher pedestrian and bicycle traffic volumes than the west façade. The Board noted that a departure is requested for reduced façade treatment at the west façade. Rather than focus more façade treatment on the west façade, the Board recommended that the additional façade treatment should be focused on the alley near Dexter Ave N, and the façade treatment should respond to the Neighborhood Guidelines that reference the history of the site and neighborhood. The Board, therefore, recommended a condition to design and install a highly durable art piece based on the Hostess blueprint of the conveyor belt system, on the alley façade between the exit door and Dexter Ave N. The Board strongly encouraged the applicant team to employ a professional artist to create the panel based on the blueprint. (C-2, C-3, D-2, E-3)
5. **Lighting.** The Board recommended approval of the modified lighting plan shown at the Final Recommendation meeting. (A-2, C-2)
6. **Signage.** The Board noted that the northwest corner and southwest corner signs are acceptable as shown at the Final Recommendation meeting. The 1'3" tall sign on the northeast entry awning relates well to the scale of the entry. The signs are all shown in locations that coordinate well with the residential windows. The Board approved of the subtle design of the building identification signage. (D-9)

DESIGN REVIEW GUIDELINES

The Board identified the following Citywide Design Guidelines of highest priority for this project.

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

- A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.**

SLU-specific supplemental guidance:

- **Encourage provision of “outlooks and overlooks” for the public to view the lake and cityscapes. Examples include provision of public plazas and/or other public open spaces and changing the form or facade setbacks of the building to enhance opportunities for views.**
- **Minimize shadow impacts to Cascade Park.**

- New development is encouraged to take advantage of site configuration to accomplish sustainability goals. The Board is generally willing to recommend departures from development standards if they are needed to achieve sustainable design. Refer to the Leadership in Energy and Environmental Design*(LEED) manual which provides additional information. Examples include:
 - Solar orientation
 - Storm water run-off, detention and filtration systems
 - Sustainable landscaping
 - Versatile building design for entire building life cycle

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

SLU-specific supplemental guidance:

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

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

A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.

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

SLU-specific supplemental guidance:

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

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

A-6 Transition Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

SLU-specific supplemental guidance:

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

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

A-10 Corner Lots. Building on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

B-1 Height, Bulk, and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.

SLU-specific supplemental guidance:

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

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

SLU-specific supplemental guidance:

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

- C-3 Human Scale.** The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.
- C-4 Exterior Finish Materials.** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.
- D-1 Pedestrian Open Spaces and Entrances.** Convenient and attractive access to the building’s entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

SLU-specific supplemental guidance:

- New developments are encouraged to work with the Design Review Board and interested citizens to provide features that enhance the public realm, i.e. the transition zone between private property and the public right of way. The Board is generally willing to consider a departure in open space requirements if the project proponent provides an acceptable plan for features such as: curb bulbs adjacent to active retail spaces where they are not interfering with primary corridors that are designated for high levels of traffic flow; pedestrian-oriented street lighting; street furniture.
- D-2 Blank Walls.** Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.
- D-6 Screening of Dumpsters, Utilities, and Service Areas.** Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.
- D-7 Personal Safety and Security.** Project design should consider opportunities for enhancing personal safety and security in the environment under review.

SLU-specific supplemental guidance:

- Enhance public safety throughout the neighborhood to foster 18-hour public activity. Methods to consider are: enhanced pedestrian and street lighting; well-designed public spaces that are defensively designed with clear sight lines and

opportunities for eyes on the street; police horse tie-up locations for routine patrols and larger event assistance.

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

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

E-2 Landscaping to Enhance the Building and/or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.

SLU-specific supplemental guidance:

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

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation was 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. Parking at Street Level (23.48.034.B.1.b):** The Code requires that parking is permitted in partially below grade stories in certain areas, as long as it is screened by specific items. The applicant proposes partially below grade parking at the west street frontage (adjacent to Highway 99 and the west sidewalk), to be screened by a wall with some decorative panels and some green screen. The CMU wall is proposed with half tree grades and a 3' deep planting area with irrigated landscaping to soften the wall. The applicant noted the above grade garage wall ranges from 3' to 6' above the sidewalk level. The proposed screening materials are located in response to the façade rhythm of the levels above. Additional decorative metal panel screening was shown at the Initial Recommendation meeting, covering the vents near the northwest corner of the site. The decorative metal panels would be composed of a variety of colored and anodized aluminum panels, mounted in a varied pattern, with some open areas to allow air intake to the vents behind the panels.

This departure would provide an overall design that would better meet the intent of Design Review Guideline C-2 by providing screening design that better relates to the architectural concept, rather than a combination of items that may not relate to the architectural concept, and by providing a wall art piece that represents the history of the building on the alley façade near Dexter Ave N.

The Board unanimously recommended

RECOMMENDATION

The recommendation summarized above was based on the design review packet dated August 6, 2014, and the materials shown and verbally described by the applicant at the August 6, 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 with the following condition:

Condition:

1. Design and install a highly durable art piece based on the blueprint graphic of the conveyor belt system presented at the Recommendation meeting, on the alley façade between the exit door and Dexter Ave N. Retention of a professional artist to create the panel based on the blueprint was strongly encouraged. (C-2, C-3, D-2, E-3)

Applicant response to Recommended Design Review Condition:

1. The applicant responded with a memo on 8/18/14, noting, "This memo is to confirm that the decorative panel to be installed at the alley ground level will be artist-designed and fabricated to match the concept and appearance shown on Page 48 of the 8/6/14 DRB packet. The panel will be fabricated from metal with a durable finish such as galvanized or weathering steel. Final finish selection and details will be coordinated with an artist and will be reviewed with DPD prior to installation." The response satisfies the recommended condition for the MUP decision. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction, as conditioned below.

