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

Record Number: 3030904-LU

Applicant: Brock Williams

Address of Proposal: 815 9th Ave Seattle

SUMMARY OF PROPOSAL

Land Use application to allow an 8-story, 96-unit apartment building. Parking for 8 vehicles proposed. Design Review Guidance conducted under 3030904-EG.*

The following approvals are required:

I. **Design Review with Departure (Seattle Municipal Code 23.41)***
***Departure is listed near the end of the Design Review Analysis in this document*

II. **SEPA - Environmental Determination (Seattle Municipal Code Chapter 25.05)**

** The project was originally noticed in July 2019 with a project description to allow a 29-story, 275-unit apartment building with retail and parking for 102 vehicles. The scope of work was subsequently revised and the revised application was renoticed in April 2022 with the project description above.*

SEPA DETERMINATION

- ☒ Determination of Nonsignificance (DNS)
  - ☒ Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal has been conditioned to mitigate environmental impacts.
  - ☐ No mitigating conditions of approval are imposed.
- ☐ Determination of Significance (DS) – Environmental Impact Statement (EIS)
- ☐ Determination made under prior action.
- ☐ Exempt

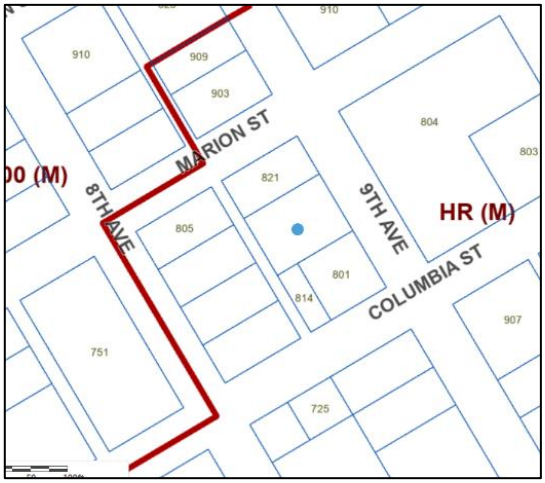
BACKGROUND

The site was granted relief on steep slope development by the SDCI Geotechnical Engineer under permit 6902457-EX on June 21, 2022:

Environmentally Critical Areas (ECAs) Geotechnical review is required for this project. Geotechnical report and topographic survey are required for the building permit application.

This project is described as " CONSTRUCTING AN 8-STORY MULTI-FAMILY RESIDENTIAL BUILDING CONTAINING 96 SMALL EFFICIENCY DWELLING UNITS AND 8 ON-SITE PARKING STALLS". Based on a review of the submitted information and the City GIS system, the project appears to be located in the Highrise zone. According to SMC 25.09.090.B1, development in the Downtown and Highrise zone is not prohibited in the steep slope area.

The approval of building permit application will be conditioned upon a design that demonstrates that the proposed development will be complete stabilized in accordance with the geotechnical engineer's recommendations and provisions of the ECA Code and Grading Code. All other ECA Submittal, General, and Landslide-Hazard development standards still apply for this development.



The top of this image is North. This map is for illustrative purposes only. In the event of omissions, errors or differences, the documents in SDCI's files will control.

SITE AND VICINITY

Site Zone: Highrise (M) (HR (M))

Zoning Pattern:

(North)	HR (M)
(South)	HR (M)
(East)	HR (M)
(West)	HR (M)

Environmentally Critical Areas: The site contains a Steep Slope Environmentally Critical Area.

Current Development: The lot proposed for development includes one parcel containing an existing surface parking lot.

Surrounding Development and Neighborhood Character: The subject site is located east side of 9th Avenue between Marion Street and Columbia Street. The subject lot and surrounding lots are zoned Highrise (HR). The subject site is bound by 9th Avenue along the east property line, an alley along the west property line, and adjacent residential developments along the shared north and south property line. Across the alley a new mixed-use development is proposed at 800 Columbia Street. St. James Cathedral, a City of Seattle Landmark Structure, is located directly across 9th Avenue from the subject site. 9th Avenue, a minor arterial street with transit service, parallels I-5 and Boren Avenue, connecting the Hospital uses to the north with Yesler Terrace to the south. The immediate context includes a variety of commercial and residential uses. The site contains approximately 26 feet of grade change from the west corner, the low point of the site, to the east corner, the high point of the site.

Access: The site has vehicular access from 9th Avenue and the alley to the west.

PUBLIC COMMENT

The initial public comment period ended on August 7, 2019, and subsequently renoticed with a public comment period ended on April 20, 2022. In addition to the comments received through the Design

Review process, other comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to air quality, environmental health, historic resources, transit facilities, traffic, and density.

I. ANALYSIS – DESIGN REVIEW

The packet includes materials presented at the meeting, and is available online by entering the record numbers at this website: http://web6.seattle.gov/dpd/edms/

The packet is also available to view in the file, by contacting the Public Resource Center at SDCI:

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

FIRST EARLY DESIGN GUIDANCE July 25, 2018

PUBLIC COMMENT

The following public comments were offered at this meeting:

- Would like to have the residential lobby located at the street and a setback for commercial uses to allow outdoor seating.
- Felt bus stop should remain independent and not be incorporated into the building design.
- Noted that the tower should complement the First Hill skyline with a visually interesting roofline.
- Felt the design should avoid pastiche and provide a respectful relationship to the historic Saint James Cathedral. Noted the podium should be a similar geometry to the nearby buildings and incorporate the use of warm-toned brick. The tower should be transparent and reflective.
- Would like to see the retail space located south of the residential entry.
- Preferred option 3 tower massing as it is more visually interesting.
- Expressed concern regarding the applicant's presentation. Do not want to see a bland building comprised on concrete. Noted the neighborhood is beautiful and felt the building should complement the existing character.
- Felt the tower should have windows on all four sides.

