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: 3017092

Applicant Name: Kathryn Jerkovich of BCRA Design

Address of Proposal: 1200 South Dearborn Street

SUMMARY OF PROPOSAL

Land Use Application to allow a 6-story, public storage structure with 1,777 sq. ft. of ground level retail and one residential unit. Parking for 23 vehicles to be provided within the structure. Existing structure to be demolished and existing cell tower to remain.

The following approvals are required:

Design Review pursuant to Chapter 23.41, Seattle Municipal Code, with Departures:

Development Standard Departure to allow less than the required amount of overhead weather protection along the structure's street level street-facing façades (South Dearborn Street and 13th Avenue South) (SMC 23.49.018.)

Development Standard Departure to allow a setback greater than permitted from the street lot line (South Dearborn Street and 13th Avenue South) for the façades between 15-feet and the maximum permitted height (SMC 23.49.056.B.1.b.)

Development Standard Departure to allow a setback from the street lot line (South Dearborn Street) to extend more than the permitted length for facades between 15- and 35-feet (SMC 23.49.056.B.1.b.2.b.iii.)

Development Standard Departure to allow a setback from the street lot line (13th Avenue South) to extend more than the permitted length for facades between 15- and 35-feet (SMC 23.49.056.B.1.b.2.b.iii.)

Development Standard Departure to allow a setback greater than permitted for the façade between 15- and 35-feet along the 12th Avenue South Bridge (SMC 23.49.056)

Development Standard Departure to allow less than the required amount of façade transparency facing a Class II pedestrian street (12th Avenue South Bridge) (SMC 23.49.056.C.)

Development Standard Departure to allow more than the permitted amount of blank façade facing a Class II pedestrian street (13th Avenue South) (SMC 23.49.056.D.3.)

Development Standard Departure to allow more than the permitted amount of blank façade facing a Class II pedestrian street (12th Avenue South Bridge) (SMC 23.49.056.D.3.)

SEPA – Environmental Determination – Chapter 25.05, Seattle Municipal Code.

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

[X] DNS with conditions

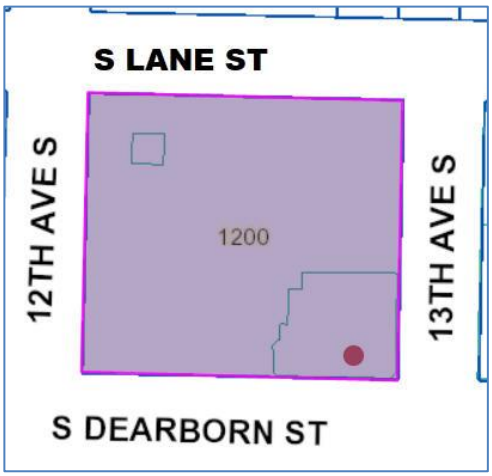
[ ] DNS involving non-exempt grading or demolition, or involving another agency with jurisdiction.

Site

Site Zone: Downtown Mixed Commercial with height limits in the range of 65-150 feet depending on use (DMC 85/65-150). International District Urban Center Village

Nearby Zones: (North) DMC 85/65-150
(South) Industrial Commercial (IC-65)
(East) DMC 85/65-150
(West) DMC 85/65-150

Lot Area: 58,341 square feet



Site Development

The subject site includes one 9,673 square foot commercial structure and one communication utility tower. Surface parking for the commercial structure is located off 13th Avenue South. All existing structures are proposed for demolition. The communication utility tower is to remain.

Surrounding Development and Neighborhood Character

The development immediately surrounding the project site generally consists of one-story commercial structures with surface parking and open or vacant lots. To the south of the site is the *Mountains to Sound Greenway*, and Interstate 90 beyond.

I. ANALYSIS – DESIGN REVIEW

FIRST EARLY DESIGN GUIDANCE MEETING: June 10, 2014

SECOND EARLY DESIGN GUIDANCE MEETING: July 22, 2014

DESIGN PROPOSAL

The Early Design Guidance (EDG) Design Proposal booklet includes materials presented at the meeting, and is available online by entering the project number at this website: http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

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

Mailing Address: **Public Resource Center**
700 Fifth Ave., Suite 2000
P.O. Box 34019

Seattle, WA 98124-4019

Email: PRC@seattle.gov

DESIGN DEVELOPMENT

At the first Early Design Guidance Meeting, the architect presented three design concepts. All concepts propose retail along South Dearborn Street, and vehicular access from South Dearborn Street and 13th Avenue South.

Concept A proposes a massing option that flanks both South Dearborn Street and 13th Avenue South. A central tower located on South Dearborn Street identifies the retail component and pedestrian entrance. Vehicular access is proposed from South Dearborn Street at the west end of the structure, and on 13th Avenue South midblock.

Concept B proposes two towers along the frontage of South Dearborn Street. The towers bookend the massing, with the retail component at the corner of South Dearborn Street and 13th Avenue South. Vehicular access is proposed at a similar location as Concept A, with access from both streets.

