

Transfer of Development Potential in the Pike/Pine Neighborhood

Department of Planning and Development Background Report

June 7, 2010

Background

In response to an initiative sponsored by Councilmember Tom Rasmussen, the Department of Planning and Development (DPD) is investigating measures that promote the conservation of existing buildings and uses that contribute to the special character of the Pike/Pine Neighborhood. Phase I of the project was completed in June, 2009, with Council adoption of Ordinance 123020. This legislation amended the Pike/Pine Overlay District to expand the overlay area, add new provisions that limit the scale of new projects, encourage new projects to retain existing structures on a development lot, provide spaces for small businesses at street level, and encourage arts facilities.

The Phase I effort also included a preliminary assessment of a transfer of development rights (TDR) program as a conservation tool for Pike/Pine. A consultant examined the viability of a TDR program linked with the existing Downtown program, which essentially would allow sites in Pike/Pine to transfer unused development rights to Downtown sites eligible to “receive” TDR. The consultant’s report concluded, however, that forecasted commercial development downtown would not, in the foreseeable future, generate sufficient demand for TDR to support a successful program, especially in light of the significant supply of potential TDR from existing eligible downtown sending sites, as well as additional sending sites proposed to be established in the pending legislation for South Downtown. Furthermore, competition between the use of TDR from Pike/Pine sites versus eligible downtown sending sites (which include designated landmark structures, low-income housing structures, and public open space) could affect the programs in unintended ways and pose significant policy issues related to achieving neighborhood goals. The consultant’s report, Pike/Pine Conservation Study: Phase 2, is available at the DPD website: <http://www.seattle.gov/dpd/Planning/PikePineConservationOverlayDistrict/RelatedDocuments/>

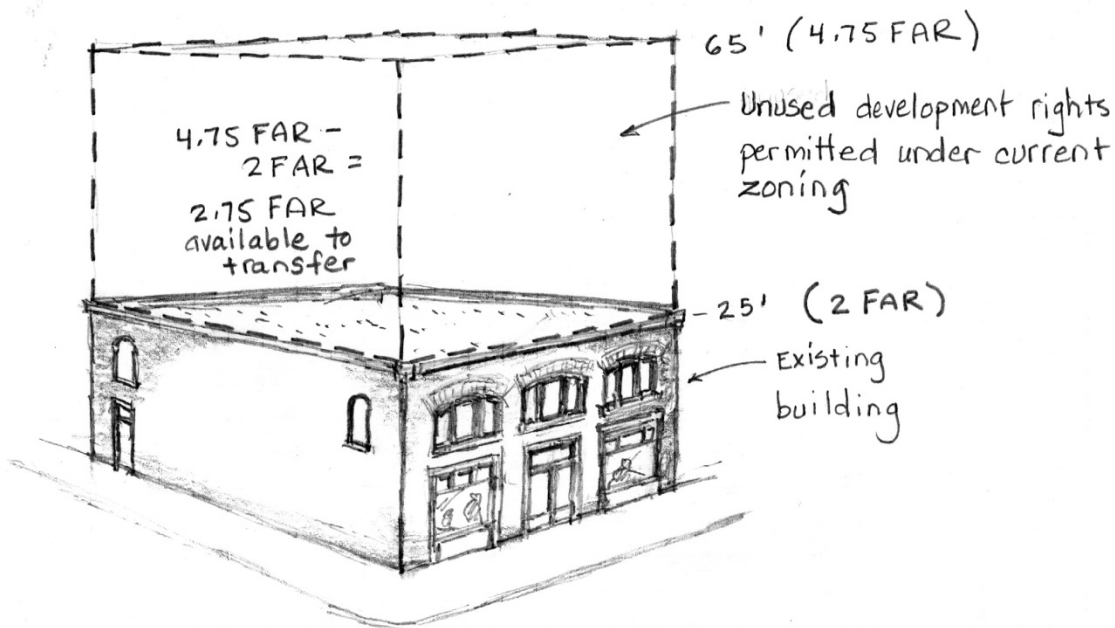
DPD’s Phase II work program for Pike/Pine will examine a Transfer of Development Potential (TDP)¹ program for the neighborhood that is independent of the existing downtown program, and that would only operate in the Pike/Pine Conservation Overlay District (overlay). Once established, the program could be expanded to allow for additional receiving areas beyond Pike/Pine if, through the appropriate public process, other neighborhoods were willing to increase development density in their areas to accommodate TDP from Pike/Pine sending sites.

How TDP Works

In recent years, the Pike/Pine area has experienced pressure for redevelopment due to a strong demand for housing in the area and zoning that allows new projects to be significantly larger than the existing development on a lot. Because the existing, older structures are an important

¹ The City distinguishes between commercial development rights transferred from a site (TDR) and residential development rights transferred from a site (TDP).

