



City of Seattle
Edward B. Murray, Mayor

Department of Construction and Inspections
Nathan Torgelson, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

Application Number: 3019219
Applicant Name: Vince Ferrese for Encore Architects
Address of Proposal: 1050 James Street

SUMMARY OF PROPOSED ACTIONS

Land Use Application to allow a 7-story structure containing 74 apartment units. Parking for 31 vehicles is to be provided below grade.

The following approvals are required:

Design Review - Seattle Municipal Code (SMC) Section 23.41 Departures Requested:

1. SMC 23.45.518 Front setback
2. SMC 23.45.518 Side setback
3. SMC 23.54.518 Rear setback

SEPA - Environmental Determination pursuant to SMC 25.05

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions*

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

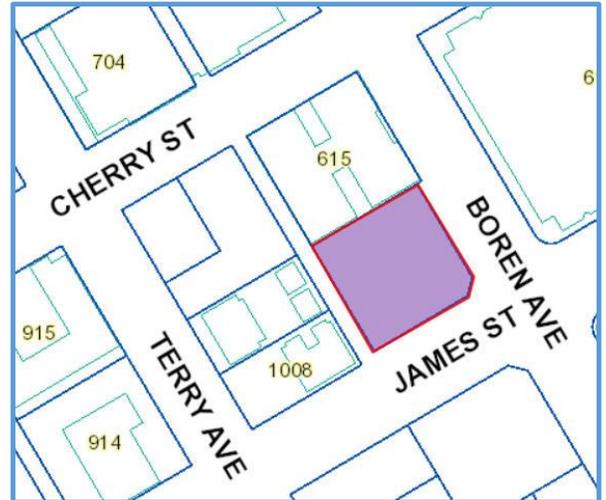
* Notice of the Early Determination of Non-significance was published on September 3, 2015.

PROJECT DESCRIPTION

The proposal is for a seven (7) story residential building with approximately 74 residential units and underground parking for 31 cars. Access to the underground parking, trash, and recycling is proposed to be off of the alley.

SITE & VICINITY

The development site located at the northwest corner of Boren Avenue and James Street lies within the southwestern portion of the First Hill neighborhood. The site is directly east of the Harborview Medical Center campus, one block southwest of the Swedish Medical Center campus and one and a half blocks to the west of the Seattle University campus. There are also low and midrise residential developments in the area; a service station and small commercial structures dating from the early 20th century to the 1960s. Boren Avenue and James Street are principal arterials. The neighborhood includes a stable residential population who appreciate the First Hill neighborhood for its proximity to many Seattle attractions; work, recreation, and commercial establishments.



Access to the site is available from the alley. There are no Environmentally Critical Areas (ECA) mapped at this site.

High-rise (HR) designated zoning represents the predominant zoning classification in the portion of First Hill. To the site's west and south, a major institutional overlay (MIO) for Harborview Hospital has a mix of HR and Midrise (MR) zoning. To the east of Boren Avenue, the zoning transitions to a mix of Neighborhood Commercial (NC), MR, and HR zones. A MIO for the Swedish Medical Center complex covers much of this area. Northward from the site, the HR zone extends toward Madison St. with NC zoning fronting most of the Madison corridor east of the interstate.

ANALYSIS AND DECISION - DESIGN REVIEW

EARLY DESIGN GUIDANCE

The design review packet which includes materials presented at the design review meeting is available online by entering the project number (3019219)

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 Seattle DCI:

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

Email: PRC@seattle.gov

PUBLIC COMMENT

There were many comments offered at the Early Design Guidance meeting. They included the following:

