



City of Seattle

Mike McGinn, Mayor
Department of Planning & Development
D. M. Sugimura, Director

**RECOMMENDATION MEETING
OF
THE DOWNTOWN DESIGN REVIEW BOARD**

Date of Meeting: March 9, 2010

Notes Approved: March 25, 2010

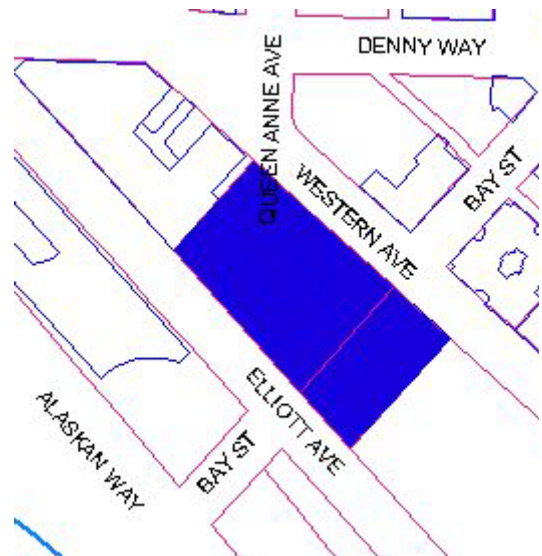
BACKGROUND INFORMATION:

Project Number:	3008148
Address:	3031 Western Avenue
Applicant:	Brad Hinthorne, Ruffcorn Mott Hinthorne Stine Architects, for Martin Selig Real Estate
Board members present:	Bill Gilland Marta Falkowska, Chair Jan Frankina Brian Scott
Bopard member absent:	Dana Behar
Land Use Planner present:	Michael Dorcy

BACKGROUND INFORMATION

Site and Vicinity

The Downtown development site is bounded by Western Avenue on the east, Elliott Avenue on the west, by the north property line of the Airborne Express building site to the north and by the Seattle Art Museum Olympic Sculpture Park on the south. Included within the development site is the former Bay Street right-of-way which was vacated under Ordinance 1114450 of the City of Seattle. Actual development within the vacated right-of-way is restricted by a Property Use and Development Agreement (PUDA). The development site is trapezoidal in shape, with the Elliott Avenue property line flaring slightly outward as it runs from north to south. It measures approximately 344 feet in the north/south direction and 180-193 feet in the



east/west direction. The total area is approximately 60,248 square feet in extent. Currently there are two structures on the site. North of the former Bay Street right-of-way, is the 3101 Western Avenue building (formerly the Airborne Express building). Occupying the area south of the vacated Bay Street is a two-story parking garage that is proposed for demolition in order to accommodate the proposed new building. The southern portion of the development site is zoned DMR/R125/65, with the area north of what was the centerline of Bay Street zoned DMC-65.

The proposed development is for a 14 story residential building, containing approximately 79 units with mostly below-grade parking for 79 vehicles. The parking garage would take access from the existing 3101 Western building's driveway and garage ramp off Western Avenue which bisects the eastern portion of the former Bay Street right-of-way. Additional access would be provided directly from Elliott Avenue. Project work would include landscape and pedestrian improvements within the vacated Bay street, including a series of open stairs that would create a pathway with a more gradual pedestrian descent than at present running between Western and Elliott Avenues.

Notes on Project History

An EDG meeting on a proposal, substantially the same as this, proposal, was held on January 8, 2008. There were two subsequent Recommendation meetings held on October 28, 2008 and April 14, 2009. The Board recommended approval of the project at the second meeting and the Director's Decision was published on September 14, 2009. The decision was appealed and hearings held before the Hearing Examiner on December 15th and 18th. The Hearing Examiner's decision on the appeal was published on January 14, 2010, reversing the Director's decision.

The Hearing Examiner's decision reversing the Director's SEPA determination and design review decision was based upon the opinion that adequate notice of the two recommendation meeting was not given to one of the parties of record (see Hearing Examiner, files MUP-09-021 and MUP-09-022). In "Findings and Decision," dated January 14, 2010, the Hearing Examiner reversed the Director's SEPA determination and design review decision. In reversing the Director's decision on the adequacy of notice issue, the Hearing Examiner did "not consider the substantive [SEPA or Design Review] issues issued raised by the appeals."

The Department has withdrawn its earlier decision and given notice of a revised project. In the revised project the proposed building and landscaping is exactly as presented at the final Recommendation meeting. The project retains one of numbers of the earlier MUP, number 3008148. The project is no longer doubled with another number (MUP 3009545) for landscaping and land-moving work that is to be performed across the parcel property line on the parcel occupied by the 3101 Western Avenue building (the former Air Borne Express building). The contiguous parcels constitute one development site, have a single ownership, and are part of a single proposal for structure and landscape improvements. Both the building and the entire landscaping proposed are within the purview of the Design Review Board.