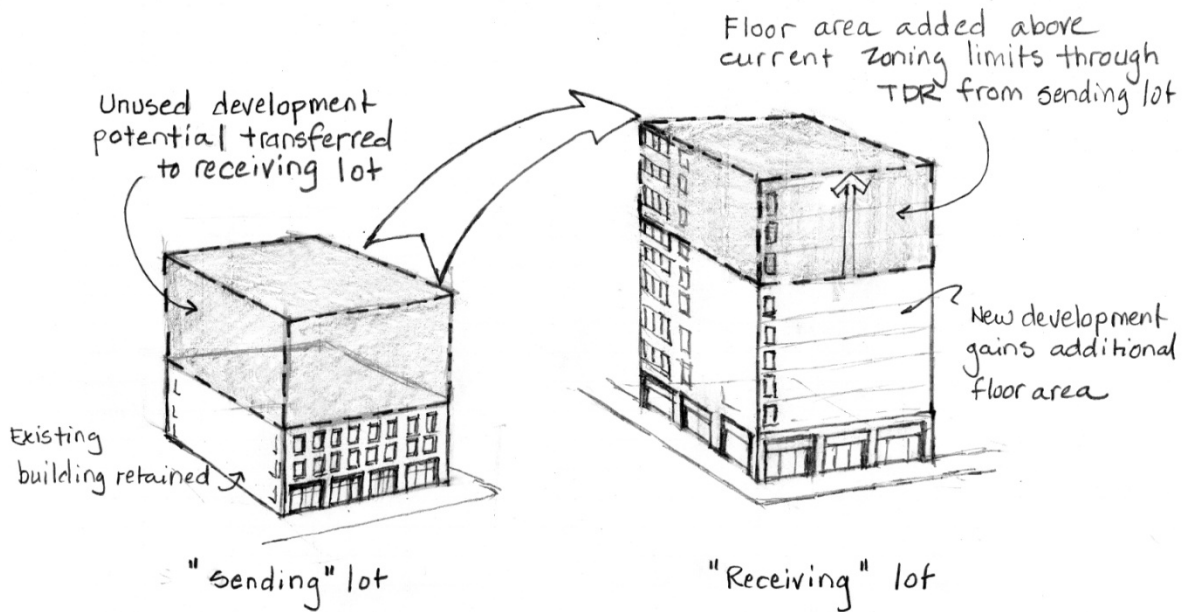
element of the neighborhood's character, this redevelopment potential conflicts with neighborhood conservation objectives if these structures are at risk of being demolished. The purpose of a TDP program is to provide an incentive for property owners to retain existing structures by allowing them to benefit from the added development potential created by the zoning—not by tearing their building down and building a bigger one, but by retaining the existing structure and selling the unused development potential on their lot to another property owner. The unused or “extra” development potential is generally the difference between the floor area of the existing building on the lot and the floor area that could be built in a new building developed to the maximum limits allowed by the zoning on the same lot.



Unused development rights available to transfer in TDR program.

A TDP program provides the mechanism for moving development rights from “sending” lots to “receiving” lots. Sending lots are lots from which the unused development rights are sold and transferred. This transaction is allowed generally in exchange for maintaining some existing feature on the sending lot, such as a valued structure that may be at risk of demolition. Once the development rights are sold, they are no longer available to be used on the sending lot for future redevelopment. Funds from the sale of transferred development rights may be used to maintain or improve the structure on the sending lot, and often a condition for allowing the sale of development rights is that the owner of the sending lot agrees to conditions placed on the property to ensure the intended public benefit. Once purchased, the development rights are transferred to a receiving lot. The receiving lot must be located in an area where the zoning allows the transferred floor area to be added to a new project by permitting additional height

and/or density above the limits otherwise allowed for projects not using TDP; thus the development rights purchased from an existing structure on the sending lot are “transferred” to add floor area to a new project on the receiving lot.



While a TDP program requires receiving areas that allow development to exceed the established limits on height and/or density, the potential impacts associated with the increase in development capacity on the receiving lot are, in theory, offset by the reduction in development capacity on the sending lot. This redistribution of development density maintains a balance in the overall intensity of development permitted within the larger area, and arguably does not result in any new or greater environmental impacts related to development density. Depending on how much additional height or bulk is allowed on the receiving lot, however, there may be concerns about impacts related to height, bulk, and scale. In any case, given this relationship between sending and receiving lots, a stronger case can be made that impacts associated with changes in development density are neutral if the sending and receiving lots are either in the same area or in areas that are close to each other.

Major Challenges to Establishing a Pike/Pine TDP Program

Challenge 1: Potential for many sellers, but few buyers.

Balancing TDP supply and demand. A successful TDP program must provide a proper balance between the supply of development rights available to sell, and the amount of new development anticipated to generate demand for purchasing the development rights. In a TDP

program, the potential supply of development rights is determined by specifying eligible sending lots--the lots permitted to sell unused development rights. Sending lots may be selected according to special needs or challenges related to maintaining certain structures or uses that often are not economically viable without some form of market intervention, or according to priorities for the specific public purposes to be achieved (creating open space, protecting particular buildings such as landmark structures or existing low-income housing structures, maintaining a development scale or other conditions in a particular sub-area of a larger zoning district, etc.).