- Create a design that maximizes natural light to the neighboring building to the north, The Old Colony condominium.
- Provide as much parking as possible.
- The alley is currently a multimodal right of way which is heavily used by pedestrians, bicyclists, cars, moving trucks and deliveries. Create a design that supports the active alley by providing traffic calming measures such as alley paving, a load and unload spot, landscaping, and pedestrian walk.
- Include ground level retail on James Street.
- There is a community garden at Cherry and Terry that demonstrates the neighborhood care and activity.
- A quiet patio for residents will need to be located off of noisy Boren Avenue.
- The alley should be an extension of the proposed Terry Pedestrian Priority Street due to the heavy pedestrian use.
- The area residents are a tight-knit group and are interested in working with the developer to craft a creative and useable design for the new building residents and residents of The Old Colony.
- Provide as much space as possible at the north end of the subject lot to retain as much light and air as possible for the Old Colony residents.
- Create a courtyard or similar landscaped area between the buildings. (Commenters provided images to illustrate their ideas.)

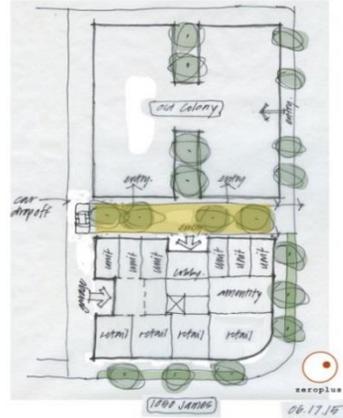


Design the alley as a *woonerf* for multiple uses; cars, pedestrians, bicycles, container gardening and others.

- Retain the building setback from the alley to allow for pedestrians.
- Taper or cutback the north building edges to maximize light and air for The Old Colony residents.
- The Old Colony residents enter and exit from the alley. New building residents will probably find their use pattern to be similar since Boren and James are busy, noisy streets

for a building entry. Consider using the building setback at the alley or courtyard between the buildings for entry and exiting.

- Provide a courtyard and entry between the two buildings similar to the site plan design shown in the image to the right. (Image provided by a commenter.)



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 June 10, 2015

1. Integrate the building into current neighborhood patterns.

The Board gave guidance to encourage integrating the new proposal into the urban use patterns and form.

- a) Design the building to allow light and air into the neighboring Old Colony building.
- b) Allow the maximum sunlight to reach the south façade of the Old Colony.
- c) Reduce shading on the Old Colony building from architectural elements or stair and elevator overruns.
- d) The building site sits at a natural gateway to First Hill. Propose a building with architectural presence without reverting to pastiche and which, in a modern idiom, reinforces the substantial sense of place exhibited by the Old Colony.
- e) Create commodious and usable connections to the Old Colony.
- f) Increase the building setback along the north property line, design a useable courtyard for both projects employing interesting site elements such as unique paving, site furniture, dimmable catenary lighting, feature lighting, and an interesting and full planting plan.
- g) Coordinate and design the courtyard feature with input from residents of the Old Colony. Create a “front door” connection to the much used alley by retaining the lobby entry on the corner of the alley and James Street.
- h) Consider expanding the building-to-alley relationship with at grade apartment courtyards and entries, walking space, opportunities for landscaping while encouraging bicycle and pedestrians to feel welcome.

- i) Explore a woonerf condition at the alley.
- j) Surface parking via the alley should be eliminated.
- k) Generate an intentional building design which moves the bulk of the building to James Street and carves away the mass fully along the north property line. Massing choices should show deference to the Old Colony and recognition of the continued uses at that site.
- l) The Board notes that there should be a fit of old and new together at this neighborhood transition site by providing a counter point and mindful solution to increased setbacks at the north property line to give way to the Old Colony.
- m) Consider the nearby garden and alley gardening, and the alley as pedestrian walkway as design cues to inform the building design. (CS B, CS2 A, C, CS2 B, CS2 D, CS3 A)

2. Enhance connections.

The Board directed the applicants to design building and site connections including the following:

