



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number:	2408988
Applicant Name:	Joel Wilbur, Sienna Architecture for Fairfield Residential, LLC
Address:	1800 South Jackson Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of a five-story mixed use building containing 246 residential units (originally 268), two live-work units and approximately 9,000 square feet of retail at ground level at ground level. Parking for 409 (originally 418) cars to be provided in two and one-half levels below grade. The project includes demolition of numerous vacant light-manufacturing buildings (former Wonder Bread Bakery).

The following approvals are required:

Design Review - Chapter 23.41 Seattle Municipal Code (SMC). Design Departures are requested from the following Code sections: SMC 23.47.024.A (open space), SMC 23.47.008.D (residential lot coverage), SMC 23.54.030.D (driveway width), SMC 23.54.030.G (sight triangles), and SMC 23.47.008.C.2 (height of non-residential space at street level)

SEPA - Environmental Determination - Chapter 25.05 SMC

SEPA DETERMINATION: Exempt DNS MDNS EIS

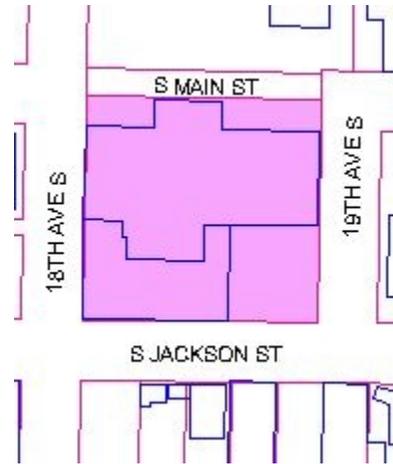
 DNS with conditions

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

BACKGROUND DATA

Project and Vicinity Description

The project proposes a six story mixed-use structure with 246 residential units (originally 268) on the entire block of the former Wonder Bread Bakery. Commercial space will be provided at street level along South Jackson Street and extending northward from South Jackson Street approximately 30 feet on both 18th and 19th Avenues South. Live-work commercial space will be provided at the building's NW and NE corners along vacated South Main Street. The remainder of the project's street level spaces will contain residential units, with the exception of two parking entries on 18th Avenue South. Open space will be provided in three areas: at grade and facing Pratt Park in vacated South Main Street, in a central courtyard, and on three rooftop decks. Residential and commercial parking for 409 vehicles (originally 418) will be provided below grade.



The project site is located on the north side of South Jackson Street and directly south of Pratt Park. The former South Main Street right of way (ROW) was vacated by the City during the 1960's and is now part of the site, with the exception of the concrete sidewalk along the south side of Pratt Park. Although vacated, the South Main Street ROW is encumbered with an easement for sewer and other utilities in favor of the City of Seattle. Because of this no permanent structures may be placed in that area without agreement with relevant City departments. The zoning of the site is Commercial 1 with a sixty-five foot height limit (C1-65).

The project site is approximately 69,940 square feet in area with approximately 256 feet of frontage on South Jackson Street and approximately 272 feet of frontage on both 18th and 19th Avenues South. The site slopes downhill from its high point in the northeast corner toward 18th Avenue South approximately 10 feet, approximately 10 feet from the northeast corner to the southeast corner at the intersection of 19th Avenue South and South Jackson Street and approximately 14 feet from the northwest corner to the southwest corner at the intersection of 18th Avenue South and South Jackson Street.

Surrounding zoning and land uses are as follows: from mid-block on the west side of 18th Avenue north of South Jackson Street the zoning is Lowrise 3 (L-3) and this extends to the north and includes Pratt Park. The uses to the west of the site include a small church, residential structures beyond, and vacant parcel currently under review for a future mixed-use development. Pratt Park is located to the north, and the Kawabe Memorial House, a senior living facility in a mid-rise residential building, is located uphill and to the northwest. To the south and southeast across South Jackson Street the zoning is Neighborhood Commercial 3 with a forty-foot height limit (NC 3-40). The uses in this area are light manufacturing, retail and other commercial uses. To the east along South Jackson Street the zoning is also C1-65 and contains a former bakery building now used by the Pratt Fine Arts Center. The surface parking area for the Pratt Fine Arts Center is lot is immediately east from the site. This lot is proposed to be developed with

additional Pratt buildings in the future. The Gai's / Franz Bakery complex and Washington Middle School are located further east along the south side of South Jackson Street.

ANALYSIS - DESIGN REVIEW

DESIGN GUIDELINE PRIORITIES, EARLY DESIGN GUIDANCE MEETING OF MARCH 10, 2004

At the Early Design Guidance (EDG) meetings and after visiting the site, considering the analysis of the site and context provided by the proponents, the Design Review Board members provided the following siting and design guidance and identified by letter and number those siting and design guidelines found in the City of Seattle's "*Design Review: Guidelines for Multifamily and Commercial Buildings*":

- A-1 Responding to Site Characteristics
- A-2 Streetscape Compatibility
- A-4 Human Activity
- A-5 Respect for Adjacent Sites
- A-6 Transition between Residence and Street
- A-7 Residential Open Space
- A-8 Parking and Vehicle Access
- A-10 Corner Lots
- B-1 Height, Bulk and Scale Compatibility
- C-1 Architectural Context
- C-2 Architectural Concept and Consistency
- C-3 Human Scale
- C-5 Structured Parking Entrances
- D-1 Pedestrian Open Spaces and Entrances
- D-2 Blank Walls
- D-5 Visual Impacts of Parking Structures
- D-6 Screening of Dumpsters, Utilities, and Service Areas
- E-1 Landscaping to Reinforce Design Continuity

DEPARTURE REQUESTS AT EDG

The project proponent requested three design departures for the project:

1. Residential Open Space. SMC 23.47.024.A requires residential open space in the amount of 20 percent of the structures gross floor area in residential use, or 43,160 square feet for this project. The applicant requests a 29% departure to 30,644 square feet based on the proximity of the project to Pratt Park, which provides neighborhood open space. (This requested departure was later reduced as discussed under *Initial and Final Design Guidance Meeting Board Deliberation on Requested Departures* below.
2. Residential Lot Coverage. SMC 23.47.008.D restricts the lot coverage of the residential portion of a mixed use structure above 13 feet to 64 percent. The applicant requested a

departure to 68 percent based on site conditions and in order to allow creation of a more useful open space in a central, square courtyard.

3. Floor to Floor Height of Non-Residential Use. SMC 23.47.008.C.2 requires mixed use development at street level to have a minimum floor to floor height of thirteen (13) feet. The proposal is to reduce this to 11.5 feet for a 49 foot section of non-residential space along Jackson Street due to the difficulty of maintaining a uniform relationship to sidewalk grade along the street's slope.

