

**INTRODUCTION**

On December 4, 2006, the Department of Planning and Development (DPD) was requested to amend the City’s Land Use Code, Chapter 23.49.178, to provide an exception to maximum structure height for “*infill additions*” to existing buildings, when such additions are “*adjacent to an alley on a non-street facing façade that is enclosed on at least two sides by walls of the same existing building.*”

DPD supports the rationale for a Land Use Code amendment to accommodate building additions in existing buildings above zoned height limits in Pioneer Square. The proposed amendments would accommodate infill additions to existing buildings that exceed maximum structure height in the Pioneer Square neighborhood when street-facing facades are not altered. This would accommodate improvements to life safety systems and structural strength against earthquakes, and would also encourage economic investment in reuse of historic buildings, with associated benefits to the neighborhood as a whole.

The proposal would amend Land Use Code provisions applicable to Pioneer Square to address the rare situation of structural additions to existing buildings that exceed maximum structure height. Given current building patterns and the details of the proposal, this change should be applicable only to two buildings—the Alaska Building (at 2<sup>nd</sup>/Cherry) and the Frye Hotel (at 3<sup>rd</sup>/Yesler). Height limits applicable to the Smith Tower property already accommodate building additions in the lower base of that structure, so it would not be affected by this proposal.

**BACKGROUND**

Pioneer Square, a neighborhood within the Downtown Urban Center, is subject to zoning, land use and development standards associated with the Pioneer Square Mixed (PSM) zone (see SMC 23.49.178) and the Pioneer Square Preservation District (see SMC 23.66.100 through .190). Several reasons for these regulations are cited in the City’s Land Use Code, including preservation of historically and architecturally significant buildings in this unique district, and maintaining its social and business diversity. The Pioneer Square Preservation Board reviews proposals for changes to buildings and new construction in Pioneer Square, making recommendations to the Director of the Department of Neighborhoods. Preservation Board review helps maintain the visual and historic character of the district.

The PSM zone and maximum structure height limits were first established in 1985. Three height districts associated with the PSM zone are defined in SMC section 23.49.178, including 100-foot, 100- to 120-foot, and 85- to 120-foot districts. A PSM 245’ zone is established for the Smith Tower, acknowledging the preminent and unique circumstances of this landmark structure. Development standards also allow rooftop features such as flagpoles, railings, skylights and mechanical equipment above the rooftop or height limit whichever is less.

The following existing buildings within the PSM zone exceed current height limits:

- Alaska Building (2<sup>nd</sup>/Cherry) 177 feet
- Frye Hotel (3<sup>rd</sup>/Yesler) 130 feet
- Smith Tower (2<sup>nd</sup>/Yesler) 467 feet
- Olympic Building (1<sup>st</sup>/Yesler) 112 feet
- King Street Station clock tower (near 2<sup>nd</sup>/King) 247 feet

These buildings are all occupied except for the Alaska Building. Similar to other buildings in the neighborhood, the Alaska Building, due to its location and subsurface conditions, is subject to potential damage from earthquake events and has not been significantly reinforced in its current condition.

## ANALYSIS

The Land Use Code currently permits additions to structures that are below maximum structure height limits in the PSM zone. Normal processes of gaining approval for such actions are needed, including review by the Pioneer Square Preservation Board. However, the Land Use Code does not allow additions to the upper portions of buildings that exceed maximum structure height limits, within Pioneer Square.

The proposed amendments are intended to limit the degree of physical change visible from most viewpoints. As noted, only five structures exceed the maximum height limit, and of those only two would be affected by the proposed amendments: the Alaska Building and the Frye Hotel Building. In the case of both eligible buildings, some on-street perspectives of the building could be affected—for example, in westward views from Fourth Avenue at Cherry Street toward the Alaska Building, and eastward views toward the Frye Hotel from the vicinity of Second Avenue Extension and S. Washington Street. If an addition occurs, the westward view toward the Alaska Building, currently featuring brick walls, windows and fire escapes, would be modified by a likely addition. If a Frye Hotel addition occurred, it could create a slightly bulkier appearance due to a less-modulated wall.

Given the limited potential for altered building bulk, the overall risk of significantly affecting the architectural qualities of the structures and their contributions to the character of the historic district is low. This risk is further minimized because potential additions will be reviewed by the Pioneer Square Preservation Board.

### *Seismic Hazards*

Seismic hazards in the Pioneer Square area are related to the proximity of the Seattle Fault zone to the south. Considering building age and composition, there is a significant risk of major damage due to seismic events unless structural improvements are undertaken. Building additions can be designed to provide enhanced structural support to the building, in ways that may be preferable to internal bracing of the existing building that might be more expensive to install and might necessitate greater visual changes to street-facing facades. The proposed amendments would facilitate building alterations that would enhance structural stability.

## RECOMMENDATION

DPD recommends the following new subsection C9 to Section 23.66.140, applicable to structure height in Pioneer Square be approved:

***9. For a structure that has existed since before June 10, 1985 and is nonconforming as to structure height, an addition to the structure may extend to the height of the roof of the existing structure if the addition occupies only all or a portion of the part of a lot that is bounded by an alley on one side and is bounded on at least two sides by walls of the existing structure that are not street-facing facades.***

In addition, an amendment to subsection C5 of Section 23.66.140 indicates that stair and elevator penthouses are among the rooftop features that can be located on additions permitted according to Section 23.66.140 C9.

The Pioneer Square Preservation Board was briefed on the proposed amendments and, according to Department of Neighborhoods (DON), the Board was supportive of the rationale for the changes.