- a) Enhance the alley open space for pedestrians and bicycle use.
- b) Create eddies and pathways to gardens, entries, desire lines in woonerf style.
- c) Provide alley and courtyard connection for a visibility and functionality to provide a sense of security for residents.
- d) Create space for informal community uses along the alley and space between the Old Colony and this project, i.e. a courtyard and avoid Boren and James for outdoor uses and activities due to the high volumes of vehicular traffic.
- e) Reinforce the alley as open space and connect it to a north edge/Old Colony open space.
- f) Provide “eyes” on the alley.
- g) Consider the ensemble of elements-for-entries solutions included in the priority guidance, common residential entries, and individual unit entries.
- h) Communicate the hierarchy of entries and provide way-finding design cues for the public, visitors, and private courtyard use or pass-through. (PL1 A, B, C, PL2 C, PL3A)

3. Design to the existing context.

The Board directed the applicant to be mindful of vehicle access on the alley as new development will need to integrate safe entry and exit with alley pedestrian and bicycle traffic, landscaping, and traffic calming. The Board thought the preliminary T-bar massing was good design direction to explore.

- a) The visual impacts of the parking entry to the underground carpark should be minimized.
- b) Surface parking should not be contemplated at this location.
- c) Commercial space along James Street is appropriate and a residential lobby at the alley and James Street intersection is a good idea.
- d) Avoid blank walls; choose architectural features, scale and texture to complement the Old Colony.
- e) Specify high quality, durable building materials for this important site.

- f) Create a sense of place vis-a-vis the alley landscaping and interconnectivity to the building and north edge courtyard space.
- g) Include a landscaping concept at the Old Colony south property line; marry the two sites along the property line for a building to building courtyard experience.
- h) Design full and striving landscape with native plants, “right plant right place” precepts and a sense of urban community in a garden.
- i) Find ways to bring landscaping elements to James Street.(DC1 A,B,C; DC2 A,B,C,D;DC3 A,B,C; DC4 A, D)

DESIGN REVIEW GUIDELINES

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-B Sunlight and Natural Ventilation

CS1-B-1. Sun and Wind: Take advantage of solar exposure and natural ventilation. Use local wind patterns and solar gain to reduce the need for mechanical ventilation and heating where possible.

CS1-B-2. Daylight and Shading: Maximize daylight for interior and exterior spaces and minimize shading on adjacent sites through the placement and/or design of structures on site.

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-3. Character of Open Space: Contribute to the character and proportion of surrounding open spaces.

CS2-C Relationship to the Block

CS2-C-1. Corner Sites: Corner sites can serve as gateways or focal points; both require careful detailing at the first three floors due to their high visibility from two or more streets and long distances.

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.

CS2-D-5. Respect for Adjacent Sites: Respect adjacent properties with design and site planning to minimize disrupting the privacy of residents in adjacent buildings.

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

CS3-A Emphasizing Positive Neighborhood Attributes

CS3-A-1. Fitting Old and New Together: Create compatibility between new projects, and existing architectural context, including historic and modern designs, through building articulation, scale and proportion, roof forms, detailing, fenestration, and/or the use of complementary materials.

CS3-A-2. Contemporary Design: Explore how contemporary designs can contribute to the development of attractive new forms and architectural styles; as expressed through use of new materials or other means.

CS3-A-3. Established Neighborhoods: In existing neighborhoods with a well-defined architectural character, site and design new structures to complement or be compatible with the architectural style and siting patterns of neighborhood buildings.

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.

PUBLIC LIFE

PL1 Connectivity: Complement and contribute to the network of open spaces around the site and the connections among them.

PL1-A Network of Open Spaces

PL1-A-1. Enhancing Open Space: Design the building and open spaces to positively contribute to a broader network of open spaces throughout the neighborhood.

PL1-A-2. Adding to Public Life: Seek opportunities to foster human interaction through an increase in the size and quality of project-related open space available for public life.

PL1-B Walkways and Connections

PL1-B-1. Pedestrian Infrastructure: Connect on-site pedestrian walkways with existing public and private pedestrian infrastructure, thereby supporting pedestrian connections within and outside the project.

PL1-B-2. Pedestrian Volumes: Provide ample space for pedestrian flow and circulation, particularly in areas where there is already heavy pedestrian traffic or where the project is expected to add or attract pedestrians to the area.