Summary of Early Design Guidance Given:

The Board directed the project design to respond to the site's location adjacent to Pratt Park, the potential for territorial and regional views to the south, its full block size and frontage on three rights-of-way (ROW's) and, effectively a fourth facing the park, and its potentially seminal role as the first recent major commercial development along this section of South Jackson Street. To do these, the project should provide:

- Active commercial spaces along Jackson Street and extending around the corners of both 18th and 19th Avenues South with visible entries and weather protection,
- Clearly visible entries to the adjacent respective uses along each street frontage,
- Street frontages activated by their respective uses,
- Private open space courtyards along the north façade and the proposed open space in the vacated South Main Street ROW that relate to Pratt Park,
- View opportunities, such as from upper level units southward and from the roof-top open space areas; one roof-top open space area should be located in the northwest corner to have views into Pratt Park and create a visual connection to the park,
- Balconies or door-sized opening windows along the north façade to create a connection to the park,
- A well designed courtyard open space (studies of its design should be provided with the MUP and to the Board) and a physical and visual connection to the public realm through an adequately sized and proportional arched opening,
- A connection between the interior courtyard and the more active and commercially oriented frontages, such as South Jackson Street or the building's southwest or southeast corners,
- Building bulk that is reduced by the appearance of multiple separate –but mutually responsive – masses through modulation, a variety of vertical massing, changes in roof level, and an appropriate variety of materials and colors,
- Garage entries that minimize their negative aesthetic impacts of the streetscape and adjacent properties.
- A tenant activity area that, due to its semi-public nature, will enliven this corner of the park and 18th Avenue South.

Public Comment from the Early Design Guidance Meeting

Eight members of the community attended the Early Design Guidance meeting. Comments and concerns included the following:

- The project should provide adequate sidewalk and tree space on South Jackson Street;
- While there are many holes in the current neighborhood fabric, the project design is important to set a tone for area redevelopment;
- The full-block development could result in excessive building bulk;
- The façade along South Jackson Street should be broken up;
- The project should use a variety of materials;
- The central courtyard will be shaded much of the time: open space on Jackson or on the roof is important;
- The three frontages should support a pedestrian environment.

Board Deliberation on Requested Departures at Early Design Guidance

The Board advised that the departure request for a reduction in open space would be considered based on how design meets the priority guidelines and results in a better project overall, specifically how the courtyard will be better connected with the park and northern facing open space areas and Jackson Street. The lot coverage departure would be considered based on how the proposed design reduces the appearance of building bulk and scale. The departure request for a reduction in the floor to floor height at street level space for a mixed use project would be considered by the Board based on the functionality and usefulness of the resultant spaces and their success in adequately relating to the street.

Design Review Board Initial Recommendation Meeting – November 16, 2005

The applicant applied for the Master Use Permit (MUP) on June 30, 2005. In the following months the applicant worked with the project planner to further refine the project to better respond to the Early Design Guidance for presentation to the Board. On November 16, 2005, the Capitol Hill Design Review Board held an Initial Recommendation Meeting. At this meeting the project's architect presented the design response to the Board's EDG and continued their request for certain design departures.

Clarifying Initial Design Guidance Given:

The Board discussed how the project design responded and did not respond to the EDG. Consequently, the following clarifying Initial Design Guidance was given:

- The project design does not respond to the site's local and territorial views. The updated project should include larger and varied window size to take advantage of 360 degree view opportunities, such as territorial views to the southeast, south and southwest and views to the park and tree canopy to the north. Units are proposed to have up to 9 foot ceilings and should utilize this height to provide larger glazing area. Larger windows at upper stories are one possible design response.
- The proposed commercial and residential entries are not apparent and should be given greater emphasis. The Jackson Street commercial façade should differentiate entries from adjacent window areas.
- Placement of the principal residential entry should be prominent with location on Jackson Street explored (A determining factor will be the guidance in A-7).
- A subservient but clearly apparent residential entry should be placed along 18th Avenue.

- All commercial sections should have large areas of glazing and be differentiated from the residential areas. For example, the eastern of the two yellow stucco bays of the central green and yellow portion along Jackson Street has small windows that are similar to the upper story residential windows instead of store front glazing.
- All other street fronts should increase opportunities for street level human activity. Adding elements, such as Juliet balconies or fully opening windows with railings for upper story units would bring residents to the edge between the private and semi-public zones and the park. The 18th Avenue façade design is a good example of where this has been partially employed.
- The ground level units on the north façade to the west of the courtyard entry should have connection to the outside by doors, larger windows, Juliet balconies, patios, or similar.
- The Board is concerned with the proposed depressed residential entries on the northern portion of 19th Avenue. No weather protection is proposed, which would likely result in a damp and littered or dirty area. The Board could support depressed entries if the above concerns are addressed, more units are accessed from this area /or there is a greater connection between the street level and this space and they can achieve the apparent success of the Ballard example.
- The submitted shadow studies for impact on Pratt Park indicate a 23 foot summer solstice and 56 foot winter solstice shadow from a six story wall. Shadow affect in the courtyard at these times will be approximately one-quarter to one-half of the area in shadow. The shown seating area will be half or completely within the shade, depending on the time of year.
- The courtyard from the proposed southeast residential entry does not successfully create a connection between the courtyard and the southern portion of the building on Jackson Street; it will be minimally visible through the recessed entry stairs, internal lobby, and connecting hallway.
- The further development of the commercial parking entry should continue to minimize the visibility and audibility of interior utility areas, including ventilation equipment.
- The garage openings are too large and will have a negative affect on the streetscape. Their width should be reduced to 16 feet for the all-residential northern entry and to 18 to 20 feet for the combined residential and commercial entry.
- The proposed use of modulation and change of material and color is not entirely successful at responding to the guidance for *Height, Bulk, and Scale*. The proposed two foot over hang of the Jackson Street façade's upper stories exacerbates the massiveness of the structure relative to the street and the street level façade. Consequently the design response should use modulation with the aim of creating the appearance of multiple structures and not one modulated structure with extensive modulation; vary the fenestration pattern, in size and arrangement appropriate to the functions within; remove the two foot front façade overhang by reducing the depth of the upper stories, or if necessary, reduce the internal courtyard by this amount.
- The choice of exterior colors is not appropriate for this context: look at the possible future expansion of the Pratt Institute for contextual guidance and the existing Pratt buildings north of South Main Street display a variety of colors that may be a worthy contextual color cue for this project.
- Commit to one unified design style.
- Emphasize the corners to punctuate and create a transition between each façade.

- Scale the cornices to their accompanying modulated section. For example, on Jackson Street, the cornice and brackets above the full façade masonry building portion appears minimal and presents an odd color contrast. The large center portion has both square and large angled cornices, which creates visual confusion.
- Vary the division of individual window lights, such as through the inclusion of muntins (The 18th Avenue façade is a good example of where this has been occasionally employed).
- Add depth to windows openings. Provide sections and details of windows and opening depth showing how this is achieved.
- Rethink the inclusion of the “eyebrow” arches.
- Rethink the overhang of the upper levels on South Jackson Street. If the floor area of the units behind must be maintained, the area should be moved toward the courtyard.
- The commercial level awning at the southwest facade should be extended along the commercial portion of this and the 18th Avenue façades.
- The Board commented favorably on the preliminary detail and recessed location of the courtyard gate.
- The arch of the courtyard opening has a tenuous relationship with the horizontal and vertical lines of the north façade. Its width appears to be constrained by its height.
- Increase the opportunities for visual contact between the different uses in the building interior and sidewalk.
- Remove the blank character of the walled alcove directly north of the 18th Avenue commercial section.
- Propose design treatments for the blank sections of wall where the three vents are located. A green screen may be an appropriate response. The to-be-developed landscape plan for the courtyard must consider the shade affect from the south wall.

