



**City of Seattle**  
Edward B. Murray, Mayor

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**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:** 3019339  
**Applicant Name:** Jodi Patterson-O'Hare, Permit Consultants, NW  
**Address of Proposal:** 1255 Harrison Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a 7-story apartment building containing 385 units above retail space. Parking for 317 vehicles to be provided. Existing structure to be demolished.

The following approvals are required:

**Design Review** – Board Review - (SMC 23.41). Departures requested.

1. SMC 23.48.012– Upper Level Setbacks.
2. SMC 23.48.014– General Façade Requirements, height and setback, segment width.
3. SMC 23.48.014– General Façade Requirements, setback.
4. SMC 23.48.014– General Façade Requirements, segment width.
5. SMC 23.54.030– Curb cut.

**SEPA** - Environmental Determination - (SMC 25.05)

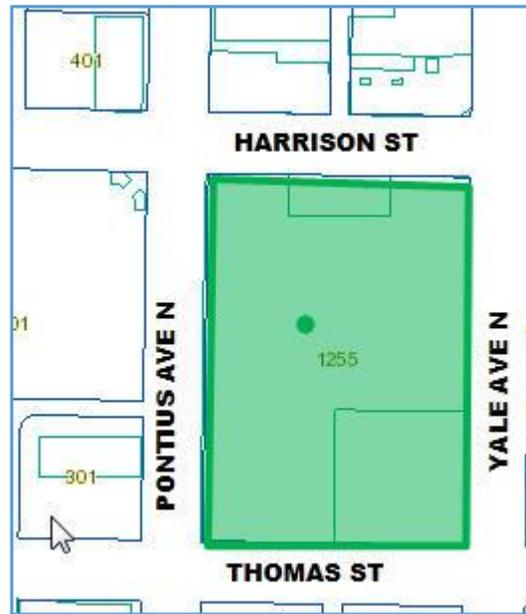
**SEPA DETERMINATION:**       Exempt    DNS    MDNS    EIS  
  
    DNS with conditions  
  
    DNS involving non-exempt grading or demolition, or  
   involving another agency with jurisdiction.

## **BACKGROUND DATA**

### Site Description

The project is a full block site bounded by Pontius Avenue North, Harrison Street, Yale Avenue North and Thomas Street.

The subject property is zoned Seattle Mixed 85 (SM 85). Zoning to the north, west and east is Seattle Mixed, South Lake Union Residential 55/85 (SM-SLU/R 55/85). The site is approximately 92,160 square feet and is currently occupied by a vacant building (former warehouse) and parking lot. Pedestrian access to the site is available via all streets. There are no Environmentally Critical Areas (ECA) mapped at this site.



### Vicinity Description

The area is a mix of midrise residential uses and commercial buildings. Cascade Park, a full block sized park, lies across the Pontius Avenue North to the west. The project site is located in the quickly developing area of South Lake Union. There are four nearby landmarks: Saint Spiridon Cathedral, Immanuel Lutheran Church, Supply Laundry Building, and the New Richmond Laundry Building. I-5 is one block to the east. Seattle Public Utilities has planned and is installing bioswales along Pontius Avenue North and Yale Avenue North. Thomas is a Greenstreet. Pontius is a Festival Street.

### Project description

The project design is for multifamily housing of 385 residential units with indoor and outdoor amenity spaces for the residents. Parking for 317 vehicles is proposed underground. Vehicle access and service access to the site is proposed to be from Harrison Street.

Project materials are available online by entering the project number at this website: [http://www.seattle.gov/dpd/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp). Project materials are also available to view in the file, by contacting the Public Resource Center at Seattle DCI 700 Fifth Ave., Suite 2000 Seattle, WA 98124-4019 or [PRC@seattle.gov](mailto:PRC@seattle.gov).

### Public Comment

Public comment letters were received during the official comment period which focused on the preferences for the design concepts and Seattle Public Utilities (SPU) swale design.

## **ANALYSIS AND DECISION –DESIGN REVIEW**

**EARLY DESIGN GUIDANCE April 1, 2015**

## PUBLIC COMMENT

Public comments were positive for the project proposal and included the following:

- Our priority is the park. Make design decisions to enhance Cascade Park.
- The plaza on the SW corner is a very good idea.
- Keep the courtyard entrances varied and open, not dark tunnels.
- Try to create curb bulbs and mid-block crossing on Thomas and Harrison.
- Keep abreast of new Cascade Park plans with low level pedestrian lighting and carry that idea across the street to this project.
- The interior plaza looks like it could be a great amenity
- Retail uses will request parking.
- The preferred scheme layout is good because it appears to have interesting angles and movement.
- Cascade Park is a destination park and many people come to park in the area.