One purpose of the design review process is for the Board and City to receive comments from the public that help to identify feedback and concerns about the site and design concept, identify applicable citywide and neighborhood design guidelines of highest priority to the site and explore conceptual design, siting alternatives and eventual architectural design.

All public comments submitted in writing for this project can be viewed using the following link and entering the project number: http://web6.seattle.gov/dpd/edms/

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.

1. **Architectural Concept and Massing.** The Board expressed concern regarding the subtle variation between the massing options and the lack of a clear architectural concept. The Board felt the Early Design Guidance packet lacked a meaningful analysis demonstrating how building will fit within the existing and proposed First Hill neighborhood context. Ultimately the Board directed that additional massing options should be provided at a second Early Design Guidance Meeting.
   a) The Board agreed the proposed massing options were too conservative for the evolving First Hill neighborhood context. The Board challenged the design team to demonstrate more creativity and artistry in the building design (CS3-A, DC2).
   b) The Board noted that a simple, bold massing could be successful if executed with fine detailing and high-quality materials (CS3-A, DC2, DC4-A).
   c) The Board agreed that the building will need to function at two scales- the pedestrian level and within the Seattle skyline. At the 2nd Early Design Guidance Meeting, the design team should demonstrate how the building will fit be perceived at both scales (CS3-A, PL3, DC2, DC4-A).
   d) The Board expressed confusion regarding the applicant's presentation and conceptual presentation of how exterior materials could be used in the proposed design concept. The Board supported the precedent images provided on page 63 of the EDG packet. Specifically, the Board noted the use of natural materials- masonry, stone, metal, timber louvers framed by steel, lateral brick, and the large awning. The Board noted that all precedent images are contextual to First Hill with a fine degree of detailing (DC2, DC4-A).
   e) The Board expressed support for future tower setback departure requests on all sides, provided the request supports a sculptural building form with a cohesive architectural concept (CS3-A, DC2).
   f) At the 2nd Early Design Guidance Meeting the Board requested:
      I. A minimum of two sculptural massing alternatives demonstrating a clear architectural concept articulated though the base, middle and top (CS3-A, DC2).
      II. Visual representations demonstrating how the fenestration, material application, and detailing will further articulate the architectural concept at the pedestrian scale and within the Seattle skyline (CS3-A, PL3, DC2, DC4-A).

2. **Podium.** The Board was split on whether a setback should be provided at ground level and/or in the podium. The Board noted that the existing setback condition on the west side of 9th Avenue is not consistent with the Code requirements for future development. This project has the potential to set a precedent for the future pedestrian experience along 9th Avenue. The Board also noted that a cantilevered podium could feel looming over any ground level setbacks provided. At the 2nd Early Design Guidance Meeting the Board requested further study demonstrating:
   a) How the podium reinforces the architectural concept and provides a successful transition between pedestrian level and the tower above (CS2-C2, CS3-A, DC2),

b) How ground level setbacks, the upper level massing, and façade articulation have been informed by the existing condition, but also set a positive precedent for the pedestrian experience along the street (CS2-C2, CS3-A, DC2),
c) How the podium datum relates to the adjacent structures (CS2-C2, CS3-A, DC2),
d) How the façade articulation references adjacent structures (CS2-C2, CS3-A, DC2), and
e) How the podium character will complement the Saint James Cathedral (CS2-C2, CS3-A, DC2).

3. Street Level Uses. The Board noted that the street level uses needed further resolution.
a) The Board agreed that the 9th Avenue street level frontage should maximize retail uses, minimize the residential lobby, and the package rooms should be relocated to the interior of the structure (PL3).
b) The Board encouraged the design team to work with SDOT to incorporate bus stop into the building design (PL4-C).
c) The Board urged the team to provide terraced retaining walls on the sides of the building rather than one large wall at the alley (DC4-D).
d) At the second Early Design guidance meeting the Board requested:
   I. Clarity on how vehicle circulation would occur without use of the alley (DC1-C),
   II. The location for residential loading (DC1-C), and
   III. An adequately sized trash room for the number of residential units provided (DC1-C).

SECOND EARLY DESIGN GUIDANCE November 28, 2018

PUBLIC COMMENT

The following public comments were offered at this meeting:

- Preferred the first option, the 'Curved Scheme'. Would like to see a modern interpretation of traditional architectural styles incorporating light masonry materials.
- Urged the Board to be discerning given the prominent location.
- Noted the proximity of the tower at 800 Columbia Street should be considered when reviewing the shed roof. Expressed concern that the tower massing would blend together.
- Felt the bays provided on the 'Angled Scheme' were visually distracting and appeared tacked on.
- The First Hill Improvement Association supported Option C, the 'Angled Scheme.' Noted the tower massing maximizes views while also reducing the perceived mass of the structure. The podium provides an entry porch at the street. Expressed support for the associated setback departure request.
- Would like to see a better relationship between the podium and tower with a vertical emphasis.
- Supported light colored masonry materials. Did not support terracotta masonry.