PL1-B-3. Pedestrian Amenities: Opportunities for creating lively, pedestrian oriented open spaces to enliven the area and attract interest and interaction with the site and building should be considered.

PL1-C Outdoor Uses and Activities

PL1-C-1. Selecting Activity Areas: Concentrate activity areas in places with sunny exposure, views across spaces, and in direct line with pedestrian routes.

PL1-C-2. Informal Community Uses: In addition to places for walking and sitting, consider including space for informal community use such as performances, farmer's markets, kiosks and community bulletin boards, cafes, or street vending.

PL1-C-3. Year-Round Activity: Where possible, include features in open spaces for activities beyond daylight hours and throughout the seasons of the year, especially in neighborhood centers where active open space will contribute vibrancy, economic health, and public safety.

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

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.

PL2-C-2. Design Integration: Integrate weather protection, gutters and downspouts into the design of the structure as a whole, and ensure that it also relates well to neighboring buildings in design, coverage, or other features.

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.

PL3-A-2. Common Entries: Multi-story residential buildings need to provide privacy and security for residents but also be welcoming and identifiable to visitors.

PL3-A-3. Individual Entries: Ground-related housing should be scaled and detailed appropriately to provide for a more intimate type of entry.

PL3-B-4. Interaction: Provide opportunities for interaction among residents and neighbors.

DESIGN CONCEPT

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

DC1-A Arrangement of Interior Uses

DC1-A-2. Gathering Places: Maximize the use of any interior or exterior gathering spaces.

DC1-B Vehicular 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-B-2. Facilities for Alternative Transportation: Locate facilities for alternative transportation in prominent locations that are convenient and readily accessible to expected users.

DC1-C Parking 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.

DC1-C-2. Visual Impacts: Reduce the visual impacts of parking lots, parking structures, entrances, and related signs and equipment as much as possible.

DC1-C-3. Multiple Uses: Design parking areas to serve multiple uses such as children's play space, outdoor gathering areas, sports courts, woonerf, or common space in multifamily projects.

DC1-C-4. Service Uses: Locate and design service entries, loading docks, and trash receptacles away from pedestrian areas or to a less visible portion of the site to reduce possible impacts of these facilities on building aesthetics and pedestrian circulation.

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-A Massing

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.

DC2-B Architectural 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.

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.

DC2-C Secondary 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-2. Dual Purpose Elements: Consider architectural features that can be dual purpose—adding depth, texture, and scale as well as serving other project functions.

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

DC2-D Scale 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

DC2-D-2. Texture: Design the character of the building, as expressed in the form, scale, and materials, to strive for a fine-grained scale, or “texture,” particularly at the street level and other areas where pedestrians predominate.

DC3 Open Space Concept: Integrate open space design with the building design so that they complement each other.

DC3-A Building-Open Space Relationship

DC3-A-1. Interior/Exterior Fit: Develop an open space concept in conjunction with the architectural concept to ensure that interior and exterior spaces relate well to each other and support the functions of the development.

DC3-B Open Space Uses and Activities

DC3-B-1. Meeting User Needs: Plan the size, uses, activities, and features of each open space to meet the needs of expected users, ensuring each space has a purpose and function.

DC3-B-2. Matching Uses to Conditions: Respond to changing environmental conditions such as seasonal and daily light and weather shifts through open space design and/or programming of open space activities.

DC3-B-3. Connections to Other Open Space: Site and design project-related open spaces to connect with, or enhance, the uses and activities of other nearby public open space where appropriate.

DC3-B-4. Multifamily Open Space: Design common and private open spaces in multifamily projects for use by all residents to encourage physical activity and social interaction.

DC3-C Design

DC3-C-1. Reinforce Existing Open Space: Where a strong open space concept exists in the neighborhood, reinforce existing character and patterns of street tree planting, buffers or treatment of topographic changes. Where no strong patterns exist, initiate a strong open space concept that other projects can build upon in the future.