Concept C, the preferred option, features one tower, emphasizing the corner of South Dearborn Street and 13th Avenue South. The location of the retail is mid structure on South Dearborn Street, articulated by modulation mimicking the geometry of the corner tower. Vehicular access is again provided on both South Dearborn Street and 13th Avenue South.

At the second Early Design Guidance Meeting, the architect presented information in response to the guidance from the first Early Design Guidance Meeting.

A revised Concept, with a tower element at the corner, showcased simple forms, durable materials, additional modulation and transparency. The main pedestrian entrance was located mid site on South Dearborn Street. One vehicular access was proposed on South Dearborn Street, and one on 13th Avenue South.

New Concept D adjusted its front façade presence from the corner to South Dearborn Street. The entrance was highlighted with modulation emphasizing horizontal forms. Relief is provided at the corner, lending itself to enhancement of the street level pedestrian environment. The main pedestrian entrance was located mid site on South Dearborn Street. One vehicular access was proposed on South Dearborn Street, and one on 13th Avenue South.

Concept E, the preferred concept, proposed simple forms, a corner emphasized with glazing, and horizontal modulations and transparency. A floating element is proposed along the second to fifth floors of the south and east facades, and projects two to five feet. The main pedestrian entrance was located mid site on South Dearborn Street. One vehicular access was proposed on South Dearborn Street, and one on 13th Avenue South.

PUBLIC COMMENT SUMMARY

The following comments were expressed at the First Early Design Guidance meeting:

- Safety concerns about vehicular access on South Dearborn Street and the interaction between the vehicle and pedestrian.
- Encouraged further modulation of the structure, especially above 35 feet.
- Increase the amount of articulation of all façades.

- Suggested articulation of the building along South Dearborn Street to respond to the pedestrian scale.
- Encouraged respect for the architectural character of the area.

The following comments were expressed at the Second Early Design Guidance meeting:

- Give further thought to roof elements and screening; a green roof element would be a nice addition.
- Supported the weather protection along South Dearborn Street.
- Use subdued colors for the signage.
- Supported simple shapes and forms.
- Supported the retail use along South Dearborn Street.
- Be aware of the neighborhood context and existing and future neighborhood characteristics, specifically to the west.

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.

FIRST EARLY DESIGN GUIDANCE June 10, 2014

SECOND EARLY DESIGN GUIDANCE July 22, 2014

The priority Citywide and Neighborhood guidelines identified by the Board as Priority Guidelines are summarized below, while all guidelines remain applicable. For the full text please visit the Design Review website.

CONTEXT & SITE

CS1 Natural Systems and Site Features: Use natural systems/features of the site and its surroundings as a starting point for project design.

CS1-C Topography

CS1-C-2. Elevation Changes: Use the existing site topography when locating structures and open spaces on the site.

CS1-D Plants and Habitat

CS1-D-1. On-Site Features: Incorporate on-site natural habitats and landscape elements into project design and connect those features to existing networks of open spaces and natural habitats wherever possible. Consider relocating significant trees and vegetation if retention is not feasible.

At the first Early Design Guidance Meeting, the Board requested additional information regarding the intention of treatment of the open space on site. The Board identified this area as an opportunity to incorporate on-site landscaping elements.

At the second Early Design Guidance Meeting, the Board supported the conceptual landscape plan, and suggested exploration of adding a green roof element. Further refinement and additions of landscaping along South Dearborn Street was recommended. The Board requested a landscape plan be presented at the Recommendation Meeting.

CS2 Urban Pattern and Form: Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

CS2-A Location in the City and Neighborhood

CS2-A-1. Sense of Place: Emphasize attributes that give a distinctive sense of place. Design the building and open spaces to enhance areas where a strong identity already exists, and create a sense of place where the physical context is less established.

CS2-A-2. Architectural Presence: Evaluate the degree of visibility or architectural presence that is appropriate or desired given the context, and design accordingly.

CS2-B Adjacent Sites, Streets, and Open Spaces

CS2-B-1. Site Characteristics: Allow characteristics of sites to inform the design, especially where the street grid and topography create unusually shaped lots that can add distinction to the building massing.

CS2-B-2. Connection to the Street: Identify opportunities for the project to make a strong connection to the street and public realm.

CS2-C Relationship to the Block

CS2-C-3. Full Block Sites: Break up long facades of full-block buildings to avoid a monolithic presence. Provide detail and human scale at street-level, and include repeating elements to add variety and rhythm to the façade and overall building design.

At the first Early Design Guidance Meeting, the Board recommended the use of material, modulation, and/or setbacks to break up the long façade along South Dearborn Street and better respond to the public realm.

At the second Early Design Guidance Meeting, the Board supported the simple forms of preferred Concept E and the vertical relief and modulations of Concept D. In summary, the Board supported Concept E, and recommended adding vertical elements along South Dearborn Street and 13th Avenue South. Use these vertical elements and modulations to contain glazing.