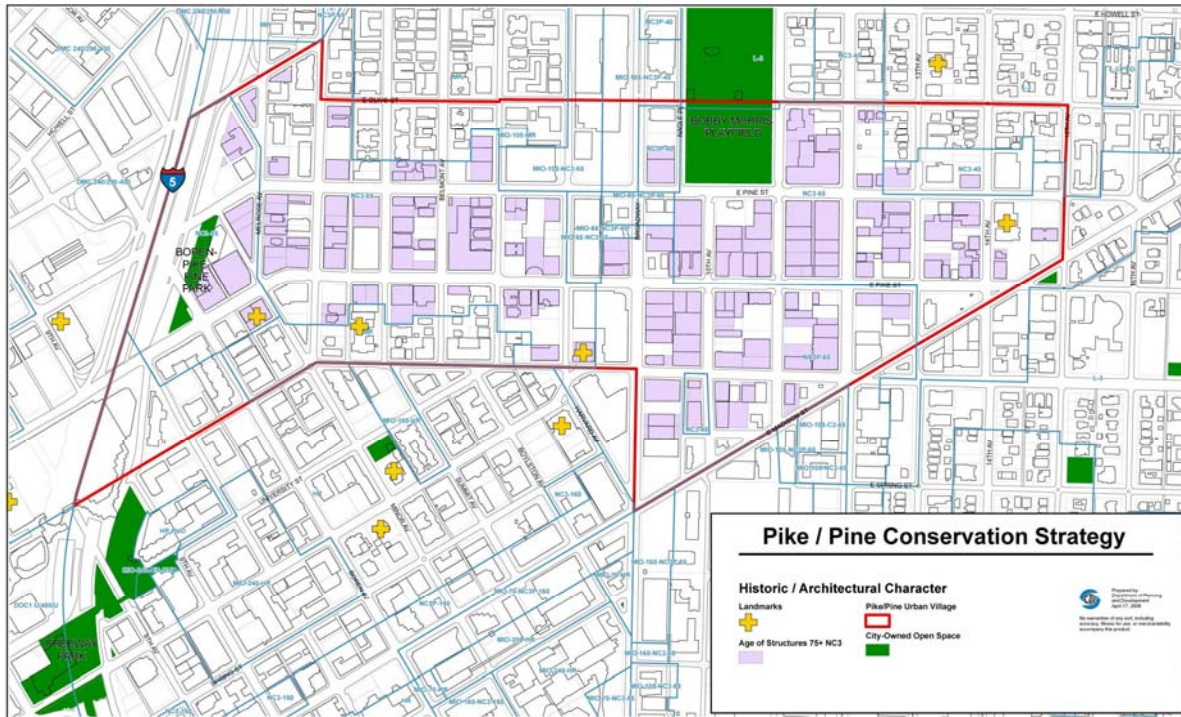
Demand for TDP is created by allowing development on receiving lots to exceed the limits otherwise established for a zone if the additional floor area is gained by purchasing unused development rights from a sending lot. To be successful, receiving lots must be located in an area where conditions strongly favor redevelopment, and developers believe there is sufficient demand to justify the cost of purchasing TDP to add floor area to their projects.

The number of eligible sending lots determines the potential supply of development rights available to transfer and will likely affect the price a developer will be willing to pay for them—the greater the supply, relative to demand, the cheaper the price. If the value is too low, there may be little incentive for the owner of an eligible sending lot to sell, especially if they would be under some obligation to use the money to pay for improvements to the sending site.

TDP Supply: Sending lots in Pike/Pine. For Pike/Pine, the community is primarily interested in using TDP as an incentive to retain older structures in the area—structures 75 years old or older that are often tied to the area’s history as Seattle’s first “auto-row.” These structures were defined in the Phase I code amendments as “character structures.” They are valued both for their architectural character and their adaptability in accommodating a variety of uses important to Pike/Pine’s identity as an area supporting the arts community and small, local businesses. There also may be interest in the potential use of TDP as an incentive for providing space for activities supporting the arts community, either as an adaptive reuse of an existing structure or as a component of a new project. The use of TDP, or other tools, such as floor area bonuses, may also provide incentives for achieving these objectives.

As of 2009, the commercial zones within the boundaries of the Pike/Pine overlay contain 208 character structures on 158 parcels (see map below). In the Neighborhood Commercial 3 zone with a 65 foot height limit (NC3 65 zone), which accounts for most of the overlay area, there are 191 character structures on 146 parcels. Out of the total 208 character structures in the area, 63 were included in the Department of Neighborhood’s (DON) inventory of structures that may warrant further consideration for landmark designation.

Attachment A provides a calculation of the amount of floor area potentially available under current zoning from the 63 structures in the DON inventory -- a total floor area of roughly 1.3 million square feet. Extrapolating from that total, the floor area available from all 158 parcels with character structures in the overlay area is estimated at about 3.25 million square feet. To put this amount in perspective, the total amount of floor area involved in TDR transactions under the downtown program since it was established almost 25 years ago is approximately 1.4 million square feet.



Demand for TDP. Even if receiving lots can be created through upzones in areas in and around Pike/Pine, the floor area potentially available to transfer from all lots with character structures would likely far exceed the capacity of forecasted new development to absorb. To provide a point of reference, in downtown approximately 15,250,000 square feet of commercial floor area was added through new development over the 25 year period the TDR program was in place, averaging to about 610,000 square feet of floor area annually. Over this period, only 1.4 million square feet of TDR was absorbed (see chart below).

| Downtown TDR Program: Performance from 1985 - 2009 | | |
|---|---|--|
| Type of TDR | Amount of TDR Transferred Downtown Since Program Was Established in 1985 (square feet) | Estimated Potential TDP Available from all Pike/Pine Character Structures (square feet) |
| Landmark Performing Arts Theater with Housing | 199,828 | |
| Open Space | 150,228 | |
| Landmark | 3,813 | |
| Housing* | 584,952 | |
| Major Performing Arts Theater | 473,000 | |
| TOTAL | 1,411,821 | 3,250,000 |

* excludes 36,000 square feet Brewster Apartments in South Lake Union

In Pike/Pine, since 1994, the year before the overlay was established in 1995, about 24 residential or residential/mixed use projects have either been built, are now under construction, or are in the permit pipeline, with a total estimated floor area of 1.76 million square feet (see Attachment B). Assuming all projects will be built by the end of 2010, for the 17 year period

between 1994 and 2010, the average amount of floor area added is just over 100,000 square feet per year. If it is reasonable to assume that an average annual demand for space in the area could be as high as 100,000 square feet per year, and the one or two projects expected to be built in Pike/Pine any given year would elect to add floor area through TDP, the amount of TDP purchased would be minor relative to the estimated supply of 3,250,000 square feet. This doesn't necessarily mean a TDP program would not be useful, but it does suggest that the program should be targeted to maximize the benefit derived from the limited amount of TDP used.