DC3-C-2. Amenities/Features: Create attractive outdoor spaces suited to the uses envisioned for the project.

DC3-C-3. Support Natural Areas: Create an open space design that retains and enhances onsite natural areas and connects to natural areas that may exist off-site and may provide habitat for wildlife.

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

DC4-A Exterior 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.

DC4-D Trees, 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.

DC4-D-2. Hardscape Materials: Use exterior courtyards, plazas, and other hard surfaced areas as an opportunity to add color, texture, and/or pattern and enliven public areas through the use of distinctive and durable paving materials. Use permeable materials wherever possible.

DC4-D-3. Long Range Planning: Select plants that upon maturity will be of appropriate size, scale, and shape to contribute to the site as intended.

DC4-D-4. Place Making: Create a landscape design that helps define spaces with significant elements such as trees.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departure(s) 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 departure(s). The Board's recommendation will be reserved until the final Board meeting.

At the time of the Early Design Guidance the following departures were requested:

1. **Building Setback. (SMC 23.45.518):** The Code requires seven foot average and five foot minimum front setback. The applicant proposes no building setback for a portion of the façade on Boren Avenue.

The Board indicated they will consider the request with more information on how the departure will help the project better meet development standards.

2. **Building Setback. (SMC 23.45.518):** The Code requires seven foot average and five foot minimum side setback. The applicant proposes no building setback on James Street.

The Board indicated they will consider the request with more information on how the departure will help the project better meet development standards.

3. **Building Setback. (SMC 23.45.518):** The Code requires ten foot building setback from the alley. The applicant proposes no building setback.

The Board indicated they will consider the request with more information on how the departure will help the project better meet development standards.

BOARD DIRECTION

At the conclusion of the EARLY DESIGN GUIDANCE meeting, the Board recommended moving forward to MUP application.

RECOMMENDATION January 27, 2016

The design team presented the project and responses to early design guidance. They introduced the landscape plan and outlined departure requests.

PUBLIC COMMENT

Members of the public had the following comments:

- James and Boren are busy streets. The alley is used for deliveries and pick up which makes it somewhat crowded at times. The interstitial garden between this building and the Old Colony is a good plan. The commenter would like to see no fence in garden at the east and west ends. The garden may need to be wider.
- There needs to be more set back from the Old Colony Condominiums to provide more light for the building units. Choose a façade color as reflective as possible. Control by design uses in the shared courtyard such no smoking, no vaping, no pets, no table and chair to reduce noise and impacts to both building's residents. Provide more planting and omitting the gate would be fine.
- The alley is very frequently used by Old Colony residents. If the new building does not setback from the alley, property line, then pedestrians and vehicles will be in conflict. Provide a walking edge of the property next to the alley for a walkway for safety.
- Locate the bicycle storage so they can't be stolen en masse from an interior storage.
- Materials on the east and west facades are a mix of brick and fiber cement. Brick would be better to retain and not change to the fiber cement. The light material on the north side of the building is good, but the dark fiber cement at the bottom is not desirable. Use the light material. Brick in the middle stair tower is ok. Use a light material at the bottom. Would like new paving in the courtyard to extend fully to the Old Colony to replace old paving. Preferences are for no gate at the courtyard and retail uses on James. Control building signage. Provide signage at the base on James and Boren and place no signage at the top.
- The alley is used a lot much so make it safe for access and pedestrians.

- Shared amenity spaces in buildings are usually dead space. It seems a missed opportunity. There is so much new housing density in First Hill that it should be easy to support retail.
- It is important to keep Boren active and not a building backside with poor materials. High quality materials should be used throughout. The community needs more retail at this site. Retail on the corner would be a good idea.

BOARD RECOMMENDATIONS

Board deliberations centered on appropriateness of height, bulk, and scale, courtyard design, fencing and screening, ground level uses, building materials, and departures. The Board thought the building massing addressed the streets and alley well. There was discussion on ground level units, fencing and screening options and the Board clarified and discussed proposed uses on James Street, weather protection, leasing office location, and material colors. The Board further discussed the building relationships to the alley for access, trash, bicycle access and how residential units relate to the alley.