The Board also requested all right-of-way improvement dimensions be included in the Recommendation Meeting packet.

CS2-D Height, Bulk, and Scale

CS2-D-1. Existing Development and Zoning: Review the height, bulk, and scale of neighboring buildings as well as the scale of development anticipated by zoning for the area to determine an appropriate complement and/or transition.

CS2-D-2. Existing Site Features: Use changes in topography, site shape, and vegetation or structures to help make a successful fit with adjacent properties.

At the first Early Design Guidance Meeting, the Board noted that the adjacent 12th Avenue South Bridge to the west is a prominent presence in the area, and recommended the project further respond to the height, bulk, and scale of adjacent development. The Board requested to see a section drawing illustrating the relationship of the building to the 12th Avenue South Bridge at the Second Early Design Guidance Meeting.

At the second Early Design Guidance Meeting, the Board reviewed the context analysis of the bridge and the structure (page 31), and agreed that the size of the proposed structure is in keeping with the neighborhood context of existing structures and projected future development to the west. The Board requested that the following be presented at the Recommendation Meeting: a north-south section drawing of the west wing of the structure, including the adjacent communication utility tower.

CS3 Architectural Context and Character: Contribute to the architectural character of the neighborhood.

CS3-A Emphasizing Positive Neighborhood Attributes

CS3-A-4. Evolving Neighborhoods: In neighborhoods where architectural character is evolving or otherwise in transition, explore ways for new development to establish a positive and desirable context for others to build upon in the future.

At the first Early Design Guidance Meeting, the Board noted the evolving nature of the neighborhood, and felt the architectural relationship between the 12th Avenue South Bridge to the west and the *Goodwill* building to the west and the proposed building should be explored further.

At the second Early Design Guidance Meeting, the Board continued discussing the evolving nature of the neighborhood, and agreed that potential future development to the west suggests structures and uses similar to preferred Concept E. The Board encouraged development of a design that is compatible with projected future development to the west.

PUBLIC LIFE

PL2 Walkability: Create a safe and comfortable walking environment that is easy to navigate and well-connected to existing pedestrian walkways and features.

PL2-A Accessibility

PL2-A-1. Access for All: Provide access for people of all abilities in a manner that is fully integrated into the project design. Design entries and other primary access points such that all visitors can be greeted and welcomed through the front door.

PL2-B Safety and Security

PL2-B-1. Eyes on the Street: Create a safe environment by providing lines of sight and encouraging natural surveillance.

At the first Early Design Guidance Meeting, the Board agreed that ensuring eyes on the street will create a safe environment and natural surveillance. To achieve this, the Board recommended transparency on the ground level at the retail space.

At the second Early Design Guidance Meeting, the Board supported glazing at the ground level façade with the retail at the center along South Dearborn Street. The Board expects to see a lighting plan at the Recommendation Meeting.

PL2-C Weather Protection

PL2-C-1. Locations and Coverage: Overhead weather protection is encouraged and should be located at or near uses that generate pedestrian activity such as entries, retail uses, and transit stops.

At the first Early Design Guidance Meeting, the Board recommended the addition of weather protection at ground level where possible.

At the second Early Design Guidance Meeting, the Board supported the concept of weather protection along South Dearborn Street and 13th Avenue South. The Board requested the presentation of exterior materials at the Recommendation Meeting.

PL2-D Wayfinding

PL2-D-1. Design as Wayfinding: Use design features as a means of wayfinding wherever possible.

At the second Early Design Guidance Meeting, the Board discussed the importance of signage and wayfinding and requested the presentation of a signage plan at the Recommendation Meeting.

PL3 Street-Level Interaction: Encourage human interaction and activity at the street-level with clear connections to building entries and edges.

PL3-A Entries

PL3-A-1. Design Objectives: Design primary entries to be obvious, identifiable, and distinctive with clear lines of sight and lobbies visually connected to the street.

At the first Early Design Guidance Meeting, the Board agreed that Concept B provides the optimal location for the retail pedestrian entry and two towers. The Board found that the entry and tower creates an identifiable and distinctive entry and architectural feature.

At the second Early Design Guidance Meeting, the Board supported the location of the retail along South Dearborn Street and the vertical glazing at the corner. Glazing along the street level façade is also encouraged. The Board recommended supplementing the South Dearborn Street façade with additional vertical elements such as glazing.

PL3-C Retail Edges

PL3-C-2. Visibility: Maximize visibility into the building interior and merchandise displays. Consider fully operational glazed wall-sized doors that can be completely opened to the street, increased height in lobbies, and/or special lighting for displays.

At the first Early Design Guidance Meeting, the Board discussed placement of the retail component, and recommended the design maximize visibility into the building interior to enhance street-level interaction.