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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.

1. **Architectural Concept and Massing.** Similar to the First EDG, the Board expressed concern for the subtle variation between the massing options and the lack of a clear architectural concept. Ultimately, the Board provided support for Option C, the 'Angled Scheme.' The Board appreciated the playfulness of the angled bays but agreed the concept, massing and early material presentation were not resolved. The Board provided the following guidance for the proposal as it moves to the Recommendation stage of review.
   a) At the Recommendation Meeting, present a clear vision and narrative for the architectural concept. Demonstrate the architectural concept creates cohesion between the podium, tower, and roof design. (CS2-A, DC2, DC4-A)
   b) Demonstrate how the materials will act as a primary unifying element, with a similar language, in all parts of the building. The Board expressed support for a light terra cotta material, noting the versatility of application. The Board struggled with the current tower 'lattice' proposal and expressed support for alternative design solutions. (CS2-A, DC2, DC4-A)
   c) Simplify the tower massing to achieve a quieter design in deference to Saint James Cathedral. (CS2-A, DC2, DC4-A)
   d) Remove the bay windows and associated departure requests along the east and west tower facades. The Board agreed removing the bay on these facades would create a simpler tower from and provide space for the landmark and the adjacent tower. (CS2-A, CS2-D5, DC2, DC4-A)
   e) Study the angle, width, and terminus of the bay windows on the north and south facades. The Board was open to a more modern and playful interpretation, which could include extending the bays to the top of the tower. The Board cautioned that all departure requests must a) clearly demonstrate how the revised design better meets the intent of the adopted City Design Guidelines, and b) support a clearly articulated architectural concept. (CS2-A, DC2, DC4-A)
   f) Contextualize the tower, and especially the roof form, with the adjacent tower at 800 Columbia Street. Demonstrate that the two buildings will be visually pleasing from all primary view angles. (CS2-A, DC2, DC4-A)

2. **Podium.** The Board expressed support for the podium concepts in Option C. The Board appreciated the porch space but felt additional efforts were necessary to resolve the design.
   a) The Board provided support for a podium setback of three and a half feet (3'-6"). The Board noted this reduced setback would give more breathing space to the congested sidewalk but also maintain a similar street wall condition typical to the Downtown and First Hill neighborhoods. (CS2-C, CS3-A, PL4-C, DC2-A)
   b) Revise the podium massing, number of bays and fenestration pattern to achieve two things: express verticality and provide a more substantial entry expression, similar to the neighborhood Envoy apartments. The Board suggested an odd number of bays (3 or 5), to create one central entry expression and/or push back the glazing on the upper level to create a two-story expression. (CS2-C, CS3-A, PL3-A, DC2)

c) Demonstrate how materials, lighting, architectural detailing, hardscape, and landscape design, along with the interior programming, create a more gracious and welcoming porch space. (CS3-A, PL3-A, PL3-C, PL4-C, DC2, DC4)
d) Further maximize the commercial programming along the street. Investigate a shared entry to efficiently utilize the limited street level real estate. (PL3-A, PL3-C)
e) At the Recommendation Meeting the Board requested additional information about the following street level items:
    a. Clarify the need, location and design for the exterior trash and recycling storage. Demonstrate why this design is preferable to interior storage. (PL3, DC1-C)
    b. Demonstrate how the street level design supports access to the bike room. (PL4-C)
    c. Demonstrate how lighting, fenestration, and design details are used to make the alley feel safe. (DC1-C, DC2-B, DC2-D, DC4-A)
    d. Provide detail for the design and location of the bus stop. Demonstrate the ground level design provides sufficient space for a bus waiting area, pedestrian circulation, and the porch space. (PL4-C)
    e. Clarify the approved location for residential loading. (DC1-C)

RECOMMENDATION September 28, 2022

PUBLIC COMMENT

The following public comments were offered at this meeting:

- Would like to see transparent fencing vs. concrete wall at the street-level residential units.
- Concerned with sight-lines along the alley, would like to see more down lighting provided.
- Would like to see landscaping expanded along the street-facing landscape plan. Look to the Saint James Cathedral for design cues.

SDCI also summarized design related comments received in writing prior to the meeting:

- Preferred the original 28-story building height to the currently proposed 8-story height.
- Encouraged using native plants in the landscaping.
- Observed that the design looks very similar to Skyline at 7th and Columbia and not dissimilar to the 8th and Columbia project.
- Opinioned that the design and materials proposed appears to make the neighborhood monolithic with just one style and like a government housing project rather than a neighborhood with architectural interest and character.

SDCI received non-design related comments concerning housing, climate, density, permitting process, archaeological review, traffic, parking, cost of living, and environmental regulation.

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Seattle Design Guidelines and Neighborhood Design Guidelines of highest priority to the site and explore conceptual design, siting alternatives and eventual architectural design.

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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 recommendations.