## 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 April 1, 2015

#### 1. Urban pattern and Form

- a. Use adjacent sites, streets, crossings, and Cascade Park to make connections and reflect the neighborhood character. Strengthen the most desirable South Lake Union forms and reinforce community gateways. Reinforce identified “heart locations” to enhance the identifiable urban framework. Carefully design the northeast corner with more sidewalk space and a gracious response to Saint Spiridon. (CS1 SLU I, CS2 B, 1,2,3.CS2 SLU i.iii,iv.)

#### 2. Connectivity

Enhance the proposed open spaces and add to public life by creating networks of interaction that are public, semi public and semi private project-wide. (PL1 A 1, 2; B1,3.SLU I, ii)

#### 3. Street-level Interaction

Create strong relationships between buildings and the street. Design for a sense of security and privacy. Create places where residents may interact. Design site entry, commercial and individual entries that are well-articulated, hierarchical and coordinated. (PL3 A4, B 1,2,4 SLU III i)

#### 4. Architectural Concept

The Board was supportive of the preferred alternative and directed the applicant to further develop the varied massing as shown in the preferred alternative. Continue to respond to neighboring churches by easing back the building and providing more open space, create a design dialogue between Cascade Park and this proposal, create a

unified architectural composition to express the Northwest concept, create human scale and use texture, color and surprise. (DC2 A,B,D,E )

## 5. Open Space Concept and Exterior Elements and Finishes

Create a landscape that can serve many purposes for residents, reflect the concept, create community and relate to Cascade Park. Use high quality, durable building materials with a variety of texture and pattern. (DC3 SLU II; DC4 A)

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.

**CS1-B-3. Managing Solar Gain:** Manage direct sunlight falling on south and west facing facades through shading devices and existing or newly planted trees.

#### *South Lake Union Supplemental Guidance:*

#### CS1-I Responding To Site Characteristics

**CS1-I-i. Sustainable Design:** New development is encouraged to take advantage of site configuration to accomplish sustainability goals. The Board is generally willing to recommend departures from development standards if they are needed to achieve sustainable design. Refer to the Leadership in Energy and Environmental Design\* (LEED) manual which provides additional information

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

#### *South Lake Union Supplemental Guidance:*

#### CS2-I Responding to Site Characteristics

**CS2-I-i. Views:** Encourage provision of “outlooks and overlooks” for the public to view the lake and cityscapes. Examples include provision of public plazas and/or other public open spaces and changing the form or facade setbacks of the building to enhance opportunities for views.

**CS2-I-iii. Gateways:** Reinforce community gateways through the use of architectural elements, streetscape features, landscaping and/or signage. Gateways can be defined through landscaping, artwork, and references to the history of the location that create a sense of place. Gateways are transition locations, places that mark entry or departure points to a neighborhood for automobiles and pedestrians. They are sites that create opportunities for identification, a physical marker for the community to notice they are entering a special place. Methods to establish gateways should consider the site’s characteristics such as topography, views or surrounding building patterns. Elements could include building out to meet the corner where appropriate, or tools such as:

- a. setbacks to allow for pedestrian friendly spaces;
- b. signage;
- c. landscaping;
- d. artwork;
- e. facade treatments.

**CS2-I-iv. Heart Locations:** Several areas have been identified as “heart locations.” Heart locations serve as the perceived center of commercial and social activity within the neighborhood. These locations provide anchors for the community as they have identity and give form to the neighborhood. Development at heart locations should enhance their central character through appropriate site planning and architecture. These sites have a high priority for improvements to the public realm. A new building’s primary entry and facade should respond to the heart location. Special street treatments are likely to occur and buildings will need to respond to these centers of commercial and social activity. Amenities to consider are: pedestrian lighting, public art, special paving, landscaping, additional public open space provided by curb bulbs and entry plazas. See full guidelines for Heart Locations

## 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-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.

### **South Lake Union Supplemental Guidance:**

#### **PL1-I Human Activity**

**PL1-I-ii. Pedestrian Network:** Reinforce pedestrian connections both within the neighborhood and to other adjacent neighborhoods. Transportation infrastructure should be designed with adjacent sidewalks, as development occurs to enhance pedestrian connectivity.