The amount of TDP that can be added to a project would depend on the amount of additional height and/or density allowed on receiving lots. For example, if the existing 65 foot height district allowed a height of 85 feet for TDP projects, a new project might be able to add two stories with TDP; perhaps an additional 30,000 square feet in projects typical of larger scale, more recent development in the area. If the height is increased to 125 feet, allowing an extra four stories, the amount of TDP added to the project could increase to 60,000 square feet. Of course, the desire to provide opportunities for new projects to gain floor area by purchasing TDP needs to be balanced against concerns for maintaining an appropriate scale and character of development.

Challenge 2: Creating receiving areas to allow new development to use Pike/Pine TDP

Zoning action will be required to create receiving lots that permit future projects to build taller or more densely than otherwise allowed by adding TDP purchased from Pike/Pine sending lots. Consequently, a decision needs to be made about where such changes would be appropriate, what magnitude of height and/or density increases would be considered acceptable, and through what process should these zoning changes occur.

Option 1: Locating both sending and receiving areas within Pike/Pine. This option limits TDP transfers to lots located within the boundaries of the Pike/Pine Conservation Overlay District. Criteria could identify potential sending and receiving lots throughout the area, or further limit the location of sending and receiving lots to sub-areas established according to characteristics that indicate where adding more height and density through TDP would be acceptable, and where maintaining existing development by allowing the sale of TDP from existing structures is a priority. Because TDP allows structures that are larger (on receiving lots) and smaller (on sending lots) than what the zoning otherwise allows, the latter option assumes some locations may be more suitable for these different scales of development, and it may be desirable to target areas accordingly. Eligible sending lots could be restricted to special character areas -- locations where character structures are concentrated, the existing development pattern is more cohesive, and it is most desirable to maintain existing structures and a lower scale. Larger structures may be more appropriate along major transportation corridors, on the edges of more intensive zones, or areas with a fragmented development pattern and a less established development scale, where the impact of bigger buildings would be less pronounced.

The challenge of providing sufficient receiving sites in Pike/Pine is further compounded by the fact that most lots in the overlay area are occupied by character structures—the structures that the TDP program is intended to protect. In areas already experiencing development pressure,

allowing even greater development potential could conflict with conservation goals by increasing the impetus for redevelopment. Since there are no prohibitions on the demolition of a character structure, any action that increases the development potential on a lot with a character structure increases the risk for demolition and redevelopment.

One way to address this issue is through criteria that restrict eligible receiving lots. For example, the regulations could state that lots occupied by a character structure are not eligible to receive TDP. However, in Pike/Pine, most lots are occupied by character structures that the community would like to maintain. The obvious downside of such a restriction is that it significantly limits the pool receiving lots able to absorb available TDP through redevelopment. If all lots occupied by character structures were ineligible as receiving lots, then opportunities for creating receiving lots where redevelopment is encouraged would be limited to the occasional surface parking lot or lot occupied by small scale, more recent development, such as gas stations, fast food restaurants, or branch banks. It is estimated that the Pike/Pine overlay area only has about 60 lots that are not occupied by character structures and that are potentially available for redevelopment, and most of these are small lots of less than 10,000 square feet.

To accommodate both sending and receiving sites in the Pike/Pine overlay area requires an increase in development potential, either through added height or density, or both, on receiving lots to accommodate floor area transferred from sending lots. Since retaining a compatible relationship with the existing development character is an important consideration for new development in Pike/Pine, it is assumed that any increases in height or density to create receiving lots would be modest, resulting in only limited capacity for use of TDP. Additional consideration needs to be given to what sites would qualify as receiving sites, including prioritizing the character structures to be protected or perhaps allowing TDP to be used as an additional incentive to include at least a portion of a character structure on the development lot.

Option 2: Coordinating with neighborhood planning for areas outside Pike/Pine to create receiving areas for Pike/Pine TDP.

Neighborhood support for necessary zoning changes to create receiving areas. A rezone action would be required to create any new receiving areas by allowing additional height and density for lots using TDP purchased from Pike/Pine sending lots. For the affected area, such an action would likely require approval through a neighborhood planning process. This raises challenges both in terms of garnering neighborhood support for the rezone and the time involved in conducting the process for a neighborhood plan amendment. In general, to create new receiving areas through a neighborhood planning process would likely require a minimum of two years.

It is possible that consideration of rezones that could create receiving areas could be achieved through certain neighborhood planning activities currently underway. For example, major zoning changes are likely to occur in the South Lake Union Urban Center to implement the area's neighborhood plan. South Lake Union could become a receiving area if the neighborhood supported the use of Pike/Pine TDP as a way for new development to gain added height and density in areas proposed for upzones. However, the South Lake Union neighborhood is likely to have its own priorities for how the bonus floor area generated by zoning changes should be

gained. In any event, the projected adoption of zoning changes required to implement proposals in the South Lake Union plan is not expected to occur before 2012.

Since there are no neighborhood plan updates scheduled for areas abutting Pike/Pine, developing proposals for the types of zoning changes that would be needed to create receiving areas outside of Pike/Pine would be deferred until such a process got underway, perhaps two or more years into the future. Since it would likely require a minimum of two years to develop, review, and enact such changes, a TDP program would not likely be up and running before 2014. It is important to also bear in mind that the affected neighborhood would need to agree that the use of TDP to maintain character structures in Pike/Pine is a desirable use of the bonus floor area created by the zoning changes in their neighborhood—substituting for public benefits that might otherwise have priority in their community.