At the second Early Design Guidance Meeting, the Board discussed the street level transparency at the retail along South Dearborn Street, and the active display element at the corner. Active display was used to describe the vertical corner element: the glazing and transparency will allow a visual connection to the interior of the space that will display interior uses. This display area will be lit at night. The Board supported these elements, and recommended consideration of adding more active display elements along South Dearborn Street and/or 13th Avenue South. The Board requested floor plans to illustrate the uses and forms that will be translated at the exterior.

DESIGN CONCEPT

DC1 Project Uses and Activities: Optimize the arrangement of uses and activities on site.

DC1-AArrangement of Interior Uses

DC1-A-1. Visibility: Locate uses and services frequently used by the public in visible or prominent areas, such as at entries or along the street front.

At the first Early Design Guidance Meeting, the Board agreed that Concept B proposes the ideal location for the retail and pedestrian entry, and recommended it be visible and identifiable.

At the second Early Design Guidance Meeting, the Board agreed that the location of the retail proposed in Concept E is ideal, and supported the transparency and glazing along the street front.

DC1-BVehicular Access and Circulation

DC1-B-1. Access Location and Design: Choose locations for vehicular access, service uses, and delivery areas that minimize conflict between vehicles and non-motorists

wherever possible. Emphasize use of the sidewalk for pedestrians, and create safe and attractive conditions for pedestrians, bicyclists, and drivers.

DC1-CParking and Service Uses

DC1-C-1. Below-Grade Parking: Locate parking below grade wherever possible. Where a surface parking lot is the only alternative, locate the parking in rear or side yards, or on lower or less visible portions of the site.

At the first Early Design Guidance Meeting, the Board acknowledged that the programming of the structure compels the design to include two vehicular access points. The Board members recommended the incorporation of design elements to minimize conflict between vehicles and non-motorists.

At the second Early Design Guidance Meeting, the Board requested exterior materials be presented at the Recommendation Meeting.

DC2 Architectural Concept: Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

DC2-AMassing

DC2-A-1. Site Characteristics and Uses: Arrange the mass of the building taking into consideration the characteristics of the site and the proposed uses of the building and its open space.

DC2-A-2. Reducing Perceived Mass: Use secondary architectural elements to reduce the perceived mass of larger projects.

At the first Early Design Guidance Meeting, the Board requested additional massing study and options to better respond to the site characteristics and uses.

At the second Early Design Guidance Meeting, the Board discussed the use of modulation and projections to contribute to the reduction of the perceived mass of the building. The Board liked the projections and relief proposed in Concept D, and recommended a similar consideration be applied to Concept E such that the corner element is further articulated. Suggestions offered include further projecting the horizontal *floating* elements, adding vertical elements within the *floating* element, and/or using accentuated awning forms at the corner.

DC2-BArchitectural and Facade Composition

DC2-B-1. Façade Composition: Design all building facades—including alleys and visible roofs— considering the composition and architectural expression of the building as a whole. Ensure that all facades are attractive and well-proportioned.

At the first Early Design Guidance Meeting, the Board requested additional study and development of the rooftop elements as the roof will be visible from the 12th Avenue South Bridge to the west. The Board requested a schematic view of the proposed structure from the 12th Avenue South Bridge.

At the second Early Design Guidance Meeting, the Board appreciated the additional information supplied by the applicant, and discussed the importance of the treatment of the roof. The Board suggested screening or other treatment, and to further refine the roof. The Board asked that a roof plan be presented at the Recommendation Meeting. Perspectives from the 12th Avenue South Bridge, and access to/from the roof shall also be presented.

DC2-B-2. Blank Walls: Avoid large blank walls along visible façades wherever possible. Where expanses of blank walls, retaining walls, or garage facades are

unavoidable, include uses or design treatments at the street level that have human scale and are designed for pedestrians.

At the first Early Design Guidance Meeting, the Board recommended articulation and other design solutions to provide attractive facades and avoid large blank walls.

At the second Early Design Guidance Meeting, the Board supported Concept E's simple shapes, transparent corner element, horizontal glazing at the top, and *floating* element between floors two and five. The Board asked for consideration of additional vertical elements (similar to Concept D) within the *floating* portion of the façade to provider further relief of the perceived mass and blank walls.

DC2-CSecondary Architectural Features

DC2-C-1. Visual Depth and Interest: Add depth to facades where appropriate by incorporating balconies, canopies, awnings, decks, or other secondary elements into the façade design. Add detailing at the street level in order to create interest for the pedestrian and encourage active street life and window shopping (in retail areas).

DC2-C-3. Fit With Neighboring Buildings: Use design elements to achieve a successful fit between a building and its neighbors.

DC2-DScale and Texture

DC2-D-1. Human Scale: Incorporate architectural features, elements, and details that are of human scale into the building facades, entries, retaining walls, courtyards, and exterior spaces in a manner that is consistent with the overall architectural concept.

At the first Early Design Guidance Meeting, the Board recommended the use of materials and texture to enhance the pedestrian experience along South Dearborn Street. The Board requested additional information regarding the relationship between the structure and the pedestrian realm on 13th Avenue South.

