



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

Application Number: 3019363
Applicant Name: Jodi Patterson-O'Hare, on behalf of Holland Partner Group
Address of Proposal: 1001 Minor Ave

SUMMARY OF PROPOSAL

Land Use Application to allow a 17-story building containing 205 residential units and 5,500 sq. ft. of retail at street level. Parking for 160 vehicles to be provided below grade. Existing restaurant to be demolished.

Design Review - (Seattle Municipal Code 23.41)

SEPA - Environmental Determination - (Seattle Municipal Code Chapter 25.05)

SEPA DETERMINATION:

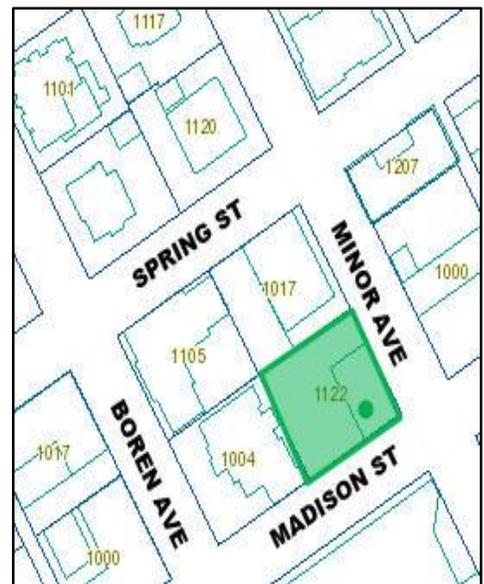
Determination of Non-Significance

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

SITE AND VICINITY

Site Zone: Neighborhood Commercial 3 (Pedestrian Overlay) – 160’ height limit (NC3P-160)

Nearby Zones: Highrise (HR)(Northwest)
Major Institution Overlay – 70’ height limit/Neighborhood Commercial 3 (Pedestrian Overlay) – 160’ height limit (MIO-70-NC3P-160) (Southeast)
NC3P-160 (Northeast)
NC3P-160 (Southwest)



Environmentally Critical Areas (ECA): None

Site Size: 15,360 square feet (sq. ft.)

Site Characteristics & Surrounding Development: The project site, located in the First Hill neighborhood on the northwest corner of Madison St. and Minor Ave., contains a one-story commercial (McDonald's) building with surface parking. Madison St. is a designated principal pedestrian arterial street and proposed Bus Rapid Transit route. Minor Ave. is generally more residential in character with mature street trees and primarily ground floor residential uses and entries oriented toward Minor Ave.

The site is in a transitional area between existing middle- and high-rise residential development to the north and northwest, commercial and mixed use development along Madison St. and health care related and institutional uses to the south, west, and east including the Swedish Medical Center, First Hill Campus located across Madison St., Virginia Mason medical complex to the west, and the Seattle University Campus located approximately two blocks to the east.

The surrounding development and neighborhood character features a mix of building typologies and architectural styles. Many of the residential structures in the area, including the Gainsborough Condominiums and the Marlborough Apartments, are traditional brick masonry structures with ornamental terra cotta accents built in the 1920s and 1930s. Mid-century and contemporary residential structures are also in close proximity to the site. The majority of the development adjacent to the south and east of the site can be characterized as more contemporary, institutional development. The project site is located adjacent to the Stacy Mansion, a wood clad three-story mansion built in the early 1900s.

Access: Existing pedestrian and vehicular access to the site is from both Madison St. and Minor Ave.

DESCRIPTION OF PROPOSAL: The applicant is proposing a 17-story building containing 205 residential units and 5,500 sq. ft. of retail at street level. Parking for 160 vehicles is to be provided below grade. The existing restaurant to be demolished.

The proposed primary pedestrian access to the commercial uses on site is from Madison St., near the corner of Minor Ave. and Madison St. The primary residential access is proposed on Minor Ave. Vehicular and service access is proposed from Minor Ave.

PUBLIC COMMENT: The public comment period ended on August 5, 2015. Multiple public comments were received related to parking, architectural character, noise, location, and exhaust from venting and mechanical systems.