1. **Massing and Architectural Concept.**
    a. The Board recommended approval of the development of the proposed massing since EDG, acknowledging the design maintains the architectural character of the podium even with the reduction in height since EDG. (CS3-A-1. Fitting Old and New Together)
    b. In addition, the Board appreciated the applicant's continued analysis of the existing architectural context and character. The Board noted the successful development of a compatible architectural expression in response to the old and new context surrounding the project site. The Board stated that the design was respectful in architectural presence to the historic context, including Saint James Cathedral. (CS3-A-1. Fitting Old and New Together, CS2-A-2. Architectural Presence, DC2-B-1. Façade Composition)
2. **Street-level.**
    a. Entry. The Board discussed the entry expression and recommended a condition to improve the overall scale, visibility, and residential quality/texture of the main entry (PL3-A Entries, PL3-B-2. Ground-level Residential, DC4-B Signage, DC4-C Lighting). The Board suggested potential strategies to resolve this condition:
        i. Turn the corner with brick partially or fully at the entry
        ii. Replacing the single door with a double door
        iii. Add a bench
        iv. Special pavement
        v. Signage
        vi. Deeper canopy (to accommodate a relocated bicycle rack if feasible)
    b. The Board also recommended a condition to study providing a low wall along the ground-level residential units to provide a greater buffer and transition from the sidewalk. (PL3-B-2. Ground-level Residential)
    c. Alley. Though the Board acknowledged the trash staging will happen along the entire alley length, they agreed with public comment about the alley and questioned if pavement or other visual elements to mitigate the lack of landscape along the alley edge was possible. As such, the Board recommended a condition to study how the paved area along the alley could be mitigated with the pavement design, landscape, or other means of adding visual interest to the alley. (DC1-C-4. Service Uses, DC1-C-2. Visual Impacts, DC4-C Lighting)
3. **Landscape.** The Board agreed with public comments related to additional greenery around the project edges for both added privacy and improving the quality of the pedestrian realm.

The Board recommended the following conditions (DC4-D Trees, Landscape, and Hardscape Materials, PL3-B-2. Ground-level Residential):

i. Integrate taller and evergreen plantings where possible, specifically in front of the ground-level residential units.
ii. Study moving the bicycle rack from in front of the leasing office to the entry alcove, with the goal of replacing the bicycle rack with additional landscaping along this edge.
iii. Study providing plantings both along the building edge fronting the sidewalk and the planting strip to create more of a residential garden quality along the street edge.
iv. Study providing a taller landscape element including a tree and/or vines within the bio-retention planters where feasible.
v. Maintain the vines at the basement amenity as shown in the renderings (page 55).

4. **Materials.** The Board recommended approval of the proposed material palette including brick, board-form concrete, aluminum storefront, fiber cement panels, metal panel, wood laminate, black vinyl windows and balconies. The Board recommended a condition to maintain the amount of brick as shown in the recommendation packet. (DC4-A-1. Exterior Finish Materials).
    a. Stair Tower. The Board discussed the visual presence of the stair tower and recommended a condition to further study the material application of this volume including (DC2-B-1. Façade Composition, CS2-A-2. Architectural Presence):
        i. Analysis the visual impacts from the steps of the Saint James Cathedral
        ii. Application of a darker material or brick
    b. The Board recommended approval of the proposed brick, however, recommended conditions to refine the following:
        i. Provide detail to show how vents will be integrated into the black window detail or minimized appearance within the brick façade. (DC2-B-1. Façade Composition, DC2-C-2. Dual Purpose Elements)
        ii. Provide additional brick detailing at the street in response to context and to improve the overall pedestrian scale/ textural quality along the street. The Board clarified the intent of this condition, noting their support for further refinement and additional details that might relate to the classical brick detailing in the surrounding context. (DC2-C-3. Fit With Neighboring Buildings, DC2-D Scale and Texture)

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departure(s) were based on the departure's potential to help the project better meet these design guidelines priorities and achieve a better overall project design than could be achieved without the departure(s).

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

1. **Ground-level Amenity (SMC 23.45.522.D.5.1):** The Code requires 50 percent of common amenity area to be provided at ground level. The applicant proposes 10% at ground level.

The Board recommended approval of the requested departure based on the integration of amenity area above ground. However, the Board recommended a condition to maintain the vines as shown in the rendering for the ground floor amenity area. With this condition, the proposed design better meets the intent of Design Guideline DC4-D Trees, Landscape, and Hardscape Materials.

DESIGN REVIEW GUIDELINES

The Seattle Design Guidelines and Neighborhood Design Guidelines recognized by the Board as Priority Guidelines are identified above. All guidelines remain applicable and are summarized below. 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-A Energy Use

CS1-A-1. Energy Choices: At the earliest phase of project development, examine how energy choices may influence building form, siting, and orientation, and factor in the findings when making siting and design decisions.

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.

CS1-C Topography

CS1-C-1. Land Form: Use natural topography and desirable landforms to inform project design.

CS1-C-2. Elevation Changes: Use the existing site topography when locating structures and open spaces on the site.

CS1-D Plants and Habitat

CS1-D-1. On-Site Features: Incorporate on-site natural habitats and landscape elements into project design and connect those features to existing networks of open spaces and natural habitats wherever possible. Consider relocating significant trees and vegetation if retention is not feasible.

CS1-D-2. Off-Site Features: Provide opportunities through design to connect to off-site habitats such as riparian corridors or existing urban forest corridors. Promote continuous habitat, where possible, and increase interconnected corridors of urban forest and habitat where possible.