**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-4. Ensemble of Elements:** Design the entry as a collection of coordinated elements including the door(s), overhead features, ground surface, landscaping, lighting, and other features.

**PL3-B Residential Edges**

**PL3-B-1. Security and Privacy:** Provide security and privacy for residential buildings through the use of a buffer or semi-private space between the development and the street or neighboring buildings.

**PL3-B-2. Ground-level Residential:** Privacy and security issues are particularly important in buildings with ground-level housing, both at entries and where windows are located overlooking the street.

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

***South Lake Union Supplemental Guidance:***

**PL3-II Human Activity**

**PL3-II-ii. Active Facades:** Design facades to encourage activity to spill out from business onto the sidewalk, and vice-versa.

**PL3-III Transition Between Residence and Street**

**PL3-III-i. Residential Entries:** Consider designing the entries of residential buildings to enhance the character of the streetscape through the use of small gardens, stoops and other elements to create a transition between the public and private areas. Consider design options to accommodate various residential uses, i.e., townhouse, live-work, apartment and senior-assisted housing.

**DESIGN CONCEPT**

**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.

#### **DC2-E Form 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.

#### ***South Lake Union Supplemental Guidance:***

#### **DC2-I Architectural Concept and Consistency**

**DC2-I-i. Rooftop Design:** Design the “fifth elevation” — the rooftop — in addition to the streetscape. As this area topographically is a valley, the roofs may be viewed from locations outside the neighborhood such as the freeway and Space Needle. Therefore, views from outside the area as well as from within the neighborhood should be considered, and roof-top elements should be organized to minimize view impacts from the freeway and elevated areas.

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

#### ***South Lake Union Supplemental Guidance:***

#### **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.

### ***South Lake Union Supplemental Guidance:***

#### **DC3-I Landscaping To Reinforce Design Continuity With Adjacent Sites**

**DC3-I-i. Sustainable Landscaping:** Encourage landscaping that meets LEED criteria. This is a priority in the Cascade neighborhood.

**DC3-I-ii. Native Vegetation:** Where appropriate, install indigenous trees and plants to improve aesthetics, capture water and create habitat.

**DC3-I-iii. Tree Retention:** Retain existing, non-intrusive mature trees or replace with large caliper trees.

**DC3-I-iv. Water Features:** Water features are encouraged including natural marsh-like installations.

**DC3-I-v. Lighting:** Reference the City of Seattle Right Tree Book and the City Light Streetscape Light Standards Manual for appropriate landscaping and lighting options for the area.

#### **DC3-II Landscaping To Enhance The Building and/or Site**

**DC3-II-i. Integrated Artwork:** Consider integrating artwork into publicly accessible areas of a building and landscape that evokes a sense of place related to the previous uses of the area. Neighborhood themes may include service industries such as laundries, auto row, floral businesses, photography district, arts district, maritime, etc.

#### **DC3-III Landscape Design To Address Special Site Conditions**

**DC3-III-i. View Orientation:** Landscaping should be designed to take advantage of views to waterfront and downtown Seattle.

### **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-B Signage**

**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.

#### **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.

#### **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.

**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.

### **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. **Upper level setback (23.48.012A1 & 2):** The Code requires set back 15 feet above 45 feet. The applicant proposes to not set back the full 15 feet.

The Board indicated they are favorable to the departure request with further information from the applicant on how this departure helps the project better meet guidance.

2. **Setback at Ground Level (23.48.014 A.3 .b):** The Code requires a 12 foot setback. The applicant proposes variable setback to create variety in building orientations.

The Board indicated they are favorable to the departure request and look forward to more information in the next meeting to understand if the departure helps the project better meet design standards.

### **BOARD DIRECTION**

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

MUP Submittal

The applicant applied for the Master Use Permit June 12, 2015.

RECOMMENDATION MEETING– December 16, 2015

**PUBLIC COMMENTS:**

Four member of the public were present. Their comments focused on the following:

1. Saint Spiridon is an important landmark and active cathedral. Relocate the sloped roof building to the northeast corner of the site to create a building form which defers to the cathedral.
2. Review the use pattern and hours for the gate operations so they are accessible and provide a level of security for residents.
3. The façade opposite the park is a good façade.
4. The plants in the swales need to be better suited to the condition than those in the block to the north.
5. Site lighting is important.
6. It is time for family units to be designed into the project. Windows and locks need to be considered for family safety. Multi-bedroom units should be included in the project. Places to store strollers and tricycles should be included. Family play areas should be included. A family friendly outdoor area should be included.