I. ANALYSIS – DESIGN REVIEW

DESIGN PROPOSAL

The Early Design Guidance (EDG) and Design Review Recommendation Design Proposal booklets include materials presented at the EDG and Recommendation meetings and are available online by entering the project number at this website:

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

The booklets are also available to view in the Seattle DCI file, by contacting the Public Resource Center at Seattle DCI:

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

Email: PRC@seattle.gov

EARLY DESIGN GUIDANCE MEETING April 22, 2015

PUBLIC COMMENT

At the Early Design Guidance meeting, several members of the public were present. Speakers raised the following issues:

- Supported Option One because it provided more light to the south-facing units in the adjacent building and provided better views to the terraced landscaped amenity spaces.
- Expressed concern with proposed setbacks in Option Two and Three because they blocked light to the adjacent building.
- Expressed support for the conceptual materials presented, including brick and glass. Discouraged the use of corrugated metal.
- Expressed overall support for the project and reiterated the importance of long term vibrancy, durability, and high quality materials.
- Expressed concern with the location and size of the leasing space because of its proximity to the vehicle access and potential to become an inactive, street-level space.
- Would like to see more active street level uses and encouraged the applicant to design the retail and lobby/leasing spaces, specifically those along Minor, in a way that would attract active tenants with extended hours.
- Expressed concern with safety and potential for encampment, specifically at the recessed space near the Stacy Mansion.
- Appreciated and supported the location of the residential entry but expressed concern with the potential for Minor to become the back of house for the building, specifically because of the wide driveway adjacent to the existing driveway to the North.
- Arrangement of uses on Minor should be designed with the pedestrian experience and safety in mind, as presented these spaces lack visual connectivity and have potential to be inactive zones.

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 MEETING April 22, 2015

1. Height, Bulk, & Scale:

- a. **Siting & Setbacks.** At the time of Early Design Guidance, the Board expressed general support for Option Three, the applicant's preferred option, and stated that either Option Two or Option Three could be successfully executed. The Board supported the 10' setback at the third level along the western façade, as proposed in Option Three, because it better related to the adjacent Stacy Mansion. The Board also supported the more uniform setback along the northern façade as presented in Option Two and Three because it created a better transition to the neighboring residential use and was a better massing solution, creating a less heavy expression compared to the terraced setback presented in Option One. The setback in Option Two and Three would allow for additional sunlight at the lower levels and would avoid a canyon effect that may occur in Option One. **(CS1-B-2, CS2-D, CS3-A-1)**
- b. **Façade Composition & Architectural Character.** The Board supported the residential character expressed in the vertical bays presented in the applicant's preferred option, helping to distinguish the building's residential use in contrast to the institutional structures in the area. The Board also noted that the bays and corner modulation have potential to create an overly busy façade and directed the applicant to be mindful of maintaining a simplified composition when further refining the design.

The Board supported the dynamic nature of the façade composition of Option Two and directed the applicant to explore how to create a more dynamic expression similar to what was shown in the precedent imagery while maintaining the residential character and not creating an overly busy façade. While there was some support for the dynamic modulation and façade composition of Option Two, the Board cautioned that Option Two had potential to read as more of an office expression if not successfully executed. **(CS3-A, DC2-A,B,&C, DC4-A)**

2. Safety & Security:

- a. **Designing for Safety.** The Board generally supported the recessed ingress and egress area at ground floor adjacent to the Stacy Mansion on Madison St. but directed the applicant to be mindful of safety design this space to minimize potential for undesirable uses in this area such as transient camping. **(PL2-B, DC2-C-3, DC4-C-1)**

3. Street Level Uses:

- a. **Minor Ave.** The Board expressed concern with the frontage and location of the leasing space and residential lobby along Minor Ave., specifically because of its potential to be an inactive space, especially after typical business hours. The Board reiterated it was especially important that these street-level residential spaces be active spaces for people, especially because of their proximity to the driveways of both the proposed project and the existing driveway of the adjacent building. The Board directed the applicant to explore innovative and non-traditional layouts for the lobby and leasing area to make the space more active, especially for the spaces adjacent to the windows and street. For the Recommendation Meeting, the applicant should design and arrange the space to be more engaging and animated. This may include moving the leasing spaces away from the windows, exploring non-traditional leasing configurations such as kiosks or mobile leasing, and/or creating more permeability between the leasing and lobby space that would have potential to be

more active during nonbusiness hours. For the Recommendation Meeting, the applicant should provide interior renderings of the leasing and lobby space, as well as additional detail on the layout and programming of these spaces. **(CS2-B-2, PL2-B, PL3-A,B,&C, DC1-A)**