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-2. Mid-Block Sites: Look to the uses and scales of adjacent buildings for clues about how to design a mid-block building. Continue a strong street-edge and respond to datum lines of adjacent buildings at the first three floors.

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

CS3-A-4. Evolving Neighborhoods: In neighborhoods where architectural character is evolving or otherwise in transition, explore ways for new development to establish a positive and desirable context for others to build upon in the future.

CS3-B Local History and Culture

CS3-B-1. Placemaking: Explore the history of the site and neighborhood as a potential placemaking opportunity. Look for historical and cultural significance, using neighborhood groups and archives as resources.

CS3-B-2. Historical/Cultural References: Reuse existing structures on the site where feasible as a means of incorporating historical or cultural elements into the new project.

PUBLIC LIFE

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

PL1-A Network of Open Spaces

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

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

PL1-B Walkways and Connections

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

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

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

PL1-C Outdoor Uses and Activities

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

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

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

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

PL2-A Accessibility

PL2-A-1. Access for All: Provide access for people of all abilities in a manner that is fully integrated into the project design. Design entries and other primary access points such that all visitors can be greeted and welcomed through the front door.

PL2-A-2. Access Challenges: Add features to assist pedestrians in navigating sloped sites, long blocks, or other challenges.

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.

PL2-C Weather Protection

PL2-C-1. Locations and Coverage: Overhead weather protection is encouraged and should be located at or near uses that generate pedestrian activity such as entries, retail uses, and transit stops.

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

PL2-C-3. People-Friendly Spaces: Create an artful and people-friendly space beneath building.

PL2-D Wayfinding

PL2-D-1. Design as Wayfinding: Use design features as a means of wayfinding wherever possible.

PL3 Street-Level Interaction: Encourage human interaction and activity at the street-level with clear connections to building entries and edges.

PL3-A Entries

PL3-A-1. Design Objectives: Design primary entries to be obvious, identifiable, and distinctive with clear lines of sight and lobbies visually connected to the street.

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

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

PL3-A-4. Ensemble of Elements: Design the entry as a collection of coordinated elements including the door(s), overhead features, ground surface, landscaping, lighting, and other features.

PL3-B Residential Edges

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

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

PL3-B-3. Buildings with Live/Work Uses: Maintain active and transparent facades in the design of live/work residences. Design the first floor so it can be adapted to other commercial use as needed in the future.

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

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.

PL4 Active Transportation: Incorporate design features that facilitate active forms of transportation such as walking, bicycling, and use of transit.

PL4-A Entry Locations and Relationships

PL4-A-1. Serving all Modes of Travel: Provide safe and convenient access points for all modes of travel.

PL4-A-2. Connections to All Modes: Site the primary entry in a location that logically relates to building uses and clearly connects all major points of access.

PL4-B Planning Ahead for Bicyclists

PL4-B-1. Early Planning: Consider existing and future bicycle traffic to and through the site early in the process so that access and connections are integrated into the project along with other modes of travel.

PL4-B-2. Bike Facilities: Facilities such as bike racks and storage, bike share stations, shower facilities and lockers for bicyclists should be located to maximize convenience, security, and safety.

PL4-B-3. Bike Connections: Facilitate connections to bicycle trails and infrastructure around and beyond the project.

PL4-C Planning Ahead for Transit

PL4-C-1. Influence on Project Design: Identify how a transit stop (planned or built) adjacent to or near the site may influence project design, provide opportunities for placemaking.

PL4-C-2. On-site Transit Stops: If a transit stop is located onsite, design project-related pedestrian improvements and amenities so that they complement any amenities provided for transit riders.

PL4-C-3. Transit Connections: Where no transit stops are on or adjacent to the site, identify where the nearest transit stops and pedestrian routes are and include design features and connections within the project design as appropriate.

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

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

DC2 Architectural Concept: Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

DC2-A Massing

DC2-A-1. Site Characteristics and Uses: Arrange the mass of the building taking into consideration the characteristics of the site and the proposed uses of the building and its open space.

DC2-A-2. Reducing Perceived Mass: Use secondary architectural elements to reduce the perceived mass of larger projects.

DC2-B Architectural and Facade Composition

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

DC2-B-2. Blank Walls: Avoid large blank walls along visible façades wherever possible. Where expanses of blank walls, retaining walls, or garage facades are unavoidable, include uses or design treatments at the street level that have human scale and are designed for pedestrians.

DC2-C Secondary Architectural Features

DC2-C-1. Visual Depth and Interest: Add depth to facades where appropriate by incorporating balconies, canopies, awnings, decks, or other secondary elements into the façade design. Add detailing at the street level in order to create interest for the pedestrian and encourage active street life and window shopping (in retail areas).

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

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

DC2-D Scale and Texture

DC2-D-1. Human Scale: Incorporate architectural features, elements, and details that are of human scale into the building facades, entries, retaining walls, courtyards, and exterior spaces in a manner that is consistent with the overall architectural concept

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

DC2-E Form and Function

DC2-E-1. Legibility and Flexibility: Strive for a balance between building use legibility and flexibility. Design buildings such that their primary functions and uses can be readily determined from the exterior, making the building easy to access and understand. At the same time, design flexibility into the building so that it may remain useful over time even as specific programmatic needs evolve.