**DESIGN BOARD DELIBERATIONS:**

The Board discussed design and safety issues related to ground level entries, vehicle access and trash doors, building massing, proposal options, ground level and right of way interface, courtyard design, lighting, and departures. The Board identified the lower unit on the northwest corner and the public uses outside the windows and directed the applicant to create better screening for the unit for privacy or change the unit to commercial use. The Board directed the applicant to further design trash and access doors to be more artistic doors with interesting materials, consider ground level paving design, and better landscaping next to the doors and sidewalk.

The Board found the variety of entries to be interesting and reinforced the idea of the northeast entry to have the wood interior throughout the entryway and extending into the courtyard.

The Board approved the courtyard design. The Board considered the southwest building and asked that the windows at each floor be reinstated into the design as previously shown to give some relief to the large façade. The Board asked about the large green roof considered for the building and conditioned the project to retain the green, living roof for the life of the project.

After considered discussion the Board approved the south façades of the buildings on Thomas Street and Pontius Avenue N. The Board discussed the design departures shown in the matrix below. They felt the applicant had demonstrated that the departures help the project better meet guidance from the early design guidance meeting.

Departures

The applicant proposed development standard departures as shown in the matrix below.

	<i>Development Standard</i>	<i>required</i>	<i>Proposed</i>	<i>Departure amount</i>	<i>Board Action</i>
1	SMC 23.48.012.A1 &2 Upper level setbacks	15 feet setback above 45 feet at 1:2.	Intrusion into the setback area along the full length of the Pontius façade.	1,739 square feet	Recommend approval
2	SMC 23.48.014A.2.b General façade requirements	Minimum height for street facing facades is 25 feet.	Facades at Harrison and Thomas retail below 25 feet	Approx. 10 feet.	Recommend approval with condition to retain green roof.
3	SMC 23.48.014.A.3.b General façade requirements	Setback is limited to 12 feet.	Setback greater than 12 feet on Harrison and Thomas	0-10 feet over the project facades.	Recommend approval
4	SMC 23.48.014.D.2 Blank facades.	Maximum 15 wide segments.	26 foot wide segment including garage doors on the north side, Harrison St.	11 foot additional blank segment	Recommend approval with increased high interest materials
5	SMC 23.54.030.F.1.b curb cut	20 foot maximum	30 feet on Harrison.	10 feet	Recommend approval with a more interesting ground plane at the driveway area.

Board Recommendation:

After considering the proposed design and the project context, hearing public comment, and reconsidering the previously stated design priorities, the Design Review Board members felt that all of the guidance that had been given in the previous meeting had been addressed by the applicant. In addition, the four (4) member Board supported the departure requests and **recommended approval with conditions** of the design, shown in the December 16 documents, to the Director. The conditions are as follows:

1. Retain the living plant green roof on the southwest building for the life of the project. (DC2-I)
2. Revise the project to provide artistically interesting materials at the garage and loading dock doors and surrounding wall and ground plane.(DC4-A-1)
3. Create a landscape buffer at the northwest ground unit or change the unit to a retail use.(DC4-D)
4. Bring back the windows on the southwest building east façade as shown in earlier presentations.(DC2-B)

The applicant updated the design to meet the conditions listed above.

**ANALYSIS AND DECISION –DESIGN REVIEW**

The Director of Seattle DCI has reviewed the design and finds that it is consistent with the *Seattle Design Review Guidelines*.

The project applicant proposes a large residential building wrapped around a courtyard on a full block site. The design uses the large site as a starting point for the building unit massing by encircling a central block courtyard for residents. Service and access is clustered in one area to impact the pedestrian environment as little as possible. (CS1-C). The proposed design strengthens the street pattern by presenting a strong façade along each street and each corner and a rich landscape planting plan wherever possible. The project makes connections and reinforces the site as a community gateway. The identified “Heart Location” is brought to life with the highly transparent, variable and articulated design. The main residential entries into the site respond to the urban site context with defensible space and unique entry sequences on each street facade (CS2-A, CS1 SLU I, CS2 B, 1,2,3.CS2 SLU i.iii,iv).