Because of the extent of outstanding issues, the Board directed the applicant to work with the project planner on their resolution and return for a second Recommendation Meeting.

Initial Recommendation Meeting Departure Requests

The project continued its request for the EDG design departures, with the following modifications:

1. Residential Open Space. The residential floor area has been reduced to 204,585 square feet, which now requires 40,917 square feet of open space. The applicant requests a reduced departure from 29 % to 19%, or 33,038 square feet to be provided. This continues to be based on the proximity of the project to Pratt Park, which provides neighborhood open space.
2. Residential Lot Coverage. The residential lot coverage has been reduced from the EDG request of 68% to 64.04 %. This continues to be based on the creation of a more useful open space in a central, square courtyard.
3. Floor to Floor Height of Non-Residential Use. A departure from this standard along South Jackson Street is no longer requested; one-hundred percent of the non-residential space along this street will have a minimum floor to floor height of 13 feet. Non-residential uses are not required on 18th or 19th Avenues per SMC 23.47.008.B.4, consequently street level floor to floor heights do not apply.

Public Comment from the Initial Recommendation Design Guidance Meeting

- The building's chamfered corners appear awkward and make the transition between façade materials difficult,
- Fenestration: The commercial fenestration, as presented, lacks "warmth" and the ability to enliven and interact with the sidewalk. Large opening windows should be included in this area. The size, design, and arrangement of windows on all floors are monotonous. This monotony will also be apparent to those inside. Windows need more trim moldings than the occasional head casing or sill.
- "Eyebrow" arches over various recessed areas and along the commercial frontage clashes with the overall design.
- The building bulk is as massive as that presented at the EDG meeting; the design does not adequately create the appearance of a number of separate structures.
- Architectural Concept and Consistency: The architecture tries to be both modern and traditional without successfully expressing any style. It comes across as lacking honesty and trite, such as by mixing a "brownstone" appearance on some portions with a Mission tower in another interspersed with minimal cornices and brackets. Being more modern is OK.
- Streetscape: It is difficult to see the commercial entries; doors and surrounding building details give no clues to their location.

Initial Design Guidance Meeting Board Deliberation on Requested Departures

The Board supports the reduced request for a reduction in open space based on the high quality of open space shown and the proximity to Pratt Park, which will provide an attractive open space alternative and compensate for any reduction of on-site open space. The lot coverage departure has been reduced to a negligible quantity; provided the project design responds to the other guidance given, the Board continues to support this request.

Design Review Board Final Recommendation Meeting February 15, 2006.

Summary of Architect's Presentation February 15, 2006

The updated project design continued the overall building configuration, area and height presented at the Initial Recommendation Meeting of November 16, 2005. The design was further developed to respond to the clarifying guidance given at that meeting.

The project architect noted that the project facades have been more finely modulated to achieve a "separate but related" cohesion to the entire block. To do this, the architectural concept was simplified and unified. The previous color palette has been replaced with more modest and Northwest hues. Proposed siding materials continue to be brick / masonry, lap siding, and stucco (not Dryvit). These materials have been arranged to support the individually modulated façade elements. Juliet balconies, extending 12 to 18 inches beyond the exterior wall, have been included on all facades for visual interest, variety of fenestration, and opportunity for connection between tenants / residents and the surrounding streets and public areas.

The fenestration has been varied to reduce the size of the building masses. Window units will be recessed from the exterior wall plane on masonry and wood sided areas, and be flush adjacent to stucco walls. Lintel elements will be brick or built-up stucco. The commercial glazing and entry doors have been differentiated from the residential areas and are more legible for a more inviting and activating streetscape. The residential entry on 19th Avenue has been widened to create a visual connection between the courtyard and sidewalk. An 18th Avenue entry and lobby has been added to create a project to street connection on the west side.

The courtyard entry on the north façade continues to be visually and physically connected to the vacated Main Street landscaped / open space areas by an ample entry and architecturally designed gate. The courtyard landscaping and spatial arrangement responds to the anticipated solar exposure throughout the year.

A nearly continuous canopy (Overhead Weather Protection, or OHWP) has been added to the Jackson Street façade and extend northward on both 18th and 19th Avenue past the residential entries.

Board Clarifying Questions and Comments

The Board observed that the previously proposed resident exercise room on the buildings northwest corner facing Pratt Park was no longer included and asked why. The architect responded that with the project's unit layout the work-out room would be at the garage level and its floor would therefore be approximately 6 feet below the adjacent sidewalk level. The Board replied that the presence of a semi-public, or even public, use on the north building façade should be provided to support the natural connection across vacated South Main Street and between the park and the project, as discussed and given design guidance direction at the EDG meeting. The Board noted that the current proposal is a missed opportunity. Consequently a discussion about the feasibility of including live-work units on this façade occurred.

The Board also inquired about the lack of stoops for the residential units on the north façade. Again, the Board noted that their previous direction was to design this area with uses and access from these uses that would support interaction between the project and the proposed South Main Street open space area and the park. Louis Espinoza, Fairfield representative, pointed out the sunken secondary entries along the northeast corner.

The Board questioned the revised fenestration arrangement, depth of the windows, size and materials used for the decks, and the overhead weather protection (canopies) along South Jackson Street. The Board expressed support for the increased variety of size and shape of windows. They inquired about the material and design of the OHWP, as portrayed in a perspective drawing presented and questioned if it would be continuous and of one material and color. If so, they are concerned it would create a monotonous experience. The applicant replied that the drawing in question does show a segmented canopy but is limited in what level of detail can be portrayed. The design intention is to have a high quality metal canopy that will likely have texture on the underside from either banding / trim or corrugation.

Public Comment from the Final Recommendation Meeting

- The first floor setback on Jackson Street will have a positive affect on the pedestrian environment.
- The building is oddly shaped and configured. The site is claimed to be difficult for designing a building, but that isn't so.
- Too much open space is provided on site; it will not get used considering the proximity of Pratt Park.
- The commercial uses should extend from South Jackson Street to the park to form a "gateway" between the street and the park.
- Assure that the commercial spaces are an appropriate and small size to support small local businesses.
- The proposed permanent location for the building leasing office at the corner of South Jackson Street and 18th Avenue is a "focal point" that should be used for a commercial use that will interact better with the street.
- Windows in the same plane as the stucco exterior walls will be visually monotonous.
- The building design could be "anywhere"; it does not appear specific to everything Jackson Street was, is and will be.
- There should be units for multiple income levels.
- Recessing the windows adjacent to the wood and brick sections is good.
- Concerns about the unit composition, their affordability, and the provision of neighborhood apprenticeship jobs.
- The proposed South Main Street open space should be a farmer's market.
- The design is "suburban"; Wonder Bread is pleasing to look at.
- The design and proposal do not relate to the intent of the Central Area Neighborhood Plan.
- The design misses an opportunity to form a connection between Jackson Street and Pratt Park.
- The Wonder Bread sign should stay in the community.
- This is an improvement on Wonder Bread.
- The façade along Jackson Street is repetitive.
- The 18th Avenue recessed entry is too small and won't be seen.
- The 19th Avenue recessed residential entries should be replaced with stoops with entries on second floors.
- The building should have no stucco.