ARCHITECTS' PRESENTATION

The presentation of the design team began with a brief accounting of the project history as noted above. The design team noted that after extensive and detailed review of the design, there were no findings made by the Hearing Examiner on the basis of design issues and that the design remained as earlier approved by the Downtown Design Review Board.

The design teams stated intention was to provide additional narrative and graphic information, based upon additional research and analysis, in support of a re-evaluation of the design with respect to its physical, urban, and cultural context. The design team would illustrate how the final design was both responsive to the early design guidance given by the Board and the continued guidance the Board had given prior to their earlier approval of that design. It was pointed out that all zoning standards had been met with the proposed design and that, as earlier, there were no requests for departures from development standards.

Distinctively narrow facades would be presented to both Western and Elliott Avenues. A front door under a glass canopy, entering into a fully glazed two-story lobby, marked the Western Avenue street-level façade. Along Elliott Avenue the building would be set back to allow for a five-foot landscaping strip behind which would be a grill of channel glass planks. The central portion of the Bay Street exterior would be comprised of textured stone against which there would be a play of light and color emanating from a series of dichroic glass fins. Additionally, the amount of fenestration into the residential units along both the east and west edges of the Bay Street façade had been expanded from that previously shown at the first Recommendation meeting.

The Park facing façade was described as a three-dimensional “tapestry of glass.” Large balconies faced with glass were hung off the façade and separated by a glass column assembly which composes the whole into a series of vertical bays. The balconies were described as functioning to mediate between the private and public zones. The design team proposed an additional layer in the Park-facing façade by allowing plant material to grow along the vertical surface of the glass columns.

In addition to the structure itself, the project would include an improved connection between Western Avenue and Elliott Avenue in the form of a community amenity distinguished by significant landscaping deliberately set out in continuity with that already established within the sculpture park. The project would include landscape and pedestrian improvements, including a series of open stairs that would create a pathway, with a more gradual pedestrian descent than at present, running between Western and Elliott Avenues.

The design team's presentation concluded with a showing of materials intended for the structure, including samples of proposed vision and spandrel glass, the dichroic glass fins intended for the north façade, the channel glass planks intended for the south façade, and the "Jerusalem" stone, in both the textured and smooth finish.

Public Comment:

Following the architect's presentation, the Board elicited comments from members of the public attending the meeting. Twenty five members of the public had affixed their names to the sign-in sheet provided for the meeting with seven individuals signing a Speakers' List to make public comment. A microphone, amplifier, and speakers had been set up to accommodate members of the public who had earlier signed up to speak. The Board chair noted that prior to the meeting DPD had supplied the members of the Board with written documents from three members of the public who were scheduled to speak. Since the Board members had all read these materials, in consideration of having enough time to hear from all who wished to comment, the speakers were requested to highlight their principal concerns in their remarks .

The first member of the public to speak identified herself as a resident of the residential building directly across Western Avenue, a structure located in the Downtown Mixed Commercial zone with a height limit of 65 feet (DMC-65). She also identified herself as the President of the Alexandria Condominium Homeowners Association and as an appellant in the successful appeal of the Director's decision approving the project as recommended for approval by the Board on April 14, 2009. The President of the Alexandria Condominium Homeowners Association then briefly spoke of the testimony that had been presented at the Appeal Hearing which lasted two days, referring to exhibits that had been set up in the Boards and Commissions meeting room. In brief, the President of the Alexandria Condominium Homeowners Association spoke of the neighbors' objections to a proposed structure that did not fit the neighborhood. The Alexandria Condominium Homeowners Association, it was noted, was not opposed to a building on the site but to this proposed building. It was an "architectural failure." It was a "building of excessive height," a "building massive and monolithic." The inappropriateness of the fit was both with the neighboring residential buildings and to the Olympic Sculpture Park.

The second speaker was from the Trio condominiums, located across Bay Street and Western to the northeast of the site and like the Alexandria in the DMC-65 zone. Like the first speaker, she spoke to what she considered an "inappropriate fit" into the neighborhood of the structure proposed for 3031 Western Avenue.

The third speaker had also been a party to the appeal of the Director's decision approving the earlier proposal for this site. She identified herself as representing the "Friends of the Olympic Sculpture Park," a group not officially affiliated with the Seattle Art Museum (SAM) who own the sculpture garden, but comprised of members of the public who had supported and were regular users of the park. She noted that the sculpture garden, in the short time since it had opened, had become an "icon" of international renown. Like the first speaker, she had submitted written documents setting forth objections to the proposed structure. These had been distributed to the Board members to be read prior to the meeting. The notes relied heavily on the analysis of

the expert witness who had testified on behalf of both the “Alexandria Homeowners” and “Friends” at the earlier appeal of the Director’s previous decision. The speaker urged the members of the Board to take their responsibilities seriously and carefully examine whether the structure proposed for the site met the guidelines that had been identified as of highest priority for the site at the Early Design Guidance meeting.