The five buildings are interconnected and separated with passageways that are alternately open to the sky and covered. The internal courtyard and peripheral open spaces are linked with full landscaping. There are visual links to Cascade Park across Pontius Avenue through the pedestrian walkway and along the sidewalk. (PL1 A 1, 2; B1,3.SLU I, ii)

The building base has substantial glazing to create a strong connection to the street and public realm (CS2-B). The building’s west facade is somewhat transparent at the base with individual unit entries. Building fenestration has been designed and detailed to capture light into the units. Retail and rental offices are easily identified from the street. (PL3 A4, B 1,2,4 SLU III i)

The variable massing, variety of façade treatments and overall northwest concept relates to the neighboring landmark buildings and successfully carries out the architectural concept. (DC2

A,B,D,E ) The project has specified interesting materials and a varied landscape plan. The large living roof is an integral part of the building concept and the project is conditioned to provide the roof for the life of the project. The project is conditioned below to add additional high quality and high interest materials near the garage and loading dock doors and surrounding wall and ground plane. The project is conditioned to create a landscape buffer at the northwest ground unit or change the unit to a retail use. The project team will restore the windows on the southwest building east façade and will be conditioned to provide them. (DC3 SLU II; DC4 A).

Departures are requested for structure setbacks from the property lines as outlined in the table above. The departures help the building meet guidance by relating to the existing urban pattern and form, increasing connectivity in the area, enhancing street level interaction and articulating the architectural concept. The full Board has recommended approval of the departures.

The Director determines that the project has satisfactorily responded to the early design guidance given by the Review Board. The Director approves the proposed project and grants the requested departures without conditions.

### **DECISION – Design Review**

The application is **GRANTED WITH CONDITIONS**.

### **ANALYSIS - SEPA**

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated June 11, 2015 and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, “Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC25.05.665) mitigation can be considered. Thus a more detailed discussion of some of the impacts is appropriate.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain

neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The overview policies states, in part “*Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,*” subject to some limitations. Under such limitations/circumstances (SMC 25.05.665), mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

### Short-term Impacts

Temporary or construction-related impacts are expected. Demolition and construction activities could result in the following adverse impacts; construction dust and storm water runoff, temporary soil erosion, emissions from construction machinery and vehicles, increased particulate levels during excavation and construction, increased noise level, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers’ vehicles. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

City codes and/or ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Code, Grading Code, the Street Use Ordinance, and the Building Code. The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Seattle Department of Transportation (SDOT). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts.

The other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g., increased traffic during construction, additional parking demand generated by construction personnel and equipment, increased use of energy and natural resources, increased greenhouse gas emissions) are not sufficiently adverse to warrant further mitigation or discussion.

### 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.

### Grading

Excavation to construct the residential structure will be necessary. The project will generate approximately 62,000 cubic yards of grading (cut). The soil removed may be reused on the site and if not will be disposed of off-site. 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. A Construction Management Plan (CMP) will need to be submitted to

SDOT and Seattle DCI for review and will be a condition of the grading/excavation element of the project and is warranted pursuant to SEPA policies.

### Noise

Construction activities including construction workers arrival and departure, construction equipment and machinery, and general construction noise will occur. Surrounding properties are developed with housing and will be impacted by construction noise. The site is located in the South Lake Union SDOT Construction Hub. Construction Hubs are areas of the city experiencing prolonged periods of construction from successive and numerous development activities. The combined impacts and duration of construction noise in this area warrants additional mitigation to reduce the impacts of construction noise on nearby residents.

The limitations stipulated in the Noise Ordinance are therefore not sufficient to mitigate noise impacts at this particular site; therefore, pursuant to SMC 25.05.675 B the applicant shall be required to limit periods of noise generating construction activities to non-holiday weekdays from 7:00 AM to 6:00 PM, unless modified through a Construction Noise Management plan, to be determined by Seattle DCI prior to issuance of a demolition, grading, or building permit, whichever is issued first.

A Construction Management Plan (CMP) will be required, including contact information in the event of complaints about construction noise and measures to reduce or prevent noise impacts. Submit a Construction Management Plan (CMP) to Seattle Department of Transportation at [SDOTPermits@seattle.gov](mailto: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 in accordance with “How to Respond” to a Seattle DCI Correction Notice. A Construction Noise Management Plan with specific mitigation for work beyond non-holiday weekdays from 7:00 AM to 6:00 PM is required to be incorporated into the Construction Management Plan.