The Board confirmed that a more opaque street level fencing design would better serve the project to meet early design guidance to integrate into current neighborhood patterns. After discussion, the Board thought that fence transparency midway between the proposed fence fabric and the intermittent decorative panels would be a better solution and directed the applicant to make change, but did not condition the project. The Board was split on the design as presented with the “two buildings” concept, one brick section at the corner and a northern section clad with fiber cement panel. The Board was curious to know if the northern section would look better with all brick or brick at the base for siding solutions and asked the applicant to work with the planner to explore alternatives. They approved of the west side façade and emphasized approval of the important brick wrap around to the alley. The Board directed the applicant to omit any signage at the top of the building and to keep signage at the base of the building.

The Board considered the response to early guidance to enhance connections. The Board thought the north façade on the courtyard between the project and Old Colony Condominiums should be a lighter color and either a light color or brick base, but did not condition the project. The Board approved the courtyard garden between the two buildings, planting, paving and fencing. They thought the fence at the east and west ends of the courtyard should be visually transparent. The Board thought the courtyard design was a very good response to the existing Old Colony Condominiums and directed the applicant to design and install it as shown. The Board noted that they understand that access for the Old Colony through the larger courtyard is anticipated, expected, and approved. They did concede that there may be extenuating circumstances that might require a transparent fence at the property line, but that would be a last resort solution.

The Board considered the project response to early guidance to design to the existing context. The Board thought the streetscape facades and uses at the base of the building were acceptable. They directed the applicant to energize the amenity and lobby spaces with a variety of activities for residents and visitors. The Board thought a dog area on the roof would be a good idea.

The Board felt the project meets the early design guidance and presents a cohesive design. The Board supports efforts to work with SDOT to repave the alley to SDOT standards. The Board

felt that the applicant responded to all early design guidance and was supportive of the materials proposed for the building with direction to the applicant to work with the planner to explore alternate materials at the northern portion of the building, but did not condition the project in this regard.

All members of the Design Board recommended approval of the following departure requests.

DEPARTURES

SUMMARY OF REQUESTED DEPARTURES

	Standard Requirement	Required	Request	Rationale for Departure	Board Direction
1	SMC 23.45.518 Front setback (Boren)	5 foot minimum	1'-10" for 50.5'	DC2 C3 fit with neighboring buildings and DC2 A1, Site characteristics. CS3A3 working with established neighborhoods.	Recommend Approval
2	SMC 23.45.518 Rear setback (alley)	10 foot minimum	1'-10" for 83.5'	DC2 C3 fit with neighboring buildings and DC2 A1, Site characteristics. CS3A3 working with established neighborhoods.	Recommend Approval
3	SMC 23.45.518 Side setback (James)	7 foot average, 5 foot minimum	2'-0"	CS3A3 working with established neighborhoods. DC1 B1	Recommend Approval

The recommendation summarized above was based on the design recommendation packet dated January 27, 2016 and the materials shown and described by the applicant at the Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the Design Review Board members unanimously recommended APPROVAL of the subject design and departures with no conditions.

DIRECTOR’S ANALYSIS - DESIGN REVIEW

The Director finds that the recommended departures are in keeping with departures needed to help the project better meet design guidance. A side setback departure brings the building closer to the sidewalk for public interaction. (CS2.A1, CS2.B2, CS3A3, DC1, B1). The rear setback helps the project fit with existing site characteristics and to provide a better fit with the established neighborhood buildings. (DC2 C3CS3A3, DC2 A1). The front setback for a portion of the frontage provides street side continuity with neighboring buildings. (DC2 C3, A1, CS3 A3).

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. The Director agrees with the recommendation by the six Board members to approve the design, as stated above.