A fourth speaker identified himself as a frequent user of the park. He noted that the design team, as part of their presentation, had presented evidence of other Seattle parks circumscribed by taller buildings. He characterized these not as justifications but as sad mistakes that should not be repeated. The proposed structure would “tower over” the sculpture garden with a negative effect. Speaker number five identified herself as the wife of speaker four, spoke briefly to affirm her husband’s observations and declared that the Olympic Sculpture Park, a former brownfield site, was “one of the last pristine places in Seattle.” She further noted that the other buildings surrounding the park all “blended in.”

The sixth speaker represented the Belltown Housing and Land Use Committee and noted that the Committee had supported the earlier appeal. He said that he would not engage in a design discussion but would like to point out that the Olympic Sculpture Park was a “miracle,” and this in spite of a set of three egregious errors that had attended its coming into being. The first of the errors was made “by the City” which did not change the zoning of the subject parcel. The second error was SAM’s in not acquiring the site as protection for the park; the third grave error he laid at the doorstep of the designers of the park who had set out a progression and path that never considered that a 125 foot wall could be placed at the northern terminus of the bowl or “valley.”

After a seventh speaker repeated some of the objections to the proposal previously voiced, the final remarks were offered by the land use attorney representing the Seattle Art Museum. He too had offered a letter to the Board that had been forwarded to them by the Department prior to the meeting. The letter requested that the applicant commit to following a set of design measures in order to reduce impacts to the Olympic Sculpture Park. It was noted that the applicant had already agreed to these measures and had agreed to have them included as express conditions in any MUP that may be issued for a project on this site. The conditions had been included in the MUP that had been reversed by the Hearing Examiner. Numbering seven, the list of conditions covered the following issues: the underside finish of the proposed balconies (to be “light colored,” restrictions on exterior lighting, structures within the 15-foot side setback (balconies allowed), prohibitions of certain items on the south side of the building (no advertising), restrictions on balcony uses (no antennas, bicycles or laundry), minimum south setback (15 feet with balconies allowed to stick into space 10 feet), and commitment to use materials and overall design as approved by the Board.

Board Deliberations

The Board began by acknowledging some positive aspects of the proposal. Two outgoing Board members complimented the design team on the quality of the presentation packet which they noted was the best they had seen during their four years on the Board. Other comments noted the design team’s positive reaction when the Board had asked them to reign in a perceived busyness to the south-facing façade. The Board also noted the tremendous amount of care that had been given to arriving at a palette of external materials that was at once rich and subdued. The

Board affirmed again the rich potential of the site for residential development and the responsibility development on the site should assume in respecting the immediate neighborhood as well as in respecting the sculpture park to the south which has become in the short interval since its opening one of the City's special spaces.

Commenting on the articulation of the facades other than the south-facing façade and earlier concerns about how each of the facades met the ground, the Board was generally satisfied that these aspects of the design of the building were successful. There was continued discussion, however, about other aspects of the proposal, including both the size and the composition of the proposed balconies. A potentially troublesome element related to the balconies and discussed by members of the Board, was the fact that both from within the sculpture park and from around it prominent sight lines to the south façade from the various perspectives would include significant views of the undersides of the balconies. One Board member was insistent that the undercarriages not be white. The Board did not reach consensus on the matter, however, and reminded the design team that regard for the balcony undercarriages was of utmost importance to the successful composition of that south façade.

Apart from the particulars relating to the balconies, the south façade, providing the visual termination at the end of the Olympic Sculpture Park, remained the most troublesome portion of the design for the Board and received the most comment and discussion. For some Board members the building simply loomed over the park. It was suggested that something needed to be done to make the structure comply with the guidance of guideline B-1, B-2, and B-3. B-1 calls for concept and major elements of the proposed structure to "reinforce desirable urban features existing in the surrounding neighborhood; B-2 calls for a transition in bulk and scale and mitigation of height, bulk and scale impacts through the design review process; B-3 seeks a reinforcement of positive urban form & architectural attributes in the immediate area.

As the Board struggled to identify what it was that troubled them about a building that at least three members of the Board thought was fine of its kind, it was suggested by one member that what the Board was looking at was a fine building but one that failed to contribute to the other significant role the building was being asked to play. How was it possible for any building proposed for this site to be a good neighbor to the park? Any substantial structure would in effect become "a part of the sculpture park". Any new building would inevitably become a wall at the end of the park; it would inevitably read as a part of the park.

A specific proposal was then put forward by the Board member for "quieting the massing" of the proposed structure. This was then agreed to by the other three Board members. The Board would set a clear guideline and expectation that the structure, rather than stepping up in height midway up the hillside from Elliott Avenue, should maintain the same height across the entire top, at a line not to exceed 125 feet measured from the from the Elliott Avenue façade. After some further discussion this directive to quiet or compromise the proposed massing of the structure was agreed upon by the other three Board members.

The four Board members agreed that the project should be returned to the Board for another recommendation meeting at which time the design team should show and demonstrate to the Board a building uniform in height with a reduced height not to exceed the 125-foot liner established at the Elliott Avenue façade.

Departures from Development Standards:

The applicants did not seek any departures from development standards.