### Traffic and Parking

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 construction materials transport. Excavation and fill activity will require approximately 6,200 round trips with 10-yard hauling trucks or 3,100 round trips with 20-yard hauling trucks. During Construction limit construction truck trips to off peak periods which excludes trips during 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m. Conditioning of the traffic and parking construction element of the project is warranted pursuant to SEPA policies. A Construction Management Plan (CMP) will be prepared by the applicant and approved by SDOT and Seattle DCI.

### Earth

The applicant will submit a geotechnical engineering study to address soil foundation support considerations, site preparation, grading erosion control and drainage recommendations as part of the building permit. Erosion control measures and BMP's as required by the City of Seattle will be incorporated into the project's erosion control and development plans to protect off-site properties and to manage stormwater during construction. Review of the submitted report and approval of the resultant plans and construction methods will be subject to the standards of the

Stormwater and Grading Codes. No further mitigation for the purposes of SEPA compliance is warranted.

### Long-term Impacts

Long-term or use-related impacts are anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

### Shadows on Open Spaces

In accordance with SEPA Shadow on Open Spaces Policy (SMC 25.05.675 Q) staff reviewed the building proposal to determine if the design and location of the proposed structures minimize the extent to which they block light from public open spaces, Cascade Park. In the solar study provided by the applicant there are three periods of the year when this project's shadows will reach Cascade Park. Around the solar equinox, during morning hours, (two times per year) there will be shadows cast onto the east edge and northeast corner of the park. Also, during the winter months there will be morning shadows cast onto the park. The project has been sited away from the western edge of the site to respond to the Park across the street with increased landscaping and open space. The building setback from the property line helps reduce the shadows on the Park. Based on the review, it is unlikely that the shadows would be significant enough to require mitigation. The project is not expected to adversely affect the public's enjoyment of the park. Staff determines no mitigation is required.

### Transportation and Parking

The proposed development is projected to generate approximately 820 daily vehicle trips a net increase of approximately 590 vehicle trips. The project is estimated to generate 64 AM peak hour vehicle trips and 77 PM peak hour trips. The traffic will impact the surrounding street network, but is not determined to be significant enough to require mitigation. The project is not expected to adversely affect intersection operations. No mitigation pursuant to SMC 25.05.675 R is warranted.

### 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

In accordance with SEPA Historic Preservation Policy (SMC 25.05.675 H.2.c) the Department of Neighborhoods staff for the Landmarks Preservation Board reviewed the building slated for removal on the project site. Based on the review, staff has determined that it is unlikely that the current building would meet the standards for designation as an individual landmark, due in large part to loss of historic materials and integrity. Staff also reviewed the project for landmark

adjacency due to the three neighboring Landmark buildings. Staff considered project setbacks and materials among other considerations. Staff determines no mitigation is required.

Other long-term impacts are typical of development and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater and Grading Codes (stormwater runoff from additional site coverage by impervious surface); Design Review Program (height; setbacks; access to parking); and the Seattle Energy Code (long-term energy consumption); and the Environmentally Critical Area Regulations.

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

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

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

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.

### **CONDITIONS – DESIGN REVIEW**

#### **Prior to Land Use Permit Issuance**

1. Revise the project to provide interesting materials at the garage and loading dock doors and surrounding wall and ground plane.
2. Create a landscape buffer at the northwest ground unit or change the unit to a retail use.
3. Bring back the windows on the southwest building east façade as shown in earlier presentations.

#### **For the Life of the Project**

4. Retain the living plant green roof on the southwest building for the life of the project.

## CONDITIONS – SEPA

### Prior to Land Use Permit Issuance

5. Submit a Construction Management Plan (CMP) to Seattle Department of Transportation at [SDOTPermits@seattle.gov](mailto: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 in accordance with How to Respond to a Seattle DCI Correction Notice. A Construction Noise Management Plan with specific mitigation for work beyond non-holiday weekdays from 7:00 AM to 6:00 PM is required to be incorporated into the Construction Management Plan.

### During Construction

6. Limit construction truck trips to off peak periods which excludes trips during 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.

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

Date: June 20, 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](mailto:prc@seattle.gov) or to our message line at 206-684-8467.