At the second Early Design Guidance Meeting, the Board discussed the treatment of the street level façade along South Dearborn Street, and recommended the use of glazing, awnings, weather protection, and/or texture to enhance the pedestrian experience and create human scale. The Board requested exterior materials be presented at the Recommendation Meeting.

DC2-EForm and Function

DC2-E-1. Legibility and Flexibility: Strive for a balance between building use legibility and flexibility. Design buildings such that their primary functions and uses can be readily determined from the exterior, making the building easy to access and understand. At the same time, design flexibility into the building so that it may remain useful over time even as specific programmatic needs evolve.

At the first Early Design Guidance Meeting, the Board recommended the use of exterior material changes, articulation, or other design components to translate the interior uses (retail, storage, and residential) to the exterior.

At the second Early Design Guidance Meeting, the Board discussed the residential unit, agreeing that its use is accessory. Translating the use to the exterior is inconsequential. The active display described for the corner element was supported, and the Board recommended adding other opportunities for active display along South Dearborn Street and/or 13th Avenue South. The Board requested that floor plans be presented at the Recommendation Meeting to illustrate the relationship between the interior and the active display elements at the exterior.

DC4 Exterior Elements and Finishes: Use appropriate and high quality elements and finishes for the building and its open spaces.

DC4-AExterior Elements and Finishes

DC4-A-1. 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.

DC4-A-2. Climate Appropriateness: Select durable and attractive materials that will age well in Seattle's climate, taking special care to detail corners, edges, and transitions.

At the first Early Design Guidance Meeting, the Board requested the use of durable materials that enhance the pedestrian experience along the street frontages.

At the second Early Design Guidance Meeting, the Board supported the use of durable materials to enhance the pedestrian experience along the street frontages. The Board requested a color and materials board be presented at the Recommendation Meeting.

DC4-BSignage

DC4-B-1. Scale and Character: Add interest to the streetscape with exterior signs and attachments that are appropriate in scale and character to the project and its environs.

DC4-B-2. Coordination with Project Design: Develop a signage plan within the context of architectural and open space concepts, and coordinate the details with façade design, lighting, and other project features to complement the project as a whole, in addition to the surrounding context.

At the first Early Design Guidance Meeting, the Board requested additional information regarding proposed signage, and made note of the scale of signage shown.

At the second Early Design Guidance Meeting, the Board discussed the influence of signage, and requested that a signage plan be presented at the Recommendation Meeting.

DC4-CLighting

DC4-C-1. Functions: Use lighting both to increase site safety in all locations used by pedestrians and to highlight architectural or landscape details and features such as entries, signs, canopies, plantings, and art.

DC4-C-2. Avoiding Glare: Design project lighting based upon the uses on and off site, taking care to provide illumination to serve building needs while avoiding off-site night glare and light pollution.

At the first Early Design Guidance Meeting, the Board requested a lighting study be provided at the Recommendation Meeting.

At the second Early Design Guidance Meeting, the Board requested a lighting study be provided at the Recommendation Meeting.

DC4-DTrees, Landscape, and Hardscape Materials

DC4-D-1. Choice of Plant Materials: Reinforce the overall architectural and open space design concepts through the selection of landscape materials.

At the first Early Design Guidance Meeting, the Board recommended the use of landscaping on-site to provide visual depth and interest which will enhance the open space. The Board asked for a conceptual landscape plan at the Second Early Design Guidance Meeting.

At the second Early Design Guidance Meeting, the Board discussed the conceptual landscape plan and street trees. The Board agreed that there may be opportunity along South Dearborn Street to include landscaping in addition to the street trees, and recommended further consideration and refinement. The Board requested a landscape plan be presented at the Recommendation Meeting. This landscape plan shall include all required right-of-way dimensions for South Dearborn Street and 13th Avenue South. Additionally, the Board discussed the importance of the treatment of the roof, and suggested consideration of a green roof element.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with Design Review and SEPA components on September 3, 2014.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation Meeting on January 27, 2015 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meetings, site plans, elevations, floor plans, landscape plan, and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

FINAL RECOMMENDATION MEETING: January 27, 2015

DESIGN DEVELOPMENT

In response to the Early Design Guidance (EDG), the applicant described how the design concept for the preferred scheme had been further developed. The applicant specifically addressed the south façade, colors and materials, and streetscape.

The south elevation was modified to include additional articulation, color, material, and signage. Signage, change in color, material, and plane demarcate the vehicular entrance. Colors and materials proposed include orange, plum, cast-in-place concrete, metal panel, khaki split-face concrete masonry units, and aluminum storefront windows. The South Dearborn Street streetscape consisted of 15-foot sidewalks, street trees, canopies, awnings, lighting, façade transparency, and pedestrian access to the retail space.

PUBLIC COMMENT

No comments were received at the Recommendation meeting.