Environmental Review. Under the State Environmental Policy Act (SEPA), the rezone actions required to create receiving sites would require environmental review. The extent of the review would depend on the magnitude of change anticipated with the increase in permitted height and/or density. The more extensive environmental review likely to be required with the significant rezones that may be part of a neighborhood plan update would add both time and cost to a proposal for a TDP program that extended to areas beyond Pike/Pine’s boundaries.

| | Magnitude of height/density increase | Process | Timing |
|--|--|--|---|
| Option 1: Sending and Receiving Lots within Pike/Pine | Limited—not likely to exceed two stories; possibly greater increases (to 125') at limited locations? | Included in Phase II work program | Implementation anticipated in Spring, 2011; Limited environmental review required |
| Option 2: Receiving Lots outside Pike/Pine | Potential for greater increases in height and/or density, depending on specific locations | Requires coordination with neighborhood planning for zoning changes to create receiving areas outside of Pike/Pine | 2 year minimum if attached to process currently underway or addressed as special work program item. Otherwise, actions to develop necessary zoning changes would be on hold until affected area is scheduled for plan update; Depending on magnitude of changes, likely to require fuller environmental review |

Challenge 3: What increase in development potential is appropriate?

This issue should be considered both from an economic point of view, to make the use of TDP attractive, and from a neighborhood character perspective, to ensure that the added floor area accommodated in a new project on the receiving lot will not result in undesirable impacts on surrounding development.

A project using TDP must be able to accommodate the added floor area economically. One factor to consider is the limitations of different types of construction. For example, if a change to a more expensive type of construction is required to accommodate the transferred floor area, such as a change from the concrete base and wood frame construction typical of Pike/Pine development under current zoning to development that is all concrete or steel construction, the amount of additional floor area would need to be great enough to provide a sufficient incentive to justify the added cost of construction. In Pike/Pine, the current height limit in most areas is 65 feet, and new development is typically Type 3 construction as defined in the Building Code, with a concrete base of one or two stories, and frame construction above for a total of six stories. Switching to Type 3A construction could allow one or two additional floors, allowing structures of up to about 85 feet in height. While this change involves added cost, it would not be as significant as switching to the very expensive Type 1 and Type 2 concrete and steel structures that are more than 85 feet tall, and the value of gaining up to two extra floors in a project may provide sufficient incentive for purchasing TDP.

On the plus side, projects permitted only one or two extra floors may be viewed as compatible with the scale of development otherwise permitted under current zoning. However, this also means they will only be able to absorb a limited amount of the TDP potentially available from sending lots. Switching to steel or concrete construction would allow taller structures that could accommodate more TDP, but such projects would likely need to extend to 125 feet or more in height (almost double the current height limit in most of Pike/Pine) to be cost effective, and this raises issues about the compatibility of such buildings with the existing developed character of the area. Whether there are some locations where additional height of this magnitude is acceptable is an issue that is likely to require thorough consideration by the community. In any event, provisions to allow greater height and floor area through TDP may need to be accompanied by Land Use Code amendments establishing development standards that promote a better fit between these larger structures and surrounding development.

Challenge 4: Setting priorities

Prioritizing sending lots. One potential solution to avoiding an oversupply of TDP is to limit the lots that would be eligible as TDC sending lots. A variety of factors could be considered to prioritize lots able to benefit from the ability to sell unused development rights. At the one extreme, all 158 parcels with character structures within Pike/Pine would be eligible as TDP sending sites. This number could be reduced based on the following criteria:

- Degree of development pressure and risk for demolition, based on the zoning—assuming, for example, that a building in an NC3 zone with a 65 foot height limit will be at greater risk of demolition than one in an NC3 zone with a 40 foot height limit.
- Require that the character structure be identified on the DON inventory as having the potential for designation as a landmark.
- Limit sending lots to a particular area or areas within the Pike/Pine overlay district where it is most critical to retain the existing scale and character of development.
- Limiting eligibility to only those structures that are designated as landmarks (Currently, only three structures in the Pike/Pine overlay area are designated as landmark structures.)

- Limiting eligibility according to the use on the lot, such as affordable housing or a certain percentage of total floor area dedicated for use by artists or arts organizations in a building.
- Need for costly rehabilitation work, such as unreinforced masonry structures in need of seismic upgrade, or to bring buildings up to current code requirements.
- Size thresholds that either eliminate structures that are insignificant but could generate a lot of TDP for sale on the market, or structures that are large and less likely to be susceptible to redevelopment.

Challenge 5: Consistency with City policies for floor area/height incentives (23.58A).

In the Land Use Code, Chapter 23.58A establishes provisions for adding floor area through the use of bonuses and/or transfer of development programs (see text below). As an expression of City policy, the current provisions indicate that if the increase is in an area with a maximum height limit of 85 feet or less, than all extra floor area allowed through incentives is to be gained through the housing bonus. This provision would conflict with a proposal to allow the use of TDP from character structures as a means of adding floor area to increase structure height from 65 feet up to 85 feet in Pike/Pine. Even if the maximum height limit were extended beyond 85 feet, only 40 percent of the extra floor area added above 65 feet could be gained through the use of TDP, if this provision is strictly applied.

23.58A.012 Methods to achieve extra residential floor area

All or a percentage of the extra residential floor area on a lot shall be housing bonus residential floor area pursuant to Section 23.58A.014. Unless otherwise expressly provided in the provisions of the zone:

A. If the maximum height limit for residential use is 85 feet or less, all extra residential floor area shall be housing bonus residential floor area.

B. If the maximum height limit for residential use is greater than 85 feet, the applicant shall use housing bonus residential floor area to achieve at least 60 percent of total the extra residential floor area on the lot, and, to the extent permitted under the provisions of the zone or this subchapter, shall use other bonus residential floor area or transfer of residential development potential, or both, for the balance of the extra residential floor area.