DECISION – DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED** subject to the conditions listed at the end of this document.

II. SEPA ANALYSIS

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated January 29, 2014. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans and any additional information in the file, and pertinent comments which may have been received regarding this proposed action have been considered.

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

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

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

Public Comment:

The public comment period ended on February 19, 2014. Comments were received in response to the design review aspects of the proposal.

Short Term Impacts

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

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 Parking and Traffic

The area includes limited and timed or metered on-street parking. Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

The site is located adjacent to a busy arterial with heavily traveled bike and pedestrian areas (Dexter Ave N), adjacent to Highway 99/Aurora Ave N, near several other major arterials, and the nearby streets are often congested. Construction vehicles can further exacerbate existing traffic congestions, especially during peak travel hours.

To mitigate construction parking impacts pursuant to SMC 25.05.675.B (Construction Impacts Policy), a Construction Management Plan for parking and truck haul routes is required.

The Construction Management Parking portion of the plan shall demonstrate the location of the site, the peak number of construction workers on site during construction, the location of nearby parking lots that are identified for potential pay parking for construction workers, the number of stalls per parking lot identified, and a plan to reduce the number of construction workers driving to the site. This plan is subject to review and approval by the DPD Land Use Planner.

The Construction Haul Route portion of the plan shall identify haul routes and written approval of the haul routes from Seattle Department of Transportation.

Long Term Impacts

Long term or use-related impacts are also anticipated as a result of this proposal, including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

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.

Height, Bulk & Scale

The project 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.

Historic Preservation

The existing structure on site is more than 50 years old. Seattle Department of Neighborhoods reviewed the existing structure and determined that it is not likely to be eligible for historic landmark designation (Landmarks Preservation Board letter, reference number LPB 804/13). No further mitigation is warranted for historic preservation impacts to the existing structures on site.

Parking and Traffic

As part of the environmental checklist, the project submitted a Transportation Impact Study (435 Dexter Residential, MUP No. 3016347, by TENW, dated March 18, 2014, a correction notice response memo dated April 22, 2014, and an email with attached calculation of Pro-rata share received by DPD on May 20, 2014).

The Traffic Impact Analysis noted that the peak parking demand for this development is 218 vehicles. 246 off-street parking spaces are proposed in the garage at the base of the building and below grade, accessed from the alley. This number of parking spaces accommodates all of the anticipated parking demand.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of parking impacts in the South Lake Union Urban Center. This site is located in that Urban Center.

The Traffic Impact Analysis indicated that the project is expected to generate a net total of 476 daily vehicle trips, with 24 net new AM Peak Hour trips and 34 net new PM Peak Hour trips. The DPD Transportation Planner reviewed the information and determined that the condition described below (pro-rata contribution) will sufficiently mitigate the adverse impact of the additional trips on nearby traffic conditions.

Concurrency analysis was conducted for nearby identified areas. That analysis showed that the project is expected to be within the adopted standards for the identified areas.

The project will mitigate traffic impacts by participating in the City of Seattle transportation mitigation program for South Lake Union as outlined in DPD TIP 243. Pursuant to that mitigation payment system, the project proposes to pay a pro rata contribution of \$9,185 in order to mitigate project transportation impacts. This fee shall be paid prior to building permit issuance, consistent with DPD business rules, and as conditioned with this decision.

MITIGATED DETERMINATION OF NONSIGNIFICANCE

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

- Mitigated 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 MDNS 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 MDNS.

DESIGN REVIEW - CONDITIONS OF APPROVAL

Prior to Issuance of a Construction Permit

1. The applicant shall provide documentation in the plan sets, showing that the decorative panel to be installed at the alley ground level is artist-designed, fabricated to match the concept and appearance shown on Page 48 of the 8/6/14 Design Recommendation packet, and constructed in metal with a durable finish such as galvanized or weathering steel.

Prior to Certificate of Occupancy

2. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).
3. Final finish selection and details of the decorative panel to be installed at the alley ground level shall be designed by an artist, and reviewed with DPD for compliance with MUP approval, prior to installation. (Land Use Planner Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).
4. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Shelley Bolser (206) 733-9067 or shelley.bolser@seattle.gov).

For the Life of the Project

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

SEPA - CONDITIONS OF APPROVAL

Prior to Issuance of a Demolition, Excavation, or Construction Permit

6. The applicant shall provide a copy of a Construction Haul Route, approved by Seattle Department of Transportation.
7. A Construction Parking Plan, approved by the Land Use Planner (Shelley.bolser@seattle.gov), shall be required.

Prior to Issuance of a Construction Permit

8. The applicant shall make a pro rata mitigation contribution pursuant to TIP 243 in the amount of \$9,185 to the City of Seattle.

Signature: _____ (signature on file) Date: October 13, 2014
Shelley Bolser, AICP, LEED AP
Land Use Planning Supervisor
Department of Planning and Development

SB:drm

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