Board Recommendations

Following the presentation by the applicant at the final recommendation meeting, as well as Board questions and comments, the Board members assessed the project based on the response to the previous design guidance developed through application of the City of Seattle's *Design Review: Guidelines for Multifamily and Commercial Buildings*. In general, the Board members indicated that the project meets the Design Guidance that was prioritized at the Early Design Guidance meeting and the additional guidance provided to the applicant after the Initial Recommendation Meeting (November 16, 2005), with the exceptions noted below under the relevant guidance. The Board noted that there had been considerable effort by the applicant in

developing the design, including addressing the Board's and public's concerns, and working with concerned neighbors. In their deliberations on the project, the Board provided further recommendations on three selected issues, as indicated in relation to the priority design guidelines below:

A. Site Planning

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

The Board's Early Design Guidance directed the design to respond to the site's view potential to the west and south and adjacency to Pratt Park. At the Initial Recommendation Meeting the Board did not feel the design submitted responded sufficiently to these opportunities.

The updated design presented at the Final Recommendation Meeting included a varied arrangement and larger sizes of window and an improved arrangement of the rooftop deck open space to take advantage of local, territorial, and distant views. However, the design's north façade facing Pratt Park did not include elements to create a relationship to the park. Following a discussion on ways to address this concern, the applicants offered to explore live-work units in lieu of the ground level residential units at the building's northwest and northeast corners with entries facing north. The Board charged the project planner with working out these details and asked for re-submittal before the Board only if, in the planner's judgment, an acceptable design solution was not presented.

Subsequent to the Final Recommendation Meeting the applicants have included two live-work (LW) units and associated stairways and entry plazas. At the northwest corner, the LW unit will be single-story; approximately six feet above grade and have the work portion at the corner with frontage also on 18th Avenue and the live portion adjacent to the east. A raised entry plaza, over nine feet in width, will extend across this portion of the north façade. Access to street grade will be through a diagonal six-foot stairway extending to 18th Avenue and a walkway to the east where the plaza will meet grade. This unit's live portion and the two residential units to the east will be visually and physically separated by the use of permanent planters and separate patio spaces. The work portion will be visually identified by the use of larger windows on both facades, double entry doors, and a canopy extending around both facades.

The northeast LW unit will be two-story, with the work portion at ground level. The work portion will be accessed from double entry doors opening onto a partially below grade 16 foot plaza with access stairs leading to 19th Avenue. The plaza will have access to the west as well through a four foot walkway that meets grade at the central courtyard opening. Here also, the two residential units to the west will be visually and physically separated by the use of permanent planters and separate patio spaces. The work portion will be visually identified by the use of larger windows on both facades, double entry doors, and a canopy extending across this portion of the north facade.

DPD Analysis and Comments. Live-work units along the north façade require exterior stairs, walkways, and retaining walls for access and to facilitate interaction with Main Street. In addition, planters as a part of the open space landscape plan are proposed to be integrated with some retaining walls.

The structure as proposed will be located beyond the originally platted property and former ROW boundary and in close proximity to or over underground infrastructure, such as the east to west sewer main and manholes. The vacating ordinance for South Main Street included easement rights giving the City access to these utilities and prohibited buildings or permanent structures to be constructed without written permission of the City.

The applicant, project planner and Seattle Public Utilities (SPU) entered discussions to arrive at the project gaining permission from the City for this proposal. SPU has agreed to enter into a Letter of Consent with the project owners, heirs, and assignees (project owner) to allow construction of these items, conceptually as shown in the project plans. The project owner has agreed to either replace, sleeve, or relocate the existing sewer main, relocate the necessary manhole(s), and perform other work as found necessary by SPU in order to allow construction of the above elements described in this decision and shown in the project plans. To this end, DPD will make a ***Condition of Approval*** to require a completed and approved Letter of Consent with SPU that makes possible the MUP required improvements along the building's north façade prior to issuance of the MUP permit.

Based on the final design changes and condition, the submitted project design responds to the Board guidance.

A-3 Entrances Visible from the Street.

At the Initial Recommendation meeting, the Board noted that the proposed commercial and residential entries were not apparent and should be emphasized to clearly identify their presence and separate uses. The Board directed the project design to differentiate entries from adjacent commercial store front window areas along the Jackson Street façade. The 19th Avenue residential entry should be prominent and create a clear visible connection to the interior courtyard.

At the Final Recommendation meeting the Board noted that design responded to this guidance by emphasizing the commercial entries on Jackson Street and differentiating their design from the adjacent store front window glazing. The principal pedestrian entry for the building on 19th Avenue was architecturally heightened and views and a visible connection to the courtyard included. The Board felt that the design changes met their guidance with the exception of the 18th Avenue residential entry, which should have a greater visual presence from the street and function like a lobby in the interior and not simply an emergency egress. The Board again charged the project planner with working out these details with the applicant and asked for re-submittal before the Board only if, in the planner's judgment, an acceptable design solution was not presented.

Subsequent to the Final Recommendation Meeting the 18th Avenue entry design has been improved to include a more pronounced and useful canopy extending the width of the entry glazing and covering the stairs and ramp. A smaller canopy has been included over an adjacent stairwell exit. Landscape planters have been included parallel to the sidewalk to create a transition and separation between the public sidewalk and the semi-public area of the entry.

DPD Analysis and Comments. Based on the above described design responses from the Initial and Final Recommendation meetings and in working with the project planner on post-meeting design improvements, the proposed design responds to the Board guidance.

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

The Board's Early Design Guidance noted the presence of Pratt Park and the Pratt Fine Arts Center as generators of human activity, along with the tenants of the proposed units. The building should support this by transparency between the street and its interior, and multiple and easy to find entries. The addition of either commercial space or live-work units on the building's northeast corner would bring a more active human presence to the site's north end. The Board supported the inclusion of a gym/tenant exercise area at the northwest corner. Commercial sections should have large areas of glazing and be differentiated from the residential areas. All other street fronts should increase opportunities for street level human activity. Adding elements, such as Juliet balconies or fully opening windows with railings for upper story units would bring residents to the edge between the private and semi-public zones and the park. The Board also suggested that the ground level units on the north façade to the west of the courtyard entry should have connections to the outside.

The design submitted at the Final Recommendation meeting included glazing and architectural and/or material treatments that differentiated the commercial spaces from residential elements, and also included architectural treatments to enhance and highlight the building entries as noted in A-3 above. The Board found that these design changes met the previous guidance in several areas, but did not in three areas: One, the Board expressed concern that the placement of the building leasing office and commercial office center for project tenants at the building's southwest corner would not be active and transparent enough for this prominent corner. Two, interior connections along the north façade with exterior entries were only provided for some units, but not all. Three, active project uses, such as an exercise room at the building's northwest corner, and / or live-work uses at this corner and the northeast corner by 19th Avenue were not included. After discussion between the Board and the applicant, the applicant stated they would include live-work units at the building's NW and NE corners. Again the Board directed the project planner to work out these details with the applicant and asked for re-submittal before the Board only if, in the planner's judgment, an acceptable design solution was not presented.

DPD Analysis and Comments. Subsequent to the final design recommendation meeting, the applicant provided designs and layout for the proposed commercial corner on Jackson Street and the north facade. The Jackson Street corner space design shows that, although the rental center and commercial office space for tenants are proposed to remain in this location, their interior arrangement, which includes an extensively glazed mezzanine level in the adjacent tenant

exercise center, access to the street and the 18th Avenue lobby, and extensive hours of operations (during daytime business hours for the leasing office and daytime and evening hours for the tenant office area), this building corner would be active and transparent at the street level.