Since the language does indicate that variations are allowed if “expressly provided in the provisions of the zone,” it would need to be clarified in the Pike/Pine overlay provisions that the mechanism for gaining floor area above the current 65 foot height limit would not be limited to the housing bonus, and that some or all of the extra floor area could be gained through TDP from lots with character structures. Otherwise, the ability to absorb available TDR from character structures would be further diminished.

Challenge 6: Promoting participation in a TDP program.

Having a TDP program in place is no guarantee that developers and property owners will participate in the exchange of development rights. Variety of factors should be addressed to enhance the potential for a successful program, including the following considerations:

- **Attractiveness of redevelopment option.** From a property owner’s perspective, if the value of redeveloping a lot far exceeds the value of the existing development on the lot, the option to redevelop may be too compelling to support the sale of unused development rights as a competitive option. There could be more interest in using TDP if the development potential of a lot is reduced by downzoning to a lower height and/or density. The difference between existing development conditions and the redevelopment potential would then be less significant. While the amount of unused floor area to sell would be less, retaining the existing structure would be a more competitive option than redeveloping the lot with a new structure that represents only a marginal increase in development potential.
- **Other restrictions/disincentives for redevelopment.** In many TDR or TDP programs, sending sites are often subject to limitations or conditions on redevelopment, such as a landmark designation that restricts redevelopment, requiring that funds from the sale be used to bring a building up to current Building Code standards, or provision of subsidized housing. Such conditions that affect the attractiveness of selling development rights as an alternative to redeveloping a site should be considered when setting expectations for how effective this tool will be in maintaining character structures.
- **Timing of sale and purchase of TDP.** Will development rights be available for sale when developers are interested in buying, and vice versa? As a market transaction, the use of TDP requires both a buyer and seller of development rights. If a new project is moving forward and there is interest in using TDP to gain additional floor area, it is critical to the developer to have certainty that the development rights will be available when needed. If a property owner is considering options for the use of a lot and needs resources to make improvements to maintain an existing structure, for TDP to provide an incentive to maintain the structure, there needs to be some assurance that there is an interested buyer for the development rights.

Having interested buyers and sellers available at the same time can be a challenge, and could be a factor in the likely use of the program. To address this timing issue in downtown Seattle, the City has established and funded a TDR “bank” that can purchase development rights when they are available and sell them when they are needed. Currently, the City owned Fire Station No. 2 in Belltown is a designated landmark and eligible to sell development rights. The funds from the sale of these development rights will establish a “bank” that can be used to purchase development rights from other landmark structures in the future. In Pike/Pine, City owned property that may become eligible to sell development rights, such as the Seattle Police Department’s East Precinct, a character structure, could serve a similar function.

- **Conditions on sending lots.** If TDP is intended as a tool for maintaining character structures because of their contribution to neighborhood character, it may be desirable to require the owner of the sending lot to agree to comply with specific conditions on the structure, such as a prohibition on demolition for a specified period of time, requiring that the structure be maintained in good condition and brought up to code, or requiring that the original design of the structure be maintained or reclaimed to a reasonable degree. Unlike designated landmark structures, which are recognized and subject to protection by ordinance, character structures would not otherwise be bound by conditions to prevent demolition and ensure that the integrity of the structure is maintained.

To what extent should the property owner commit to maintaining a character structure on a sending lot, or return the structure to some previous condition, and through what instrument would conditions be put in place and enforced? Should a condition of the sending lot’s eligibility be tied to a requirement that the structure be upgraded to some specified condition—such as compliance with all applicable codes? It is important to consider that placing conditions on a sending lot to ensure the desired maintenance of the character structure could have the negative effect of discouraging property owners from using TDP.

Next Steps

Comments on this Background Paper are welcome, and can be sent to: Dennis Meier, Department of Planning and Development, via e-mail at dennis.meier@seattle.gov, or by regular mail at 700 5th Avenue, Suite 2000, Seattle, WA 98124-4019. Dennis’ phone number is 206-684-8270. The proposed schedule for review and adopted of a TDP program for the Pike/Pine Conservation Overlay District is shown below:

| Action | Date |
|---|--------------------------|
| City staff continues to develop draft TDP program to help preserve existing buildings in Pike/Pine neighborhood. | June-August, 2010 |
| Pike/Pine Urban Neighborhood Coalition (P/PUNC) sponsors evening meeting of Pike/Pine membership. One agenda item is to let stakeholders know about the Phase 2 schedule and how to get involved. | June 24, 2010 |
| End of public comment period for TDP Background Paper | July 19, 2010 |
| DPD publishes draft Pike/Pine TDP program legislation for public review (the TDP proposal would apply within the boundaries of Pike/Pine and could be expanded at a later date if appropriate). | August 17, 2010 |
| Public meeting on draft TDP program legislation. | Week of September 27 |
| End of comment period on draft TDP program legislation. | October 15, 2010 |
| DPD submits legislation for draft TDP program to Council. | November 18, 2010 |
| DPD publishes notice of: 1. the public hearing on TDP legislation; and 2. the environmental determination about the proposed legislation. | November 18, 2010 |
| First Council Committee on the Built Environment (COBE) meeting on the proposed TDP program | December 8, 2010 |
| Public hearing on proposed TDP program | Week of January 17, 2011 |
| COBE review of TDP program | February 2011 |
| Council adoption of TDP program | March 2011 |

Attachment A: Calculation of floor area potentially available under current zoning from the 63 Pike/Pine structures in the DON inventory.