RECOMMENDATION (JANUARY 27, 2015)

1. **Architectural Concept**. The Board agreed the roof will be highly visible from the 12th Avenue South Bridge and should be treated considering the composition and architectural expression of the building as a whole. All facades should be attractive and well-proportioned. (DC2-B, DC4-A)
   a. The Board recommended a condition to change the color of the roof from white to a color that is compatible with the proposed color palette identified in the Recommendation packet (DC2-B, DC4-A).
   b. The Board recommended a condition to change the color of the mechanical equipment screening from white to a color that is compatible with the proposed color palette identified in the Recommendation packet (DC2-B, DC4-A).
   c. The Board recommended a condition to screen the rooftop mechanical equipment with materials compatible with the proposed color and material palette identified in the

Recommendation packet. Screening from view of 12th Avenue South and 13th Avenue South was of particular concern. (DC2-B, DC4-A)

d. The Board agreed that the letter signage appeared out of scale with the structure, and recommended a reduction in size. The Board recommended that the reduction of the letter signage on the east, west, and south facades should be more compatible with the scale and proportion of the structure. The Board supported the blade and canopy signs. (DC2-C, DC2-D, DC4-B)
e. The proposed color palette was discussed. While the Board was sensitive to the concept of corporate colors, the Board encouraged using a subdued version of the color palette in response to nearby context. (CS2-B, DC2-B , DC4-A)

2. **Streetscape: South Dearborn Street**. The Board stated this is an evolving neighborhood where architectural character is in transition, and the project should contribute to the establishment of a positive and desirable context for others to build upon in the future. (CS2-D, CS3-A)
   a. South Dearborn Street is a Class II pedestrian street, and the Board noted that the project should contribute to a positive and safe pedestrian experience. The Board encouraged adding landscaping in the right-of-way along the curb, similar to the landscaping on 13th Avenue South, to enhance pedestrian safety and experience. (CS2-B, DC2-D, DC4-D)
   b. The Board supported the retail entrance in the proposed location, mid-site on South Dearborn Street, and suggested that the canopies at the pedestrian entrance be tipped up to further identify the entrance. (CS2-C, PL2-C, PL3-A, DC1-A)
   c. The Board supported the locations of the vehicular entrances on South Dearborn Street and 13th Avenue South (DC1-B, DC1-C).

DEVELOPMENT STANDARD DEPARTURES

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

At the time of the Recommendation meeting, the following departures were requested:

1. **Overhead Weather Protection and Lighting (SMC 23.49.018)**: The Code requires continuous overhead weather protection along the entire street frontage of a lot (except for those portions of the structure façade that are driveways into the structure). The applicant proposes to break the overhead weather protection on South Dearborn Street and 13th Avenue South, to provide elements of modulation and articulation along the façade. Overhead weather protection provided at the vehicle entrances and at the southeast corner is of a different style (tipped up, rather than horizontal to the façade).

   At the Recommendation meeting, the Board unanimously recommended that DPD grant the departure. The Board indicated that the relief and articulation provided by the variety of overhead weather protection worked to identify the entries, reduce the perceived mass of the structure, and create human scale at the ground level. (PL3-A, DC2-A, DC2-D).

2. **Façade Setback Limits – South Dearborn Street (SMC 23.49.056.B.1.b.)**: The Code requires facades between 15 feet and the maximum height permitted, to be located within two-feet of the street lot line. The applicant proposes to increase this setback to 2.8-feet at the southeast corner on South Dearborn Street and 13th Avenue South to accommodate the tower.

At the Recommendation meeting, the Board unanimously recommended that DPD grant the departure. The Board indicated that this corner site requires careful detailing due to its high visibility from two or more streets, and agreed the increased setback for the tower creates an identifiable and distinctive architectural feature. (CS2-C, PL2-B, DC2-B)

3. **Façade Setback Limits –South Dearborn Street (SMC 23.49.056.B.1.b.2.b.iii.)**: The code requires facades between 15 feet and 35-feet, to be located within two-feet of the street lot line. A greater setback is permitted if no wider than 20-feet in length, measured parallel to the street lot line. The applicant proposes the setback for a length of 50-feet at the southeast to accommodate the tower feature.

At the Recommendation meeting, the Board unanimously recommended that DPD grant the departure. The Board indicated that this corner site requires careful detailing due to its high visibility from two or more streets, and agreed the length of the setback contributes to the creation of the tower feature as an identifiable and distinctive architectural feature. (CS2-C, PL2-B, DC2-B)

4. **Façade Setback Limits –13th Avenue South (SMC 23.49.056.B.2.d.)**: The code requires facades between 15 feet and 35-feet, to be located within two-feet of the street lot line. A greater setback is permitted if no wider than 20-feet in length, measured parallel to the street lot line. The applicant proposes the setback for a length of 50-feet at the southeast corner to accommodate the tower.