DECISION - DESIGN REVIEW

The proposed design is **GRANTED**.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the revised environmental checklist submitted by the applicant dated November 10, 2015. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise, air quality, earth, grading, construction impacts, traffic and parking impacts as well as its mitigation.

Noise

Noise associated with construction of the mixed use building and future phases could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts.

Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Prior to issuance of demolition, grading and building permits, the applicant will submit a construction noise mitigation plan. This plan will include steps 1) to limit noise decibel levels and duration and 2) procedures for advanced notice to surrounding properties. The plan will be subject to review and approval by Seattle DCI. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:

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

Air Quality

Construction for this project is expected to add temporarily particulates to the air that will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the nearby residential buildings.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. In order to ensure that PSCAA will be notified of the proposed demolition, a condition will be included pursuant to SEPA authority under SMC 25.05.675A which requires that a copy of the PSCAA permit be attached to the demolition permit, prior to issuance. This will assure proper handling and disposal of asbestos.

Earth

The Stormwater and Grading Codes require 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 Seattle DCI 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 Seattle DCI building plans examiner and geo-technical engineer prior to issuance of the permit.

The Stormwater and Grading Codes provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

Excavation to construct the structure will be necessary. Excavation will consist of an estimated 5,000 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Future phases of construction will be subject to the same regulations. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Construction Impacts

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. The applicant will need to provide a Construction Management Plan (CMP) in accordance with Seattle Department of Transportation guidelines at SDOTPermits@seattle.gov for review and approval prior to issuance of this permit. The project is conditioned to supply the CMP as described at the end of this document.

Greenhouse gas emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Traffic and Parking

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

utilization along streets in the vicinity is near capacity and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. Due to the large scale of the project, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. In order to minimize adverse impacts, the applicant will need to provide a construction worker parking plan in the Construction Management Plan (CMP) to reduce on-street parking until the new garage is constructed and safe to use. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 5,000 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 500 round trips with 10-yard hauling trucks or 250 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area; increased demand for parking; demolition of older structures, and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater and Grading Codes which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, greenhouse gas emissions, traffic, and parking impacts warrant further analysis.

Greenhouse gas emissions

Operational activities, primarily vehicular trips associated with the project 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 due to the relatively minor contribution of greenhouse gas emissions from this project.

Historic Preservation

There are no existing buildings on the subject site so no review was necessary by the Department of Neighborhoods.

Traffic and Transportation

The proposed apartment development would produce approximately 130 daily vehicular trips which will increase traffic in the area, but not beyond expected levels. Project traffic would represent less than 2 percent of the 2018 weekday PM peak hour traffic volumes at the off-site study intersections. All off-site study intersections would operate at the same LOS D or better during the weekday PM peak hours under 2018 with-project conditions or 2018 without-project conditions. No SEPA mitigation of traffic impacts to the nearby intersections is warranted.

Parking

Per SMC 23.54.015 Tables A and B, urban centers have no minimum parking requirements. Located in the First Hill Urban Center Village, this project would not have to supply parking. However, the applicant proposes 31 parking spaces in a below-grade garage with access from the alley which will largely mitigate parking impacts in the area. The proposed site is located next to frequent and reliable transit as well as near extensive pedestrian and bicycle facilities. The project will provide bicycle parking spaces. No SEPA mitigation of parking impacts is warranted.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are anticipated to be non-significant. The conditions imposed below are intended to mitigate construction impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - 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 requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2C.

[] 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 2C.

CONDITIONS – DESIGN REVIEW

None.

CONDITIONS – SEPA

Prior to issuance of a demolition or grading permit

1. Submit a Construction Management Plan (CMP) to Seattle Department of Transportation at SDOTPermits@seattle.gov for review and approval prior to issuance of this permit. For the CMP Standard Element Guide see <http://www.seattle.gov/transportation/CMP.htm> Please submit the SDOT approved CMP to Seattle DCI.

Holly J. Godard, Senior Land Use Planner
Seattle Department of Construction and Inspections

Date: June 13, 2016

HG:drm

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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 Seattle DCI 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.