Additionally, the applicant should provide details and analysis, including renderings and perspectives, of the driveway and service access located on Minor Ave. Renderings and analysis should take into consideration the impacts of these uses on the streetscape and should include the adjacent vehicle entry of the neighboring property to the north. **(CS2-B, DC1-B, DC1-C, CS2-C-2)**

- b. **Madison St.** The Board generally supported the configuration of the retail spaces in the applicant's preferred option along Madison St. and recognized Madison St. as a business-oriented retail corridor. Similar to Minor Ave, the Board directed the applicant to design the retail spaces in a way that would attract more active and engaging tenants that would offer extended hours, catering more to residents and visitors as opposed to primarily nine to five office workers. Specifically, the Board supported the generous 20 foot tall retail heights and directed the applicant to design the spaces to be flexible to accommodate a variety of potential tenants.

The Board also noted that specific attention should be paid to the ground floor corner of Madison St. and Minor Ave. to ensure the corner is active and animated. **(CS2-B-2, PL2-B, PL3-A&C, DC1-A)**

4. Amenity Spaces:

- a. **Location & Design.** The Board expressed general support for the location of the amenity spaces in the applicant's preferred option. The Board directed the applicant to design the terraced outdoor amenity space on the second and fifth levels as garden-like settings with shade tolerant species and lush landscaping to ensure these spaces were viewed as greenspace, and not just hardscape, from the neighboring adjacent residential units. For the Recommendation Meeting, the applicant should provide additional details on the landscaping and layout of the amenity spaces, specifically the amenity spaces located on the second and fifth levels. **(CS2-D-5, PL3-B, DC1-A, DC4-D)**

5. Materials:

- a. The Board expressed support for the materials concept and precedent images, including high contrasting application of brick and glass to further emphasize the massing and architectural concept. The Board noted that the architectural concept and expression would be dependent on material application and directed the applicant to take cues from the dynamic and contrasting materials shown in the precedent images (EDG, page 29).

The Board reiterated the importance of using strong, high quality materials and directed the applicant to ensure the materials were contextually compatible with the surrounding development. **(DC2-B, DC4-A, DC2-C, CS3-A-2&3)**

RECOMMENDATION MEETING November 18, 2015

PUBLIC COMMENT

At the Recommendation meeting, several members of the public were present. Speakers raised the following issues:

- Noted a Public Realm Action Plan and one mile Swedish public benefit loop is currently underway and being planned for by the City and partners for the location which will result in large volumes of pedestrians and activity on Minor Ave. The interface of this project and the future activity loop is very important and the design of the public and private relationship at grade should recognize and support this planned infrastructure.
- Expressed concerns with safety of the pedestrian environment on Minor Ave. and the path adjacent to the vehicle ramp. Noted that the lobby was too large and would rather see street level retail along Minor as it transition into more of a pedestrian thoroughfare in the future.
- Supported the architectural concept and overall building design.
- Encouraged the applicant to reach out to and coordinate with Virginia Mason.
- The proposal is extremely large for the site and will block the light to the Gainsborough Condominium. Would prefer to see the massing further recessed at the southwest corner to maximize light to neighboring development.
- Supported the mix of unit sizes and the inclusion of units that could accommodate families.
- Expressed safety concerns with the trellis design and noted that the trellis should be designed to prevent people from climbing onto it and potentially breaking into units.
- Appreciated that the applicant had responded to the neighborhood's concerns.

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.

RECOMMENDATION MEETING November 18, 2015

1. Massing & Materials:

- a. The Board expressed unanimous support for the proposal, stating that all elevations had been thoughtfully designed and the project would fit successfully into the neighborhood. **(DC2-B, DC2-C-3)**
- b. The Board supported the level of detail and high quality materials including brick, composite wood panel, and steel presented. **(DC4-A, DC2-C)**

2. Vehicle Ramp & Security:

- a. The Board discussed the pedestrian path adjacent to the ramp and noted that the design included enough transparency to deter potential loitering and would provide adequate safety but encouraged the applicant to be mindful of safety at that location. **(DC1-A-1, DC1-A-4, PL2-B)**

- b. A majority of the Board agreed the trellis proposed over the vehicle ramp provided a desirable residential, human scale and stated support for the integrated lighting into the trellis. One Board member opposed the trellis. **(DC1-B, DC1-C-2, DC2-C)**
- c. The Board urged the applicant to incorporate safety and security measures into the design of the ramp area including the trellis, noting that the trellis should be designed to prevent people from being able to climb onto it from the adjacent driveway. Physical and technological measures to discourage trespassing such as security cameras were encouraged and should be included to enhance security near the ramp area. **(PL2-B, DC1-C)**