| Address | PIN | Status in DON Cultural Resource Inventory | Lot area | Existing gross floor area | Maximum floor area permitted | TDR available |
|--|--------|---|----------|---------------------------|------------------------------|---------------|
| 909 E Pine St PP 65 | 344239 | YES INVENTORY | 2,580 | 4,720 | 12,255 | 7,535 |
| 1315-1323 E Pine St (Chester Apts) PP 65 | 356738 | YES INVENTORY | 7,688 | 20,509 | 36,518 | 16,009 |
| 1101 E Pine St PP 65 | 356838 | YES INVENTORY | 15,364 | 32,184 | 72,979 | 40,795 |
| 1612 Broadway PP 40 | 344229 | YES INVENTORY | 7,683 | 7,664 | 24,970 | 17,306 |
| 1534 Broadway PP 65 | 344227 | YES INVENTORY | 5,100 | 18,000 | 24,225 | 6,225 |
| 610-620 E. Pine St PP65 | 359465 | YES INVENTORY | 9,175 | 27,600 | 43,581 | 15,981 |
| 611 E Pine St PP 65 | 359464 | NO ALTERED | 1,690 | 3,360 | 8,028 | 4,668 |
| 1533 Boylston Ave PP 65 619 E Pine St | 359463 | YES INVENTORY | 2,535 | 8,960 | 12,041 | 3,081 |
| 1611 Boylston Ave PP/SAO 65 | 359469 | YES INVENTORY | 6,200 | 6,200 | 29,450 | 23,250 |
| 501 E Pine St. PP 65 | 359461 | YES INVENTORY | 9,367 | 13,299 | 44,493 | 31,194 |
| 1201-1215 Pine St PP 85 | 356314 | ? | 7,473 | 9,929 | 44,838 | 34,909 |
| 311-321 E Pine St PP 65 | 359646 | YES INVENTORY | 4,442 | 13,454 | 21,100 | 7,646 |
| 301-309 E Pine St PP 65 | 356325 | YES INVENTORY | 4,443 | 4,410 | 21,104 | 16,694 |
| 300 E Pine St PP 65 | 356326 | YES INVENTORY | 9,960 | 19,880 | 47,310 | 27,430 |
| 1001 E Pike St PP 65 | 356879 | YES INVENTORY | 3,874 | 12,536 | 18,402 | 5,866 |
| 1158 Broadway PP 65 | 356892 | YES INVENTORY | 16,423 | 19,552 | 78,009 | 58,457 |
| 1134 Broadway PP 65 | 356884 | NO ALTERED | 8,856 | 14,380 | 42,066 | 27,686 |
| 1412 12th Ave | 356855 | Trace Lofts | | | | |
| 1420 12 th Ave Trace Lofts | 356854 | YES INVENTORY | 11,456 | 32,886 | 54,416 ? | 21,530 |
| 1319 E Madison St | | | | | | |
| 1351 Olive Way PP 65 | 343819 | YES INVENTORY | 3,798 | 3,860 | 18,041 | 14,181 |
| 400 E Pine St PP 65 | 359652 | YES INVENTORY | 9,881 | 27,544 | 46,935 | 19,391 |
| 514-516 E Pine St | 359467 | demolished | | | | |

| Address | PIN | Status in DON Cultural Resource Inventory | Lot area | Existing gross floor area | Maximum floor area permitted | TDR available |
|---|------------------|---|----------------|---------------------------|------------------------------|---------------|
| 1015-1021 E Pike St (Lorraine Court Apts) PP 65 | 356921 | YES INVENTORY | 5,977 | 23,469 | 28,391 | 4,922 |
| 300 E Pike St PP 65 | 356319 | YES HOLD | 6,987 | 13,368 | 33,188 | 19,820 |
| 1011-1013 E Pike St PP 65 | 356874 | ??? | 6,173 | 11,716 | 29,322 | 17,606 |
| 1420 Broadway PP 65 | 356873 | NO ALTERED | 7,680 | 10,680 | 36,480 | 25,800 |
| 1100-1106 E Union (Union Art Coop) PP 65 | 356840 | ???? | 15,000 | 30,633 | 71,250 | 40,617 |
| 1400 Broadway PP 65 | 356861 | YES INVENTORY | 5,649 | 7,160 | 26,833 | 19,673 |
| 1426 Broadway PP 65 | 356875 | YES INVENTORY | 7,680 | 17,520 | 36,480 | 18,960 |
| 1414 Broadway PP 65 | 356866 | YES INVENTORY | 7,682 | 22,320 | 36,490 | 14,170 |
| 1417 12 th Ave PP 65 | 356842 | NO ALTERED | 20,302 | 13,920 | 96,435 | 82,515 |
| 1531 Melrose Ave PP 85 | 356315 | NO ALTERED | 5,518 | 11,000 | 33,108 | 22,108 |
| 721-725 E Pine St PP 65 | 344370 | YES INVENTORY | 7,450 | 6,420 | 35,388 | 28,968 |
| 401 E Pine St PP 65 | 359651 | YES INVENTORY | 9,897 | 19,688 | 47,011 | 27,323 |
| 1600 Broadway PP 40 900 E. Pine St | 344228 | YES INVENTORY | 14,083 | 27,938 | 45,770 | 17,832 |
| 701-707 E Pine PP65 | 359458 344371 | NO ALTERED | 5,100 5,100 | 3,176 2,600 | 48,450 | 42,674 |
| 911-919 E Pine St PP 65 | 344421 | YES INVENTORY | 15,360 | 76,803? | 72,960 | 0 |
| 1519 12 th Ave PP 65 | 356833 | YES INVENTORY | 21,780 | 61,580? | 103,455 | 41,875 |
| 506-508 E Pine | 359468 | Demolished | | | | |
| 1110 E Pine St PP 65 | 356824 | NO ALTERED | 3,000 | 7,040 | 14,250 | 7,210 |
| 1101-1103 E Pike St PP 65 | 356843 | YES INVENTORY | 5,376 | 20,480 | 25,536 | 5,056 |
| 422 E Pine St PP 65 | 359667 | NO ALTERED | 3,340 | 3,280 | 15,865 | 12,585 |
| 953 E Union St PP 65 | 356891 | YES INVENTORY | 4,921 | 1,848 | 23,375 | 21,527 |
| 1415-1423 10 th Ave PP 65 | 356869 | YES INVENTORY | 12,000 | 36,000 | 57,000 | 21,000 |
| 1200 E. Pike St PP 65 | 356822 | Nominated | 5,837 | 27,726 | 18,516 | 9,210 |