Live-work units were added to the north façade's NW and NE corners. The interior arrangement and exterior access to these units, and the exterior connection of residential units on the remainder of this façade, have been described in A-1 above.

Based on these final design responses and drawings, the submitted project design responds to the Board guidance.

A-6 Transition between Residence and Street.

At the Initial Recommendation meeting, the Board was concerned with the quality of the proposed partially below grade residential entries on the northern portion of 19th Avenue. Because no weather protection was proposed, a damp or dirty area without much tenant usage could result.

At the Final Recommendation meeting detailed studies on this area were presented. This area will provide secondary access to four units (unit main entries will be from the interior corridor). Connection to the street will be from the south extending from the main residential entry, in the center of this area from a pair of stairs extending down to the north and south from and parallel to the sidewalk, and to the vacated South Main Street at the NE corner. An architectural quality railing will extend along the sidewalk at grade. The mid-point stair entry will be on a landing at sidewalk grade but on the property. Architectural quality low security gates will be at the top of the pair of stairs. The passageway patio area leading to the units will be patterned concrete. No canopy was included because of security concerns; the canopies would only be approximately four-feet above sidewalk grade, thereby providing easy access to second story unit windows.

DPD Analysis and Comments. The Board felt that the submitted design details will create an area that will be attractive from the sidewalk and be a semi-private transition to the private space of the units. In light of these details and the security concerns, canopies are no longer advisable. The Board recommended approval, and DPD concurs that the revised design responds to the Board guidance.

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

The open space design presented at the Final Recommendation meeting continues to propose residential open space in three areas: the internal courtyard, three roof-top spaces, and at grade along the building's north side facing Pratt Park.

Previous guidance for the ground level courtyard included: having extensive permeability between the building interior and the central courtyard through numerous unit and general building access points, interior site design that responds to the condition of full year shade for the courtyard's southern one-third and contrasting winter only solar exposure of the northern portion, creating the largest possible and appropriate northern entry portal to maximize the visual

connection between the courtyard and the park area, and creating a strong visual connection between the courtyard and either 19th Avenue or South Jackson Street. At the Final Recommendation meeting the Board directed the applicant to explore the use of light and slightly reflective colors on the courtyard's north wall to increase reflected light access to the courtyard's southern half.

The presented courtyard design responds to this guidance. The courtyard is ringed with patios and secondary entries for the surrounding units at grade. Juliet balconies and full (recessed) balconies have been added extensively to the upper floor units. Courtyard seating and activity spaces are defined by an arrangement of planters along with benches and tables. Shade tolerant species will be planted in the southern shady spaces, while the northern portion contains a larger open area for activity. The northern portal is wide and tall, allowing visibility to the north. This space has numerous entry points to the building interior. On the south side, general building access is provided through the 19th Street entry. This area has been widened to create a visual connection between the sidewalk and courtyard.

The roof top open spaces now have greater distant and local view potential because of the removal of formerly labeled "clerestory" walls. The Board noted that the vacated Main Street open space will be improved by the addition of the two live-work units and the inclusion of north facing ground level residential patios / entries as previously discussed (see A-1 above).

DPD Analysis and Comments. Interior courtyard elevations and inclusion of live work units on the north facade were submitted to the project planner. Light colors are proposed to maximize reflected light. After discussion, strongly reflective materials are not recommended because of the potential for glare. Live work units and residential entries were included on the north façade. The number of planters in vacated Main Street planters were increased and reduced in size to create better connections and circulation between the project and Pratt Park. Based on the above described changes and as shown in the final plan submittal the project design responds to this Board guidance.

A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

Although the Board agrees with the proposed placement of both garage entries toward the central portion of the 18th Avenue façade, it directed the applicant to reduce their size in order to minimize visual and pedestrian impacts and conflicts. The Board noted that any associated design departure would be entertained.

The updated design reduces the size of the residential and commercial garage entries to 20 feet. Consequently, design departures from the minimum size of a non-residential driveway and the sight triangle standards for two-way driveways less than 20 feet in width are required as noted in the *Design Departure* matrix at the end of this analysis.

The Board observed that the reduced garage openings and general surrounding building design elements, such as masonry walls, chain screen garage doors for visibility, and canopies create an improved project design and thereby supports the requested departure requests.

DPD Analysis and Comments. The submitted project design responds to the Board guidance. Mirrors and visual warning lights will be included in lieu of the sight triangle.

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

Previously, the Board noted that the project design should address the two South Jackson Street corners, in particular the southwest corner with its westward views and location of visibility when approaching from the west. Although not technically on street corners, the NW and NE building corners should contain uses that will activate these areas.

The SE and SW building corners are activated with tenant and commercial uses. Two residential entries are located adjacent to the north. The NW and NE corners will have live-work units. No parking is located at building corners. Based on these elements and their quality as shown in the final plans, the Board observed that the project design has responded to this guidance.

DPD Analysis and Comments. The submitted project design responds to the Board guidance.

B. Height, Bulk and Scale

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

At the Initial Recommendation meeting the Board indicated that the proposed use of modulation and change of material and color was not entirely successful at responding to the Early Design Guidance for the building to not appear as a single one-block structure and to incorporate changes in levels, vertical massing, and façade modulation. Also, the proposed average two-foot over hang of the Jackson Street façade's upper stories exacerbates the massiveness of the structure relative to the street and the street level façade.

The design submitted at the Final Recommendation meeting varied the building modulation and architectural details to create the effect of multiple structures. The design refinements also varied the fenestration pattern, in both size and arrangement, as appropriate to reflect the functions in the building. Because the average two foot front façade overhang is necessitated by the two-foot building setback to accommodate a widened sidewalk and not a perfectly square parcel, the Board reluctantly recommended the inclusion of this feature, noting that the improvements to the Jackson Street façade design and the inclusion of extensive canopies, which obscures this overhang, meets this guidance.

DPD Analysis and Comments. The submitted project design responds to the Board guidance.

C. Architectural Elements and Materials

C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

Previously, the Board observed that the surrounding architectural context does not give any positive direction for the building design. One possibility was the design of a future Pratt Institute facility across 19th Avenue. However, it was discovered that any Pratt facility is in very preliminary stages and subject to change.

At the Initial Recommendation meeting the Board instead directed the applicant to focus on quality design to establish the architectural context for expected extensive near-by development. See C-2, *Architectural Concept and Consistency* below.

DPD Analysis and Comments. The submitted project design responds to the Board guidance.

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

At the Initial Recommendation meeting, the Board and public commented on the proposed design's inconsistent architectural concept, which attempted to integrate too many of some elements and too few of others in order to give the appearance of a series of separate structures and reduce the bulk and appearance of a single one-block structure. Both Modern and Traditional design elements are included. The use of starkly contrasting colors is visually confusing. The initial fenestration pattern and sizes are monotonous and exacerbate the building's perceived mass. The courtyard entry size and form is architecturally awkward and visually does not relate to the surrounding building mass.