3. Landscaping & Pedestrian Realm:

- a. The Board encouraged the applicant to work with SDOT and the City to plan for future accommodation of improvements associated with the Swedish Mile Activity Loop tentatively planned for Minor Ave. **(CS2-B-3)**
- b. The Board supported the design of the ground floor that included articulation, pedestrian scale, variety of opportunities for retail signage, and flexibility for multiple smaller scaled retail tenants along the Madison Street frontage. **(PL3-C, DC1-A, DC2-C, DC4-C)**
- c. The Board encouraged additional variety and scale for the rooftop landscaping beyond grasses, such as shrubs or larger vegetation. **(DC4-D)**
- d. A majority of the Board supported the green-wall proposed on Madison, specifically because brick was proposed behind the planting and there was not a trellis structure that would be exposed in the event that the green wall was not successful. One Board member did not support the green-wall on Madison. **(DC2-B-1, DC2-B-2)**

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.

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.

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

CS2-A Location in the City and Neighborhood

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

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

CS2-B Adjacent Sites, Streets, and Open Spaces

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

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

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

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-3. Zone Transitions: For projects located at the edge of different zones, provide an appropriate transition or complement to the adjacent zone(s). Projects should create a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zone and the proposed development.

CS2-D-4. Massing Choices: Strive for a successful transition between zones where a project abuts a less intense zone.

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-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

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

PL2-B Safety and Security

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

PL2-B-2. Lighting for Safety: Provide lighting at sufficient lumen intensities and scales, including pathway illumination, pedestrian and entry lighting, and/or security lights.

PL2-B-3. Street-Level Transparency: Ensure transparency of street-level uses (for uses such as nonresidential uses or residential lobbies), where appropriate, by keeping views open into spaces behind walls or plantings, at corners, or along narrow passageways.

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-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-C Retail Edges

PL3-C-1. Porous Edge: Engage passersby with opportunities to interact visually with the building interior using glazing and transparency. Create multiple entries where possible and make a physical and visual connection between people on the sidewalk and retail activities in the building.

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

PL3-C-3. Ancillary Activities: Allow space for activities such as sidewalk vending, seating, and restaurant dining to occur. Consider setting structures back from the street or incorporating space in the project design into which retail uses can extend.

DESIGN CONCEPT

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

DC1-A Arrangement of Interior Uses

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

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

DC1-A-3. Flexibility: Build in flexibility so the building can adapt over time to evolving needs, such as the ability to change residential space to commercial space as needed.

DC1-A-4. Views and Connections: Locate interior uses and activities to take advantage of views and physical connections to exterior spaces and uses.

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-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 Façade Composition

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

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-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.

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

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

1. **Amenity Area (SMC 23.47A.024.B.2):** The Code requires amenity areas not be enclosed. The applicant proposed up to 50 percent of the required amenity areas be enclosed.

The Board unanimously recommended approval of the amenity area departure to help activate the outdoor amenity space and provide more usable space year-round, better meeting the intent of Guideline DC3 Open Space Concept.

2. **Setback Requirements (SMC 23.47A.014.B.3.b):** The Code requires for each portion of a structure above 40 feet in height, additional setback at the rate of 2 feet of setback for every 10 feet by which the height of such portion exceeds 40 feet. The applicant proposed a single setback of 27 feet above 40 feet in height.

The Board unanimously recommended approval of the setback departure because it resulted in better daylight to the adjacent residential uses and minimized negative impacts of multiple outdoor amenity spaces, better meeting the intent of Guidelines CS1.B Sunlight and Natural Ventilation and CS2.B Adjacent Sites, Streets, and Open Spaces.

3. **Residential Uses at Street Level (SMC 23.47A.005.C.1):** The Code requires residential uses occupy no more than 20 percent of the street-level street-facing façade. The applicant proposed 50 percent of the street-level street facing-façade along Minor Ave. be occupied by residential uses (including a lobby, entries, and a leasing office).

The Board unanimously recommended approval of the proposed residential uses at street level and related departure noting that additional retail along Madison St. was more desirable and the residential spaces along Minor Ave. were designed to be more active and engaging spaces meeting the intent of Guideline PL3.B Street-Level Interaction, Residential Edges.