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

DC3-A Building-Open Space Relationship

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

DC3-B Open Space Uses and Activities

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

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

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

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

DC3-C Design

DC3-C-1. Reinforce Existing Open Space: Where a strong open space concept exists in the neighborhood, reinforce existing character and patterns of street tree planting, buffers or

treatment of topographic changes. Where no strong patterns exist, initiate a strong open space concept that other projects can build upon in the future.

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

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

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

DC4-A Exterior Elements and Finishes

DC4-A-1. Exterior Finish Materials: Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

DC4-A-2. Climate Appropriateness: Select durable and attractive materials that will age well in Seattle's climate, taking special care to detail corners, edges, and transitions.

DC4-B Signage

DC4-B-1. Scale and Character: Add interest to the streetscape with exterior signs and attachments that are appropriate in scale and character to the project and its environs.

DC4-B-2. Coordination with Project Design: Develop a signage plan within the context of architectural and open space concepts, and coordinate the details with façade design, lighting, and other project features to complement the project as a whole, in addition to the surrounding context.

DC4-C Lighting

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-D Trees, Landscape, and Hardscape Materials

DC4-D-1. Choice of Plant Materials: Reinforce the overall architectural and open space design concepts through the selection of landscape materials.

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

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

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

DC4-E Project Assembly and Lifespan

DC4-E-1. Deconstruction: When possible, design the project so that it may be deconstructed at the end of its useful lifetime, with connections and assembly techniques that will allow reuse of materials.

RECOMMENDATIONS

The recommendation summarized above was based on the design review packet dated Wednesday, September 28, 2022, and the materials shown and verbally described by the applicant at the Wednesday, September 28, 2022 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended APPROVAL of the subject design and departures with the following conditions:

1. Further refine the entry expression to increase the overall legibility, scale, and residential quality/texture of the main entry. The Board suggested studying wrapping the brick to the entry alcove, adding a double door at the entry, adding a bench, special pavement, signage, lighting, and deeper canopy. (PL3-A Entries, PL3-B-2 Ground-level Residential, DC4-B Signage, DC4-C Lighting)
2. Study providing a low wall along the ground-level residential units to provide a greater buffer and transition from the sidewalk. (PL3-B-2 Ground-level Residential)
3. Study how the paved area along the alley could be mitigated with the pavement design, landscape, lighting, or other means of adding visual interest to the alley. (DC1-C-4 Service Uses, DC1-C-2 Visual Impacts, DC4-C Lighting)
4. Integrate taller and evergreen plantings where possible, specifically in front of the ground-level residential units. (PL3-B-2 Ground-level Residential)
5. Study moving the bicycle rack from in front of the leasing office to the entry alcove, with the goal of replacing the bicycle rack with additional landscaping along this edge. (DC4-D Trees, Landscape, and Hardscape Materials)
6. Study providing plantings both along the building edge fronting the sidewalk and the planting strip to create more of a residential garden quality along the street edge. (DC4-D Trees, Landscape, and Hardscape Materials, (CS3-A-1 Fitting Old and New Together)
7. Study providing a taller landscape element including a tree and/or vines within the bio-retention planters where feasible. (DC4-D Trees, Landscape, and Hardscape Materials)
8. Maintain the vines at the basement amenity as shown in the renderings (page 55), related to the design review departure. (DC4-D Trees, Landscape, and Hardscape Materials)
9. Maintain the amount of brick as shown in the recommendation packet. (DC4-A-1 Exterior Finish Materials)
10. Further refine the material application of the stair tower with the goal of further minimizing the presence of the massing volume, especially as viewed from the Saint James Cathedral steps, potentially using a darker material or brick. (DC2-B-1 Façade Composition, CS2-A-2 Architectural Presence)
11. Provide details to show how vents will be integrated into the black window detail or minimized appearance within the brick façade. (DC2-B-1 Façade Composition, DC2-C-2 Dual Purpose Elements)
12. Provide additional brick detailing at the street in response to context and to improve the overall pedestrian scale/ textural quality along the street. The Board clarified the intent of this condition, noting their support for further refinement and additional details that might relate to the classical brick detailing in the surrounding context. (DC2-C-3 Fit With Neighboring Buildings, DC2-D Scale and Texture)

ANALYSIS & DECISION – DESIGN REVIEW

DIRECTOR'S ANALYSIS

The design review process prescribed in Section 23.41.008.F of the Seattle Municipal Code describing the content of the SDCI 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.

Subject to the recommended conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

At the conclusion of the Recommendation meeting held on September 28, 2022, the Board recommended approval of the project with the conditions described in the summary of the Recommendation meeting above.

Four members of the East Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3).

The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

Following the Recommendation meeting, SDCI staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board.

Applicant response to Recommended Design Review Conditions:

1. The applicant responded to condition 1 with a memo on 12/12/22, noting, "Incorporated solid bench element adjacent entry door. Replaced single entry door to double doors. Brick material turns the corner for the end walls of entry portal." The response satisfies the recommended condition for the MUP decision.
2. The applicant responded to condition 2 with a memo on 12/12/22, noting, "Added a low wall across all residential units and the north end in front of leasing office, A short wall that raises up the landscape helps screen from street." The response satisfies the recommended condition for the MUP decision.