The revised design submitted at the Final Recommendation meeting provided a more unified design style. The building corners create and emphasize a transition between each façade. The cornices are scaled to match their respective façade below. The color scheme is an earth tone pallet. The exterior materials have been reduced in number and are now extensive brick masonry at the corners, the base, and the north portal "tower". In between the corner elements, the modulated sections alternate between real stucco and lap siding, with some sections having each to express a building top and middle section over a predominate masonry base.

The fenestration pattern has greater variety of size and arrangement and now better reflects the uses within the building. Windows are recessed in the lap siding and masonry sections, with flush mounting in stucco areas. Windows will have lintel details. Juliet balconies will extend 12 to 18 inches from the façade.

The number of eyebrow arches was reduced; they are now included only at the leasing office, at the upper level balconies on the Main Street and Jackson Street corners, and the courtyard portal. They have been included to create a subtle allusion to the portal archway that is a central design element of the project.

The average two-foot overhang of the upper levels on South Jackson Street has been obscured with a canopy with the design of the commercial spaces beneath enhanced to highlight the commercial character of the façade and the commercial entrances.

Based on the submitted drawings, the Board determined that the project responds to the guidance given.

DPD Analysis and Comments. The submitted project design responds to the Board guidance.

C-5 Structured Parking Entrances. The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

See A-8 Parking and Vehicle Access above.

DPD Analysis and Comments. The submitted project design responds to the Board guidance.

D. Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather.

The Early Design Guidance directed the project to have pedestrian entrances on each building street façade, differentiation between the commercial and residential entries, and connection between the entries and lobbies. Further clarifying guidance at the Initial Recommendation meeting focused on two areas: the minimal extent of the overhead weather protection (OHWP) / canopy along the commercial facades, and the scale of the courtyard's entry archway relative to the north building façade. The Board directed the project design to have the OHWP nearly continuous along the portions of the three streets with commercial frontage. The addition of this pedestrian element would also serve to minimize the visibility of the second-story building overhang.

At the Final Recommendation meeting, the Board noted the project design responded to its guidance on the courtyard arch by increasing the size of its arch and supporting pilaster details and extending the use of masonry on the base to the entire central building mass. The Board responded favorably to the proposed OHWP along Jackson Street and extending around the corners to cover the commercial frontage and residential entries but questioned the seeming lack of detail / articulation of its underside, noting that this could exacerbate its length and size. The applicant responded that the OHWP will be articulated by either continuous underside "corrugation" or joint banding at regularly intervals. However, the Board found 18th Avenue residential entry to be understated for its purpose. They directed the applicants to work with the project planner on details to make the entry expression stronger and more inviting (see discussion under A-3 above).

DPD Analysis and Comments. Following design revisions to the 18th Avenue entry and lobby and Board comments above, the final project design responds to the Board guidance.

D-2 Blank Walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

The Board observed that the 18th Avenue design presented at the Initial Recommendation meeting had numerous sections of blank wall at street level. The project design shown at the Final Recommendation meeting responded to this by including “green screen” elements at the buildings NW portion extending to the northern parking garage entry, the addition of a larger window area between the two garage entries, the addition of the tenant exercise area with large areas of glazing over the also added 18th Avenue residential entry. The Board noted that this was a large improvement and responded to the guidance given.

DPD Analysis and Comments. The addition of the live-work space on the building’s NW corner, with its commercial sized glazing and exterior stair will create visual interest in this area. In combination with the design elements discussed above, the project responds to the Board guidance.

D-5 Visual Impacts of Parking Structures. The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.

The Board directed the applicant to reduce visual impacts of the parking garage openings. The applicant responded with a reduction in the opening size from the Code required 22 feet to 20 feet and did not include the required sight triangles, and requested *Design Departures* to accomplish this. The Board was supportive of that request and recommends its approval provided mirrors and a visual flashing light system are used for safety warning in lieu of sight triangles.

DPD Analysis and Comments. The submitted project design responds to the Board guidance.

E. Landscaping

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

A Board concern from the Initial Recommendation meeting was that any proposed plantings must be based on the solar availability at each location in the courtyard or in vacated Main Street.

A concept landscape plan was provided at the initial design review hearing. Extensive landscaping was shown in the planters on vacated Main Street, in select pockets of the three street frontages, in the interior courtyard and on the three roof-top open space areas. Plantings and hardscape design are appropriate to the amount of solar exposure.

DPD Analysis and Comments. The submitted project design responds to the Board guidance.

Final Recommendation Meeting Departure Requests.

The applicant continued the request from the Initial meeting design departures, and requested two additional departures.

SUMMARY OF DEPARTURE REQUESTS

Land Use Code Standard	Proposed Amount of Change	Rationale for Request	Board Recommendation
Residential open space amounting to 20% of the structure's gross floor area in residential use, or 40,917 square feet for 204,585 square feet of residential gross floor area (SMC 23.47.024.A)	A reduction to 33,038 square feet or 16% of residential floor area.	This continues to be based on the proximity of the project to Pratt Park, which provides neighborhood open space and the project's provision of more than adequate high quality open space on site.	Based on the drawings presented, particularly the redesign of the connection to Pratt Park from the project courtyard, the Board recommends approval of this request.
Residential portions of mixed use projects above 13 feet in height are limited to 64 percent lot coverage (SMC 23.47.008.D)	The proposal is to increase residential lot coverage to 64.04 percent.	The project design combines a larger central courtyard with narrower building sections designed to create optimal residential units.	The Board recommends approval of this request based on the overall good design response.
Driveway Width. Non-residential two-way driveways shall have a minimum width of 22 feet. (SMC 23.54.030.D.2.a.2)	Reduce the commercial garage entry to 20 feet.	A reduced opening will lessen the visual impact of the commercial garage opening on the 18 th Avenue street-scape.	The Board recommends approval of this request based on the resultant improvement on the 18 th Avenue pedestrian environment.
Driveway Sight Triangles. Driveways less than 22 feet wide shall have sight triangles measuring 10 feet by 10 feet. (SMC 23.54.030.G.1)	Provide 20 foot two-way driveways with no sight triangles, but with the inclusion of warning lights and mirrors for pedestrians and vehicles to view the adjacent sidewalk areas.	Per Board direction to reduce the size of the two garage openings, the applicant has provided 20 foot openings. Sight triangles would widen the garage openings relative to the street. The applicant's experience with similar projects is that warning (strobe) lights and mirrors are an acceptable substitutes for sight triangles.	The Board recommends approval of this request based on the resulting improved streetscape, pedestrian environment, and provision of mirrors and warning lights.

<p>Floor to Floor Height of Live Work Units. Live-work units are commercial uses. As such they are required to have 13 foot floor to floor height for the depth of the commercial space. (SMC 23.47.008.C)</p>	<p>Provide 10 feet floor to floor.</p>	<p>Non-residential uses are not required along 18th and 19th Avenues or the vacated South Main Street ROW. Live-work units have been included to provide a street “activating” commercial use on the north side of the building. Traditional commercial uses (stores) needing a 13 foot height are not viable because the north side fronts on a vacated ROW. Instead, office uses are anticipated and would not require more than a 10 foot floor to floor height to be usable / viable.</p>	<p>The Board supports the inclusion of live work units with the proposed 10-foot floor to floor heights because the live work spaces are designed and intended for administrative office types of uses, which in this location, do not require height floor to floor heights.</p>
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Summary of Board Deliberations on the Departure Requests and Final Recommendation

The Design Review Board **unanimously recommended granting the departure requests** discussed above. With the exception of the items mentioned in the discussion of A-3 (18th Avenue entry), A-4 (building entries and activating uses on the north façade) and A-7 (increase of courtyard light intensity) above, the Board **unanimously recommended approval** of the design and *Design Departure* requests as presented at the February 15, 2006 Recommendation Meeting provided the final design responds to the final guidance in A-3, A-4, and A-7 and are approved by the project planner.

