



The City of Seattle

## Pioneer Square Preservation Board

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PSB 222/24

### ARC/Staff Report

Board meeting August 7, 2024

Board Members Please Note: The citations from the District Ordinance, Rules for the Pioneer Square Preservation District, and Secretary of the Interior's Standards listed below are for your consideration in addition to any other citations you find relevant in considering each application.

#### **062624.23     600 Alaskan**

Applicant: Ron Wright, architect

Proposed: Placement of waste dumpsters and construction of screening

**ARC/ Staff report:** The proposed location of the waste dumpsters for the Western and Polson Buildings is on a strip of private property that is adjacent to Western building and owned by the same property owner as the Western and Polson buildings. The site is on the corner of Yesler and Alaskan Way and is across from the entry and exit for the Seattle Ferry and across from the Pioneer Square Beach. The waste dumpsters are not used by the adjacent hotel as the hotel has their own garbage room off Western Ave. The Board previously saw a presentation on the project on May 8 and June 26, 2024 each time asking for additional information and alternatives so that the garbage was not prominent feature of the corner and negative impact to the District.

The Office of the Waterfront provided clarification at the May 8 meeting that they did not dictate where the garbage would be stored but they provided access to accommodate garbage pick based on a map that showed the location of the garbage to in front of the loading dock of the Western Building. Google images also show that is where waste dumpsters were stored before being located to this proposed location on the corner.

Staff had reported the use of storing garbage and recyclables on the vacant parcel without a Certificate of Approval for a notice of violation last year. Inspections (SDCI) issued the notice of violation, but the property owner asked for violation to be reconsidered. SDCI determined that because the parcel was owned by the same property owner that the garbage was an accessory use rather than a primary use and that together the parcels were a lot. They determined that locating the garbage on the parcel was not a violation of the code that requires garbage to be stored on the lot in which it is produced, but not screening

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the garbage was a violation. In follow up with the SDCI staff person who reviewed the Notice of Violation she said “Even though we’ve said they can remain if permitted and screened, another location could be proposed instead if one is available and more appropriate...The bins still aren’t approved in their current location, so perhaps a more satisfactory solution can be reached through the permitting and Certificate of Approval processes.”

Historic Preservation Program Staff to meet SPU and SDCI planner as well as Office of the Waterfront prior to the June 26 meeting to better understand if the code requirements limited the locations, given that the garbage regulations are in the underlying code and not the Pioneer Square Preservation District legislation. Staff learned that alternatives might include increasing the occurrence of garbage pickup and therefore being able to reduce the number of dumpsters, using jacks.

The Board acknowledged at the June 26 meeting that the applicant did respond to the ARC request to screen the garbage from public view from all four sides and provided more detailed planting plan but still said the prominent location on the corner was not desirable and asked them to find a more satisfactory solution, including to find out if the screened dumpster storage could be in parking spot on Western. The Board asked that they more fully demonstrate with drawings or graphics or other detailed information, such as floor plans, drawing of revised storefronts, information about jacks, etc. rather than just saying no alternatives work. The Board suggested the applicant meet with City staff from SDOT, SDCI and SPU to explore viable alternatives.

Public comment was received that the June 26 meeting from the Alliance for Pioneer Square. The Alliance expressed dismay that dumpsters would be located at the corner entrance to Pioneer Square. They were concerned that they would be a detriment to all of Pioneer Square and the investments that have and are being made to improve the pedestrian experience. They asked for better treatment of the entrance to Pioneer Square and a more collaborative solution to the issue.

Following the Board meeting Staff noticed in the drawings provided by the applicant that two of the six dumpsters did not fit with the 50-foot radius shown. Being the code requires that dumpsters be pulled no longer than 50 feet to the curb cut, staff suggested the applicant turn or reduced the dumpster so that they all fit within the 50-foot radius. That would also allow the screen to be smaller and to be pulled back from the corner, reducing the prominence of the garbage storage at the entrance to Pioneer Square and reducing cost of the project for the applicant. Staff received corrections that there was no cost to picking up more frequently.

The applicant later notified staff that they were only going to meet with the other City staff because the Board had asked them to and they had no intentions of changing their proposal and are refusing to explore alternative locations or design. They asked to be scheduled for the August 7 Board meeting with the application as is.

Being the current proposal does not comply with the code because it would require that two dumpsters are pulled more than 50 feet, a draft motion to deny is provided because

the Board should not be approving a proposal that does not comply with other sections of the code.

The Board had been more focused on finding an alternative solution so there was little discussion on the materials, design and scale of the proposal. The Board should consider the design and scale of the screening because the proposed garbage screening design was not previously proposed in Pioneer Square so the Board never reviewed the design for compatibility with Pioneer Square. There were several elements of the Alaskan Way design that were amended to be more compatible with Pioneer Square. The Board should consider if the design is compatible in this location as well as consider the size and scale of the screening and may add to the motion what is discussed at the meeting.

**Draft motion to deny:**

I move to recommend a denial of the application as presented because two of the dumpsters are placed more than 50 feet from the curb cut so the proposal does not comply with the code 23.54.040. In addition, the Board is not recommending a departure to the code requirement because the proposal does not result in a development that better meets the requirements of this Chapter 23.66, the district use and development standards, and the purpose for creating the district.

The Board directs staff to prepare a written recommendation of approval based on considering the application submittal and Board discussion at the *August 7, 2024* public meeting and forward this written recommendation to the Department of Neighborhoods Director.

Code Citations:

**Seattle Municipal Code**

23.66.030 Certificates of Approval required

Certificate of approval required. No person shall alter, demolish, construct, reconstruct, restore, remodel, make any visible change to the exterior appearance of any structure, or to the public rights-of-way or other public spaces in a special review district, and no one shall remove or substantially alter any existing sign or erect or place any new sign or change the principal use of any building, or any portion of a building, structure or lot in a special review district, and no permit for such activity shall be issued unless a certificate of approval has been issued by the Department of Neighborhoods Director.

**23.54.040 F.**

Access for service providers to the storage space from the collection location shall meet the following requirements:

1. For containers 2 cubic yards or smaller:

a. Containers to be manually pulled shall be placed no more than 50 feet from a curb cut or collection location;

### **23.66.050 Departure from Land Use Code requirements**

- A. An applicant seeking a certificate of approval for new multifamily, commercial or major institution development, that is not otherwise subject to design review pursuant to Section 23.41.004, may also seek land use code departures from the Special Review Board. A Special Review Board may recommend granting a departure where an applicant demonstrates that departure would result in a development that better meets the requirements of this Chapter 23.66, the district use and development standards, and the purpose for creating the district.

Issued: August 6, 2024

Genna Nashem

Pioneer Square Preservation Board Coordinator