3. The applicant responded to condition 3 with a memo on 4/4/23, noting, "refer to sheets L1.0DR and A2.01. In response to the Board's comments, a landscaped area with green wall is proposed in the alley along a portion of the concrete façade. The concrete surface will have a 4'x4' scored pattern to help add visual interest and to protect from unsightly cracking." The response satisfies the recommended condition for the MUP decision.
4. The applicant responded to condition 4 with a memo on 4/4/23, noting, "refer to sheet L1.0DR. In response to the Board's comments, taller plantings such as Kindred Sprite Oaks and Sourwood Trees are proposed along the building's street-facing façade. The landscape architect determined that evergreen trees would grow too large for the narrow landscaping strip and could cause heaving issues for the building and adjacent sidewalk. Smaller species of deciduous trees were therefore selected for the site." The response satisfies the recommended condition for the MUP decision.
5. The applicant responded to condition 5 with a memo on 4/4/23, noting, "refer to sheets L1.0DR and A2.03. In response to the Board's comments, the bike racks have been moved and additional landscaping is proposed in their place. Bicycles staged near the door might get in the way of people entering and exiting the building so the best location for the racks was determined to be along the sidewalk. Seating is now proposed near the door which will help activate the building entry while not inhibiting access." The response satisfies the recommended condition for the MUP decision.
6. The applicant responded to condition 6 with a memo on 4/4/23, noting, "refer to sheet L1.0DR. In response to the Board's comments, a variety of hardy perennials and some flowering perennials such as Periwinkles and Hydrangeas are proposed in the tree planters and on-site. The landscaping strip has been broken up due to the relocation of the bike racks, but was also deemed necessary due to on-street parking and the lack of a walk-off strip." The response satisfies the recommended condition for the MUP decision.
7. The applicant responded to condition 7 with a memo on 4/4/23, noting, "refer to sheet L1.0DR. In response to the Board's comments, tall, hardy, shade-loving plantings such as Red Twig Dogwoods and Sedges are proposed by the landscape architect for the side lot lines, including the bioretention planter. It was determined that tree species don't thrive in bio planters which can become overly saturated with water, and thus were not included in the final design." The response satisfies the recommended condition for the MUP decision.
8. The applicant responded to condition 8 with the submitted MUP plan set on 3/1/2023, which maintained the vines at the basement amenity as shown in the renderings and clarified in response memo 4/4/23, "The green wall at the amenity area on level B1 will remain." The response satisfies the recommended condition for the MUP decision. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction, as conditioned below.
9. The applicant responded to condition 9 with the submitted MUP plan set on 3/1/2023, which maintained the amount of brick as shown in the recommendation packet. The response satisfies the recommended condition for the MUP decision. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction, as conditioned below.
10. The applicant responded to condition 10 with a memo on 12/12/22, noting, "We revised the upper roof terrace location and made the south stair tower as the prime stair exit. This

allows the removal of the north stair tower and reducing the volume of the dark material around the stair wall. Roof top terrace moved to the center between elevator vestibule and south stair tower. Metal post beam frame around the terrace area." The response satisfies the recommended condition for the MUP decision.

11. The applicant responded to condition 11 with a memo on 4/4/23, noting, "refer to sheets A3.00-DR and A3.01-DR. In response to the Board's comments, the unit exhaust and intake vents been modified to integrate with the adjacent windows. The custom vents no longer exit out of the brick façade, creating a cleaner look." The response satisfies the recommended condition for the MUP decision.
12. The applicant responded to condition 12 with a memo on 4/4/23, noting, "refer to sheets A3.00-DR, A3.01-DR, and A3.10-DR. In response to the Board's comments, the wood wrap at the building entry was removed and the brick now returns at the recess. Additional detailing such as terra cotta was studied at the base, but was determined by the design team to add unnecessary detail to the façade which conflicted with the building's modern aesthetics. The proposed soldier coursing at spandrel conditions was determined to be sufficient in providing extra detail and character to the façade while not bringing undue attention to it performative action. Lastly, the planter wall at the sidewalk was raised to match the sill height of the ground-level units which helps to anchor the brickwork to the site without relying on a material change at the base." Staff agrees with this design response as the cumulative effects of all the changes create a successful composition at the street-level. The response satisfies the recommended condition for the MUP decision.

The applicant shall be responsible for ensuring that all construction documents, details, and specifications are shown and constructed consistent with the approved MUP drawings.

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

DIRECTOR'S DECISION

The Director accepts the Design Review Board's recommendations and CONDITIONALLY APPROVES the proposed design and the requested departure with the condition at the end of this Decision.

II. ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the 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 January 13, 2022 The Seattle Department of Construction and Inspections (SDCI) 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 and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic 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 construction-related noise, air quality, greenhouse gas emissions, construction traffic 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, no further mitigation is warranted pursuant to SMC 25.05.675.A.

Construction Impacts - Traffic

The site is located in an SDOT Construction Hub. Increased trip generation is expected during the proposed demolition, grading, and construction activity. The area is subject to significant traffic congestion during peak travel times on nearby arterials. Large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

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 Plan. The submittal information and review process for Construction Management Plans are described on the SDOT website at: Construction Use in the Right of Way.

Construction Impacts - Noise

The project is expected to generate loud noise during demolition, grading and construction. The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development construction and equipment between the hours 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends and legal holidays in Highrise zones.