DIRECTOR’S ANALYSIS - DESIGN REVIEW

As noted in the above discussion of the design guidance of highest importance, DPD finds that the proposed project responds to and meets the intent of the design guidance given at the Early, Initial and Final Recommendation meetings.

Five *Design Departures* were requested to assist in making the project design better meet the intent of the priority and overall design guidelines and Land Use Code. These are for: a 16 percent reduction in the required amount of open space; a slight increase (.04 percent) in the residential lot coverage above 13 feet; a two-foot reduction in the non-residential driveway width; providing mirror and audible signal systems in lieu of driveway sight triangles for the two parking garage entries, and a reduction in the floor to floor height for the live-work commercial areas. The Director approves the requested *Design Departures* for the following reasons: a reduction in open space is appropriate given the proximity of Pratt Park to the site and the high quality of the provided on-site open space (Guideline A-7); the slight increase in residential lot coverage will allow a better building and unit arrangement without increasing the building bulk or negatively impacting the surrounding neighborhood (Guidelines B-1, C-2); a reduction in the non-residential driveway width will reduce visual impacts on the street-scape (Guidelines A-8, C-5); provision of mirrors and audible warning signals in lieu of sight triangle will reduce the visual width of the garage openings (Guidelines A-8, C-5); and, the reduction of the floor to floor

height of live-work units is appropriate since the intention is to use them as administrative or customer service space, which do not need the 13 foot height, and their use potential is limited by not fronting on a street, but a vacated ROW (Guideline A-4).

DECISION - DESIGN REVIEW

Based on the plan updates presented at the applicant's Final Design Review meeting and further plan updates presented to the project planner in response to final Board recommendations, the Director finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. Along with any *non-appealable, MUP permit, building permit, and pre-Certificate of Occupancy* conditions, the Director grants the Departures as requested and **CONDITIONALLY APPROVES** the proposed design.

ANALYSIS - SEPA

The initial disclosure of the potential impacts of this project was made in the environmental checklist submitted by the applicant dated June 30, 2005 and annotated by the Department. The information in the checklist, supporting documents, project plans, and the experience of the lead agency with review of similar projects forms the basis for this analysis and decision.

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

Short-term Construction Impacts

Demolition and construction activities could result in the following temporary or construction-related adverse impacts:

- Erosion from excavation and storm water impacts from site de-watering,
- Increased demand for parking from construction equipment and personnel,
- Increased noise levels,
- Disruption of adjacent vehicular and pedestrian traffic,
- Decreased air quality due to suspended particulates (construction dust) from building demolition, excavation, and construction and hydrocarbon emissions from construction vehicles and equipment.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts: The Stormwater Grading and Drainage Control Code, the Noise Ordinance, the Street Use Ordinance, and the air pollution standards of the Puget Sound Clean Air Agency (PSCAA). The Stormwater, Grading and Drainage Control Code regulates site excavation and shoring for

foundation purposes, requires that soil erosion control techniques be initiated for the duration of construction, and regulates the capture and treatment of on-site ground and storm water. The Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. The Street Use Ordinance regulates use of the right of way for temporary construction purposes and regulates obstruction of the pedestrian right-of-way. The Puget Sound Clean Air Agency regulations require control of fugitive dust, asbestos removal during demolition, and construction machinery emissions in order to protect air quality. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, some impacts may not be entirely mitigated by existing codes and ordinances, such as construction noise and increased construction personal parking demand, and therefore warrant further analysis.

Noise

The project site is surrounded by a mix of uses. To the south across South Jackson Street are light industrial and commercial uses, to the west is an vacant parcel (currently under review for a mixed-use development), to the north of this and to the northwest of the project site are largely single-family residential uses but includes the mid-rise Kawabe Memorial House retirement home and a church, to the north is Pratt Park, and to the east is the Pratt Fine Arts Center and associated parking. Because the site is adjacent or close to residential uses to the northwest, the provisions of the Seattle Noise Ordinance are generally sufficient to control noise impacts. Noise from impact types of construction equipment, however, should be limited to protect the residential areas. To this end, the project is **Conditioned** as follows:

- In addition to the Noise Ordinance requirements, the majority of construction activities shall be limited to standard construction hours of 7 A.M. and 6 P.M. on non-holiday weekdays and 8 A.M. to 5 P.M. Saturdays. Construction workers may arrive at the site prior to standard start times; however, noisy set-up activity will be expressly prohibited prior to 7 A.M.

As conditioned, noise impacts to nearby residential uses are considered adequately mitigated.

Parking

Construction of the project is proposed to last for several months. Due to the limitations of on-street parking north of Jackson Street, parking impacts from construction are likely. Demand for parking by construction workers during construction is likely to exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties. However, once the parking garage phase is completed it is anticipated that some workers will be able to park on-site and for the remaining duration of construction activity. To mitigate the anticipated parking impact the project is **Conditioned** as follows:

- The owner and/or responsible party along with the general contractor shall direct the expected construction personnel (employees and subcontractor employees) to park along South Jackson Street and/or the perimeter of the project site and not to the north in the residential neighborhood. The general contractor shall notify all sub-contractors of this requirement.

Transportation

Truck traffic for hauling building demolition materials, excavation and deliveries of new materials will be necessary during construction. Anticipated impacts from this traffic are short-term impacts to traffic flow and circulation. Consequently a truck routing and transportation plan will be required. A truck routing plan shall be submitted by the project contractor and approved by SDOT prior to issuance of the building permit. Wheel washing capability shall be available at the site during the excavation phase of the project to be used as necessary before trucks leave the loading site. To mitigate anticipated construction transportation impacts the project is **Conditioned** as follows:

- The owner, responsible party, or general contractor shall submit a construction phase transportation / parking plan to the project planner for review and approval before issuance of project building permits beyond the demolition permits. Following approval of the plan, the plan requirement for off-street parking and its location shall be posted at the construction site (street and alley sides) for the duration of construction activity.

Air

The former bakery building is likely to contain asbestos. This material would be disturbed as a part of demolition and consequently released into the surrounding environment. Fugitive dust will likely be released during building demolition and site excavation.

The Puget Sound Clean Air Agency (PSCAA) regulates the removal of asbestos as a part of building demolition and the release of fugitive dust from demolition and excavation. The PSCAA requires an asbestos survey to be completed by a certified AHERA surveyor and a Notice of Intent to be filed with the agency before any demolition can occur. Following that, asbestos removal can only be done by certified AHERA contractors. General PSCAA regulations address the control of fugitive dust. In combination, these requirements are adequate to provide sufficient mitigation from the potential release of asbestos and demolition and construction related dust. To this end, the project is **Conditioned** as follows:

- A copy of the filed Notice of Intent shall be submitted to the project planner prior to the issuance of a demolition permit.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased demand for public services and utilities; increased height, bulk, and scale on the site; and increased area traffic and demand for parking. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use, parking requirements, shielding of light and glare reduction, and contains other development and use regulations to assure compatible development.