At the Recommendation meeting, the Board unanimously recommended that DPD grant the departure. The Board indicated that this corner site requires careful detailing due to its high visibility from two or more streets, and agreed the length of the setback contributes to the creation of the tower as an identifiable and distinctive architectural feature. (CS2-C, PL2-B, DC2-B)

5. **Façade Setback Limits – 12th Avenue South Bridge (SMC 23.49.056)**: The code requires facades between 15 feet and 35-feet, to be located within two-feet of the street lot line. The applicant proposes to increase this setback to 23.25-feet to avoid interference with the 12th Avenue South Bridge deck and the existing cell tower on site.

At the Recommendation meeting, the Board unanimously recommended that DPD grant the departure. The Board indicated that the structure does not make a physical connection to the 12th Avenue South Bridge that would necessitate a strong street edge. The Board agreed that the size of the structure is in keeping with the neighborhood context of existing structures and projected future development to the west. (CS2-D, CS3-A, DC2-B)

6. **Façade Transparency – 12th Avenue South Elevation (SMC 23.49.056.C.):** The Code requires that facades facing a Class II pedestrian street have a minimum of 30% transparency. The applicant proposes to reduce this requirement to zero along the west façade facing 12th Avenue South Bridge as it does not make a connection to the street, and is partially blocked from view.

At the Recommendation meeting, the Board unanimously recommended that DPD grant the departure. The Board indicated that due to the slope of the site, the adjacent 12th Avenue South Bridge, and the existing cell tower on site, façade transparency was not practical on the west elevation. The structure is setback 23.25-feet from the bridge, is inaccessible, and is partially blocked from view. The proposed design is a better response to the site and adjacent conditions. (CS1-C, CS2-A, DC2-B)

7. **Blank Façade Limits – 13th Avenue South Façade (SMC 23.49.056.D.3.)**: The Code requires that blank façade segments on Class II pedestrian streets be no more than 30-feet wide, and not exceed 70% of the street façade of the structure. The applicant proposes zero transparency along the north half of the east façade along 13th Avenue South due to the slope of the site.

At the Recommendation meeting, the Board unanimously recommended that DPD grant the departure. The Board indicated that the slope and interior use of the structure discourage transparency along the north half of the east façade. The Board supported the design of the streetscape and the east façade without the transparency. The Board agreed that the landscaping, materials, overhead weather protection, lighting, and structure modulation enhance the pedestrian experience and contribute to an attractive and well-proportioned facade. (CS2-A, CS2-C, PL2-C, DC2-B, DC2-C)

8. **Blank Façade Limits – 12th Avenue South Façade (SMC 23.49.056.D.3.):** The Code requires that blank façade segments on Class II pedestrian streets be no more than 30-feet wide, and not exceed 70% of the street façade of the structure. The applicant proposes zero transparency along the west elevation facing the 12th Avenue South Bridge due to the slope of the site, lack of access, and poor visibility.

At the Recommendation meeting, the Board unanimously recommended that DPD grant the departure. The Board indicated that due to the slope of the site, the adjacent 12th Avenue South Bridge, and the existing cell tower on site, façade transparency was not practical on the west elevation and blank walls were an appropriate response to the context. The structure is setback 23.25-feet from the bridge, is inaccessible, and is partially blocked from view. The Board agreed that the selection of color and materials contribute to an attractive and well-proportioned facade. (CS2-A, CS2-C, PL2-C, DC2-B, DC2-C)

BOARD RECOMMENDATION

The recommendation summarized above was based on the design review packet dated Wednesday, January 14, 2015, and the materials shown and verbally described by the applicant at the Tuesday, January 27, 2015 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended APPROVAL of the subject design and departures with the following conditions.

1. Change the color of the roof from white to a color that is compatible with the proposed color palette identified in the Recommendation packet (DC2-B, DC4-A).

2. Change the color of the mechanical equipment screening from white to a color that is compatible with the proposed color palette identified in the Recommendation packet (DC2-B, DC4-A).

3. Screen the rooftop mechanical equipment with materials compatible with the proposed color and material palette identified in the Recommendation packet.

4. Reduce visibility of the rooftop mechanical equipment from the right-of-way as much as possible. (DC2-B, DC4-A).

5. Reduce the letter signage on the east, west, and south facades to be more compatible with the scale and proportion of the structure. (DC2-C, DC2-D, DC4-B)

DECISION – DESIGN REVIEW

Director's Analysis

Four members of the East Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines that are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F.3). The Director agrees with and accepts the conditions recommended by the Board that further augment the selected Guidelines.

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

Director's Decision

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

II. ANALYSIS - SEPA

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (September 3, 2014). The Department of Planning and Development (DPD) has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans, any additional information in the file, and considered any pertinent comments which may have been received regarding this proposed action. 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 *SEPA 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 (SMC 25.05.665). Under such limitations, mitigation may be considered; a detailed discussion of some of the impacts is appropriate.

Codes and development regulations applicable to this proposed project that will provide mitigation for short and/or long term impacts 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 SEPA public comment period ended October 5, 2014. No comments were received.