If extended construction hours are necessary due to emergency reasons or construction in the right of way, the applicant may seek approval from SDCI through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated.

A Construction Management Plan will be required prior to issuance of the first building permit, including contact information in the event of complaints about construction noise, and measures to reduce or prevent noise impacts. The submittal information and review process for Construction Management Plans are described on the SDOT website at: Construction Use in the Right of Way. The limitations stipulated in the Noise Ordinance and the CMP are sufficient to mitigate noise impacts; therefore, no additional SEPA conditioning is necessary to mitigation noise impacts per SMC 25.05.675.B.

Environmental Health

Development activity, including demolition, has the potential to result in exposure to asbestos and lead. 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. No further mitigation under SEPA Policies 25.05.675.F is warranted for asbestos impacts.

Should lead be identified on the site, there is a potential for impacts to environmental health. Lead is a pollutant regulated by laws administered by the U. S. Environmental Protection Agency (EPA), including the Toxic Substances Control Act (TSCA), Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X), Clean Air Act (CAA), Clean Water Act (CWA), Safe Drinking Water Act (SDWA), Resource Conservation and Recovery Act (RCRA), and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) among others. The EPA further authorized the Washington State Department of Commerce to administer two regulatory programs in Washington State: the Renovation, Repair and Painting Program (RRP), and the Lead-Based Paint Activities Program (Abatement). These regulations protect the public from hazards of improperly conducted lead-based paint activities and renovations. No further mitigation under SEPA Policies 25.05.675.F is warranted for lead impacts.

LONG TERM IMPACTS

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including the following: greenhouse gas emissions; 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 emissions, historic resources, and transportation warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with 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, no further mitigation is warranted pursuant to SMC 25.05.675.A.

Historic Resources - Architectural

The site is located across the street from the St. James Cathedral, a designated historic landmark. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and did not recommend changes to the proposed design (Landmarks Preservation Board letters, reference number LPB 6/23). 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.

Historic Resources – Archaeological

Information on file indicates that the project is located in an area that the Duwamish Tribe considers culturally significant and has a high probability of having unknown archaeological deposits; the Tribe requests notification should any archaeological work be performed (Public Comment, Duwamish Tribe, April 12, 2022). The Washington State Department of Archaeology and Historic Preservation (DAHP) concurs that the project area has a high risk of containing archaeological resources, and recommends a site-specific Monitoring and Inadvertent Discovery Plan (MIDP) be prepared by a qualified professional archaeologist and be followed during all ground disturbing activities, unless demonstrated to DAHP through further review by a professional archaeologist that the project will not impact artifact bearing soil layers (Letter, DAHP, April 20, 2023).

Since the information showed there is probable presence of archaeologically significant resources on site, Section B of Director's Rule 2-98 applies. The recommendations for preparation of an MIDP and notification of the Duwamish Tribe will be required as conditions of this decision to be followed during construction, consistent with Section B of the Director's Rule.

Pursuant to SMC 25.05.675.H (Historic Preservation Policy) and consistent with Section B of Director's Rule 2-98, the conditions listed at the end of this decision are warranted to mitigate impacts to potential archaeological resources.

Transportation

The Traffic Impact Analysis (Transportation Engineering Northwest, Trip Generation and Parking Analysis, November 10, 2022) indicated that the project is expected to generate a net total of 193 daily vehicle trips, with 24 net new PM peak hour trips and 24 AM peak hour trips.

The additional trips are expected to distribute on various roadways near the project site, including 9th Avenue, 8th Avenue, 7th Avenue, Columbia Street, Marion Street, Madison Street, James Street, Terry Avenue, and Boren Avenue and would have minimal impact on levels of service at nearby intersections and on the overall transportation system. The SDCI Transportation Planner reviewed the information and determined that no 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

For the Life of the Project

1. 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.

CONDITIONS – SEPA

Prior to Issuance of Master Use Permit

2. The owner and/or responsible parties shall provide SDCI with a statement that the contract documents for their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 27.53, 27.44, 79.01, and 79.90 RCW, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.

Prior to Issuance of Demolition, Grading, or Construction Permit

3. 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: Construction Use in the Right of Way .

4. Submit a site-specific Monitoring and Inadvertent Discovery Plan prepared by a qualified professional archaeologist; unless demonstrated through further review by a professional archaeologist that the project will not impact artifact bearing soil layers.

During Construction

5. Monitoring for cultural resources shall be conducted in accordance with the Monitoring and Inadvertent Discovery Plan – provided in response to condition 4 – during all ground-disturbing excavation.

6. Construction activity shall occur in accordance with the Monitoring and Inadvertent Discovery Plan, provided in response to condition 4. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:

    a. Stop work immediately and notify SDCI (Land Use Planner) and the Washington State Archaeologist at the State Department of Archaeology and Historic Preservation (DAHP). The procedures outlined in Appendix A of Director's Rule 2-98 for assessment and/or protection of potentially significant archeological resources shall be followed.

    b. Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.

7. Notify the Duwamish Tribe – as identified in the letter dated April 12, 2022 – if any archaeological work is performed.

Crystal Torres, Senior Land Use Planner
Seattle Department of Construction and Inspections

Date: April 27, 2023

CT:bg

Torres/3030904-LU Decision