Height, Bulk, and Scale

The City's SEPA Height, Bulk and Scale Policy states that "(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." The discussion above in the Design Review portion of this decision regarding the Director's Design Review decision indicates that there are no significant height, bulk and scale impacts as contemplated within this SEPA policy. Since the Design Review Board recommended approval of this project with conditions, and the Director agrees, no mitigation of height, bulk and scale impacts is warranted pursuant to this SEPA policy.

Traffic and Transportation

The project will create 246 new dwelling units, two live-work units and approximately 9,000 square feet of commercial space. The demolition of the existing structures will remove the existing Wonder Bread Bakery which covers the entire site. An analysis of the expected trip generation and distribution of project traffic was conducted by the applicant's transportation consultants, The Transpo Group, dated May 2005, and submitted to DPD. The report used data for these types of uses by Institute for Transportation Engineers (ITE) and analyzed a project with 268 new dwelling units plus 9,000 square feet of commercial space. That report estimated that the project would generate approximately 2,200 daily vehicular trips, with 190 of those trips occurring during the PM peak hour. Because traffic on adjacent streets is greatest during the PM peak hour, the impacts from the project would be greatest during the PM peak hour.

An updated Traffic Impact Analysis, dated November 1, 2005, was submitted to reflect a reduction in residential unit count (from 268 to 248) and in the parking count (from 446 to 408 – later revised to 409). The revised report estimated that the project would generate approximately 2,065 daily vehicular trips (135 less than originally calculated), with 178 of those trips occurring during the PM peak hour. (The addition of two live-work units less than 2,500 s.f. each would have no appreciable affect on traffic generation.)

The project traffic would represent approximately eight percent of the 2007 PM peak hour traffic volumes at the East Yesler Way / 18th Avenue South and South Jackson Street / 18th Ave S intersections. Project traffic volume would represent approximately two percent of the 2007 PM peak hour volume at other study intersections. All signalized intersections would operate at the same level of service (LOS) with or without the increases attributable to the project traffic (LOS D or better). With project traffic, the un-signalized study intersection of South Jackson Street / 18th Avenue South would operate at LOS D for the northbound approach and LOS E for the southbound approach. Because of these findings, a signal warrant study was done for this intersection and included in the transportation analysis for the project.

The study found that changes to the existing channelization and / or traffic control at South Jackson Street / 18th Avenue South are not recommended for two reasons; 1) re-channeling the southbound approach would not improve LOS and would likely require the loss of on-street parking, and 2) the installation of a traffic signal is not warranted by the signal warrant study.

Although the southbound movement at the 18th and Jackson intersection will operate at LOS E during the PM peak hour, this movement is used by relatively few vehicles. The large majority of traffic at this intersection travels on Jackson Street, and would not be noticeably impacted by project-generated traffic. The southbound movement at this intersection represents only about eight percent of intersection traffic volumes at the PM peak hour.

The proposed project site access driveways on 18th Avenue South would operate at LOS A during the weekday PM peak hour. Moreover, the addition of project traffic would not exacerbate any existing traffic safety hazard, because none of the study intersections are high accident locations. The transportation study found that it would be unlikely that site-generated traffic would create a safety hazard or significantly increase the number of reported intersections at study intersections. The results of the transportation study showed that SEPA conditioning for transportation impacts under SMC 25.05.675.R is unwarranted.

Parking

Increased parking demand from this project is anticipated and thus warrants further examination. The project proposes to provide 409 parking spaces, 390 residential and 19 commercial. The anticipated peak parking demand for the residential uses was calculated at 1.37 vehicles per dwelling unit (the Land Use Code requires 1.25 spaces per dwelling unit) for a demand of 340 spaces. The anticipated peak parking demand for the commercial uses was calculated at 2.65 vehicles per 1,000 square feet (the Land Use Code requires 1 space per 350 s.f. of commercial use – equivalent to 2.65 spaces per 928 s.f. - but exempts the first 2,500 s.f. of commercial space. One space per each live-work less than 2,500 s.f. in size is required). Using the Transpo rate of 2.65 for 6,500 s.f. of commercial space results in a demand for 17 spaces. Adding two spaces for each live-work unit results in an estimated demand of 19 spaces, the number of spaces proposed.

The proposed number of residential spaces would exceed the anticipated peak parking demand by 50 spaces. The number of spaces for the commercial uses would meet Land Use Code parking requirements and peak demand. Based on the above process and findings, no SEPA conditioning of the proposed project for parking impacts is warranted.

DECISION - STATE ENVIRONMENTAL POLICY ACT

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

- Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030.2C.
- Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

DESIGN REVIEW CONDITIONS

Non-Appealable Design Review Conditions

1. Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval by the Land Use Planner (Art Pederson, 733-9074). Any proposed changes to the design of improvements in the public right-of-way must be submitted to DPD, SDOT, or SPU for review and final approval.
2. The building constructed shall comply with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW and SPU required utility improvements). This shall be verified by the DPD planner assigned to this project (Art Pederson, 733-9074), or by the Design Review Manager, before the issuance of the Certificate of Occupancy. An appointment with the assigned Land Use Planner must be made at least three working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
3. Embed all conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.
4. Call out all departures on relevant updated MUP plan sheets and building permit plan sheets.

Prior to Issuance of the Building Permit

5. The design shown in the building permit plans must be reviewed and approved by the project planner to verify conformance with the approved MUP design.

Appealable Design Review Conditions

Prior to Issuance of the MUP Permit

6. The applicant shall receive concept approval from and submit to DPD a signed Letter of Consent (agreement) with SPU that will describe the required utility improvements as discussed in this decision and to allow construction of stairs, walkways, retaining walls, planters and other necessary elements for the viability of the live work units as described and approved in this MUP decision.
7. Include either banding / trim, corrugation, or other similar techniques to create texture on the underside of the exterior canopies on South Jackson Street and the southwest and southeast corners of the building extending northward from South Jackson Street.

CONDITIONS – SEPA

Prior to Issuance of Construction Permit

8. The owner, responsible party, or general contractor shall submit a construction phase transportation / parking plan to the project planner for review and approval before issuance of project building permits beyond the demolition permits. Following approval of the plan, the plan requirement for off-street parking and its location shall be posted at the construction site (street and alley sides) for the duration of construction activity.

9. A copy of the filed Notice of Intent shall be submitted to the project planner prior to the issuance of a demolition permit.

During Construction

10. In addition to the Noise Ordinance requirements, the majority of construction activities shall be limited to standard construction hours of 7 A.M. and 6 P.M. on non-holiday weekdays and 8 A.M. to 5 P.M. Saturdays. Construction workers may arrive at the site prior to standard start times; however, noisy set-up activity will be expressly prohibited prior to 7 A.M.
11. The owner and/or responsible party along with the general contractor shall direct the expected construction personnel (employees and subcontractor employees) to park along South Jackson Street and/or the perimeter of the project site and not to the north in the residential neighborhood. The general contractor shall notify all sub-contractors of this requirement.

Signature: (signature on file)
Art Pederson, Land Use Planner
Department of Planning and Development

Date: May 8, 2006