4. **Site Triangle (SMC 23.54.030.G.1):** For two way driveways 22 feet wide or more, the Code requires a sight triangle on the side of the driveway used as an exit to be kept clear of any obstruction for a distance of 10' from the intersection of the driveway. The applicant proposed a 5'-0" sight triangle at the south side of the driveway, measured from the edge of the driveway to face of the building.

The Board unanimously recommended approval of the proposed sight triangle departure to allow for a stronger street wall along Minor and to reduce the visual impacts of the vehicle ramp consistent with DC1.C.2. Parking and Service Uses, Visual Impacts.

5. **Triangular setback (SMC 23.47A.014.B.1):** The Code requires a setback where a lot abuts the intersection of a side lot line and front lot line of a lot in a residential zone, forming a triangular setback area. Two sides of the triangle extend along the street lot line and side lot line 15' from the intersection of the residentially zoned lot's front lot line and the side lot line abutting the residentially zoned lot. The Applicant proposed a trellis to be located within the required triangular setback.

Four of the five Board members recommended approval of the proposed trellis located within the required triangular setback departure to reduce the visual impacts of the vehicle ramp consistent with DC1.C.2. Parking and Service Uses, Visual Impacts.

BOARD RECOMMENDATIONS

The recommendation summarized above was based on the design review packet dated Wednesday, November 18, 2015, and the materials shown and verbally described by the applicant at the Wednesday, November 18, 2015 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the five Design Review Board members recommended APPROVAL of the subject design with no conditions.

ANALYSIS & DECISION – DESIGN REVIEW

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the Seattle DCI Director's decision reads in part as follows:

The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

- a. Reflects inconsistent application of the design review guidelines; or
- b. Exceeds the authority of the Design Review Board; or

- c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or
- d. Conflicts with the requirements of state or federal law.

At the conclusion of the Recommendation meeting held on November 18, 2015, the Board found that the design of the proposed project adequately conformed to the applicable Design Guidelines and recommended approval of the project.

Following the Recommendation meeting, Seattle DCI staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board and address a minor design change to accommodate gas meters at the southwest corner of the site. The approved design is consistent with the Board's guidance has been designed to promote safety and minimize undesirable uses in the area. The design includes additional transparency, lighting, and an artistic gate. Staff recommends a condition that the gate be designed as a high quality, durable artistic piece that is well integrated into street level design and landscaping to ensure it is consistent with the Board's design guidance.

The Director of Seattle DCI has reviewed the decision and recommendations of the Design Review Board made by the five members present at the Recommendation meeting and finds that they are consistent with the City of Seattle Design Review Guidelines. The Director is satisfied that all of the recommendations imposed by the Design Review Board have been met.

DIRECTOR'S DECISION

The Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and requested departures.

II. 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 (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 6/23/2015. The Seattle Department of Construction and Inspections (Seattle DCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

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

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

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. Therefore no further mitigation is warranted pursuant to SMC 25.05.675.F.

Construction Impacts - Parking and Traffic

Increased trip generation is expected during the proposed demolition, excavation, and construction activity. It is the City's policy to minimize temporary adverse impacts associated with construction activities and parking (SMC 25.05.675. B and M).

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted and a Construction Management Plan is required, which will be reviewed by Seattle Department of Transportation (SDOT). The requirements for a Construction Management Plan include a Haul Route and a Construction Worker Parking Plan. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>.

Environmental Health

The applicant submitted studies regarding possible existing contamination related to underground storage tanks (USTs) on site ("*Phase I Environmental Site Assessment, 1122 Madison Street Property*" dated 1/6/14 by URS; and "*Phase II Environmental Site Assessment, 1001 Minor Avenue Property*" dated 8/10/15 by AECO). Soil samples and borings on-site did not identify evidence of petroleum releases from the USTs.

Mitigation of contamination and remediation is in the jurisdiction of Washington State Department of Ecology ("Ecology"), consistent with the City's SEPA relationship to Federal, State and Regional regulations described in SMC 25.05.665.E. This State agency Program functions to mitigate risks associated with removal and transport of hazardous and toxic

materials, and the agency's regulations provide sufficient impact mitigation for these materials. The City acknowledges that Ecology's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination.

The applicant will comply with all provisions of MTCA in addressing these issues in the development of the project, including if contamination is identified during tank removal or during other redevelopment activities.

Adherence to MTCA provisions and federal and state laws are anticipated to adequately mitigate significant adverse impacts from potential contamination on site. Therefore, no further mitigation is warranted for impacts to environmental health, per SMC 25.05.675.F.