| Address | PIN | status | Lot area | Existing gross floor area | Maximum floor area permitted | TDR available |
|---|--------|-------------------------------------|----------|---------------------------|------------------------------|------------------|
| 1511 Boylston Ave (Glencoe Apts) PP 65 | 359682 | YES INVENTORY | 5,033 | 17,248 | 23,906 | 6,659 |
| 1520 Melrose (Melrose Apts) PP 65 | 356322 | YES INVENTORY | 5,250 | 15,281 | 24,938 | 9,657 |
| 1120-1124 E Pike St PP 85 | 356311 | YES INVENTORY | 23,000 | 15,932 16,200 | 138,000 | 105,860 |
| 1501 Broadway PP 65 | 356929 | YES INVENTORY | 1,850 | 3,953 | 8,788 | 4,835 |
| 915-919 E Pike St PP 65 | 356877 | YES INVENTORY | 5,880 | 18,000 | 27,930 | 9,930 |
| 1205 E Pine St PP 65 | 356836 | YES INVENTORY Permit application | 11,280 | 32,220 | 53,580 | 21,360 |
| 1021 E Pine St PP 65 | 344325 | YES INVENTORY | 4,800 | 19,200 | 22,800 | 3,600 |
| 1201-1205 E Pike St PP 65 | 356836 | YES INVENTORY | 11,280 | 32,220 | 53,580 | 21,360 |
| 1519-1521 Broadway PP 65 | 356943 | YES INVENTORY | 7,200 | 1,040 | 34,200 | 33,160 |
| 1210 11 th Ave (Undre Arms) PP 65 | 356839 | NO ALTERED Permit application | 8,556 | 10,854 | 40,641 | 29,787 |
| 1401 12 th Ave PP 65 | 356848 | ? | 18,139 | 36,000 | 86,160 | 50,160 |
| 905 E Pike Street PP65 | 356922 | YES INVENTORY | 7,424 | 30,464 | 35,264 | 4,800 |
| 1217-1221 E Pike St PP65 | 356779 | YES INVENTORY | 15,110 | 23,422 | 71,773 | 48,351 |
| 510 E Pine St | | NO ALTERED Demolished | | | | |
| 1633 Melrose (Sherwood Apts) PP 65 | 356318 | YES INVENTORY | 7,400 | 37,992 | 35,150 | 0 |
| 1111 E Madison St | | Outside PP | | | | |
| 1525 11 th Ave (Value Village includes parking lot) PP 65 | 356936 | YES INVENTORY | 20,100 | 36,940 | 95,475 | 58,535 |
| 801-805 E Pine St (theater) PP 65 | 344368 | YES INVENTORY | 16,800 | 63,330 | 79,800 | 16,470 |
| TOTAL | | | | | | 1,306,910 |

FAR assumptions

Pike Pine Overlay area 40' height limit (PP 40): 3.25 FAR

Pike Pine Overlay area 65' height limit (PP 65): 4.75 FAR

Pike Pine Overlay area 85' height limit (PP 85): 6.0 FAR

Yellow shading indicates residential use

Attachment B: Pike/Pine Development Activity 1994 – 2010

| PROJECT | FLOOR AREA* (square feet) |
|---|--------------------------------------|
| 1. Bellevue-Olive Apartments | 114,153 |
| 2. Capitol Steps Apartments | 73,830 |
| 3. Pike Lofts | 57,727 |
| 4. 615 E Pike Street | 25,349 |
| 5. Press: 1610 Belmont Ave E | 130,324 |
| 6. Onyx: 1125 E. Olive Street | 55,191 |
| 7. Hawthorne Apartments: 1618 Bellevue Ave | 104,452 |
| 8. Crawford Condo: 1607 Summit Ave | 12,908 |
| 9. Braeburn: 1420 E. Pine Street | 157,902 |
| 10. Trace North | 90,780 |
| 11. Broadway Crossing: 1531 Broadway | 52,109 |
| 12. 1605 Bellevue Ave | 92,853 |
| 13. 1623 Bellevue Ave | 23,258 |
| 14. 514 E. Pine Street | 99,361 |
| 15. 1620 Broadway | 136,035 |
| 16. 954 E. Union | 87,510 |
| 17. 1111 E Pike Street | 25,200 |
| 18. 1121 E Pike Street | 32,298 |
| 19. 1205 E. Pine Street | 63,197 |
| 20. 401 E Pike Street | 46,716 |
| 21. 13 th and Pine | 69,123 |
| 22. 1222 E Madison Street | 84,446 |
| 23. 1530 11 th Avenue | 81,797 |
| 24. 1424 11 th Avenue | 41,487 |
| | |
| TOTAL | 1,758,006 |
| Annual Average (17 years) | 103,412 |

*Includes residential and commercial uses in mixed use projects