Short-term Impacts:

Temporary or construction-related impacts are anticipated to result in some adverse impacts. Examples of impacts may include 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/or 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, and/or an increase in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

Construction Impacts: Parking and Traffic

Considering the site's location, the construction of the project is expected to have an adverse impact on both the vehicular and pedestrian traffic in the vicinity. During construction a temporary increase in traffic volumes to the site is expected due to travel to the site by construction workers and the transport of construction materials. Furthermore, additional parking demand from construction vehicles is 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 *Street Use Ordinance* contains regulations that mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is regulated with a street use permit through the City of Seattle Department of Transportation. Street and sidewalk closures and haul routes are subject to review and approval by the Seattle Department of Transportation via a street use permit. These regulations and agencies will be adequate to mitigate potential impacts.

Approximately 21,000 cubic yards of soil are expected to be excavated from the project site. The soil removed for the structure will not be reused on site, requiring disposal off site. Excavation and fill activity will require approximately 2,100 round trips with 10-yard hauling trucks or 1,050 round trips with 20-yard hauling trucks. Considering the large 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 existing the site 3:30PM – 7:00PM. Compliance with the *Street Use Ordinance* is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

Noise

Noise associated with construction of the structure could affect surrounding uses in the area, which include commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. The *Noise Ordinance* is found to be adequate to mitigate the potential noise impacts. No additional conditioning is warranted pursuant to SEPA policies.

Earth

The *Stormwater, Grading and Drainage Control Code* (SGDCC) requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three-feet in height or grading greater than 100 cubic yards of material. The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit. The SGDCC provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Long-term Impacts:

Long term or use-related impacts are also anticipated as a result of this proposal. Examples of such impacts may include an increased surface water runoff due to greater site coverage by impervious surfaces, increased traffic in the area, an increase in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming, and increased demand for public services and utilities. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment; however, height, bulk and scale, and parking and traffic warrant further analysis.

Height, Bulk & Scale

The project went through a Design Review process which addressed the issue of height, bulk and scale; see the above Design Review Analysis for details of the process and design changes. “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” (SMC 25.05.675.G). No further SEPA mitigation is warranted.

Parking and Traffic

The Traffic and Parking Analysis (Transpo Group, August 2014) estimates that the project is is anticipated to generate 346 net new vehicular weekday daily trips, with 24 occuring during the weekday AM peak hour and 43 occuring during the weekday PM peah hour. Access to the

proposed on-site vehicular parking is via two full access driveways, one on South Dearborn Street and the other on 13th Avenue South. The driveway located on South Dearborn Street is anticipated to operate as level of service (LOS) B and the driveway on 13th Avenue South is anticated to operate at LOS A during PM peak hour conditions. The estimated peak parking demand is expected to be 32 vehicles. The DPD Transportation Planner reviewed the information and has determined that while these impacts are adverse, they are not expected to be significant. No additional conditioning is warranted pursuant to SEPA policies.

Environmental Health

The subject site was previously occupied by a tractor and mower sales and service facility, and is currently occupied by a telecommunications tower. The Phase I Environmental Site Assessment (ESA) performed for the subject property was submitted on September 3, 2014. This objective of the ESA was to identify recognized environmental conditions (REC) associated with the subject property. RECs are defined as *the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum projects into structures on the property or into the ground, ground water, or surface water of the property.* According to the ESA, no evidence of RECs in connection with the subject property were identified. No further assessment or subsurface investigation of the subject property was recommended. In the event that contaminated material is identified, the handling and disposal of the material shall be conducted in accordance with the Model Toxic Control Act (WAC 173-340) and the Code of Federal Regulations (CFR 1910.120). Pursuant to the *SEPA Overview Policy* SMC 25.665.E. such a condition is 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 (Revised Code of Washington (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 Environmental Impact Statement (EIS) is not required under RCW 43.21.030(2)(c).

☐ Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 (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, Excavation, or Construction Permit

1. The applicant shall submit a copy of applicable street use permits, approved by the Seattle Department of Transportation, for any right-of-way closures and/or haul routes.

During Demolition, Excavation or Construction

2. In the event that contaminated material is identified, the handling and disposal of the material shall be conducted in accordance with the Model Toxic Control Act (WAC 173-340) and the Code of Federal Regulations (CFR 1910.120).
3. Large (greater than two-axle) trucks will be prohibited from entering or existing the site 3:30PM – 7:00PM.

DESIGN REVIEW - CONDITIONS OF APPROVAL

Prior to Certificate of Occupancy

4. 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.
5. 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.

For the Life of the Project

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

Signature: retagonzales-cupneutubby for Date: May 7, 2015
Carly Guillory
Land Use Planner
Department of Planning and Development

CG:rgc
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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered "approved for issuance". (If your decision is appealed, your permit will be considered "approved for issuance" on the fourth day following the City Hearing Examiner's decision.) Projects requiring a Council land use action shall be considered "approved for issuance" following the Council's decision.

The "approved for issuance" date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled (SMC 23-76-028). (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.