As indicated in the SEPA checklist, due to the age of the building, some asbestos and other hazardous building materials may be present onsite, if so, abatement of these materials will need to take place prior to demolition.

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. The City acknowledges PSCAA's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination.

Mitigation of contamination and remediation is in the jurisdiction of Washington State Department of Ecology ("Ecology"), consistent with the City's SEPA relationship to Federal, State and Regional regulations described in SMC 25.05.665.E. This State agency program functions to mitigate risks associated with removal and transport of hazardous and toxic materials, and the agency's regulations provide sufficient impact mitigation for these materials. The City acknowledges that Ecology's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination.

These strategies are expected to adequately mitigate the adverse environmental impacts from the proposed development. Therefore, no further mitigation is warranted for impacts to environmental health per SMC 25.05.675.F.

Long Term Impacts

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

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant, therefore, no further mitigation is warranted pursuant to SMC 25.05.675.F

Historic Preservation

The existing structure on site is more than 50 years old. This structure was reviewed for potential to meet historic landmark status. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and indicated the structure on site is unlikely to qualify for historic landmark status (Landmarks Preservation Board letters, reference number LPB 555/15).

Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and no further conditioning is warranted per SMC 25.05.675.H.

Height, Bulk, and Scale

The proposal has gone through the design review process described in SMC 23.41. Design review considers mitigation for height, bulk and scale through modulation, articulation, landscaping, and façade treatment.

Section 25.05.675.G.2.c of the Seattle SEPA Ordinance provides the following: “The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project.”

The height, bulk and scale of the proposed development and relationship to nearby context have been addressed during the Design Review process for any new project proposed on the site and therefore additional SEPA Mitigation of height, bulk and scale is not warranted per 25.05.675.G.

Parking

The proposed development includes 205 residential units with 160 off-street vehicular parking spaces. The traffic and parking analysis (Transpogroup, Transportation/Parking Analysis dated July 30, 2015) indicates a total weekday peak parking demand of 101 vehicles for the residential uses (after 10:00 p.m.) and a total of 33 visitor and retail spaces could be demanded between 7:00 and 10:00 p.m.

The traffic and parking analysis noted that the peak residential parking demand for this development is 101 vehicles would be accommodated by the proposed supply of 160 parking spaces on-site. The peak visitor and retail parking demand for this development is 33 vehicles and is comprised of 31 residential visitor vehicles and two retail vehicles. The analysis finds off-site peak visitor and retail parking demand could be accommodated on-street.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in Urban Centers within 1,320 feet of frequent Transit service. This site is located in the First Hill Urban Center Village within 1,320 feet of frequent transit service.

Regardless of the residential parking demand impacts, no SEPA authority is provided to mitigate residential impacts of parking demand from this proposal.

Based on the number of proposed parking spaces and availability of off-site parking, the proposal accommodates all of the anticipated parking demand, and no additional mitigation is warranted per SMC 25.05.675.M.

Transportation

The Traffic Impact Analysis (Transpogroup, Transportation/Parking Analysis dated July 30, 2015) indicated that the project is expected to generate approximately 30 net new vehicular weekday daily trips with a net decrease in trips during the weekday AM peak hour and 3 additional trips occurring during the weekday PM peak hour. Due to the consolidation of driveways it is anticipated that Minor Avenue may experience a slight increase in traffic volumes.

The additional trips would have minimal impact on levels of service (LOS) at nearby intersections and on the overall transportation system. Concurrency analysis was conducted for nearby identified areas. That analysis showed that the project is expected to be under the adopted LOS standards for the identified areas. The Seattle DCI Transportation Planner reviewed the information and determined that while these impacts are adverse, they are not expected to be significant; therefore, no further mitigation is warranted per SMC 25.05.675.R.

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.

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 Issuance of a Building Permit

1. Final design of the artistic gate and screening of the gas meter area at the southwest corner of the site (composition, materials, colors, lighting, and landscape integration) is subject to review and approval by the Land Use Planner (BreAnne).

Prior to Certificate of Occupancy

2. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (BreAnne McConkie).

For the Life of the Project

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

CONDITIONS – SEPA

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

4. Provide a Construction Management Plan that has been approved by SDOT. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>.

BreAnne McConkie, Land Use Planner
Seattle Department of Construction and Inspections

Date: May 31, 2016

BM: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.