



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: January 11, 2011

BACKGROUND INFORMATION:

Project Number: 3008148

Address: 3031 Western Avenue

Applicant: Brad Hinthorne, Hinthorne Mott Architects, for
Martin Selig Real Estate

Board members present: Brian Scott (Chair)
Jim Falconer
Kathryn Armstrong
Sheri Olson

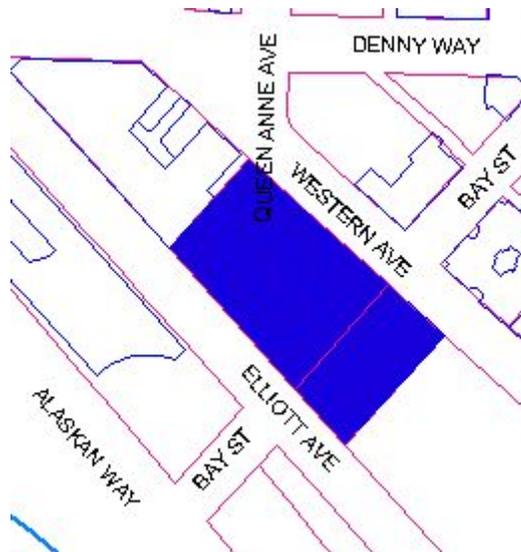
Board members absent: Jan Frankina, Gabe Grant, Pragnesh Parikh

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 an 8 story residential building, as viewed from Western Avenue, containing approximately 64 units, including 3 townhouse units just above grade facing onto Elliott Avenue, with two levels of mostly below-grade parking for 46 vehicles. The parking garages would take access from Western Avenue N. Project work would include landscape and pedestrian improvements within the area of vacated Bay street.

Notes on Project History

An Early Design Guidance meeting on a proposal, for a 14 story residential building, containing approximately 79 units with mostly below-grade parking for 79 vehicles 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 then withdrew its earlier decision and gave notice of a revised project.

In the revised project the proposed building and landscaping were exactly as presented at the earlier Recommendation meeting. The project retained (as it still does) one of numbers of the earlier MUP, 3008148, and was no longer doubled with another number (MUP 3009545) for landscaping and land-moving work that was to be performed across the parcel property line on the parcel occupied by the 3101 Western Avenue building, since the contiguous parcels were determined to constitute one development site, have a single ownership, and were part of a single proposal for structure and landscape improvements. The proposal was presented at a meeting of the Downtown Design Review Board on March 9, 2010.

Although the Board in its deliberations acknowledged many positive aspects of the proposal, an idea was put forward by one Board member for "quieting the massing" of the proposed structure. The idea was then agreed to by the other three Board members. The Board 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 as measured from the base of 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 line established at the Elliott Avenue façade.

Responding to the directives of the Board given at the March 9, 2010 meeting, the design team made application to the Department for a 7-story commercial office building that would fit within the height restrictions imposed by the Board (MUP 3011429). The revised proposal was presented to the Downtown Design Review Board at an Early Design Guidance Meeting held on July 27, 2010. Subsequent to the meeting the proposal for an office building was withdrawn and a revised notice of application for MUP 3008148 was published on October 21, 2010. That revised application, for a residential structure shorter in height than that which had been recommended for approval by the Board on April 14, 2009 and approved by the Director of the Department of Planning and Development in September of 2009, and with other refinements and changes, including the addition of three townhouse units along Elliott Avenue N., was the subject of this presentation.

ARCHITECTS' PRESENTATION

The presentation of the design team began with a brief accounting of the project history as noted above and proceeded to. While retaining many features and the materiality of the residential structure last presented to the Design Review Board on March 9, 2010, the current proposal maintained a uniform height across the site and was reduced to a maximum of 91 feet at the Western Avenue N. façade. The design team explained how the design was both responsive to the early design guidance given by the Board and the continued guidance of the Board. 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. As in earlier iterations, distinctively narrow facades were presented to both Western and Elliott Avenues with a building width of some 51 feet. Along Elliott Avenue, where in earlier articulations of the structure the building was set back to allow for a five-foot landscaping strip, behind which was mechanical space, there were now three 2-story townhouses with entrances raised above the abutting sidewalk and accessed by stoops. The central portion of the Bay Street exterior, as earlier portrayed, 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, a substantial amount of vision glass would accent both the east and west edges of the Bay Street façade.

On the Olympic Sculpture Park facing façade, earlier described as a three-dimensional “tapestry of glass,” with balconies hung off the façade, the glass column assembly between bays was overlain with perforated copper sheets, adding a new layer to interact with the glass. As had been earlier proposed, the design allowed for an additional layer of plant material to grow along the vertical surface of the columns set between the balconies.

The primary landscaping goal was described as a desire to provide strong continuity with the landscaping already established within the sculpture park. The project would include significant

landscaping and pedestrian improvements in the portion of the site that formerly had been right-of-way (Bay Street) running between Western and Elliott Avenues.

The design team's presentation concluded with a showing of materials intended for the structure. These 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, the "Jerusalem" stone, in both the textured and smooth finishes and the stainless steel structural rods designed to support the balconies.

Public Comment:

Following the architect's presentation, the Board elicited comments from members of the public attending the meeting. Ten members of the public had affixed their names to the sign-in sheet provided for the meeting with at least seven members of the public offering public comment. Among the observations and concerns expressed were these:

- The project presented was a "new project," significantly changed from what had been presented before and it made it difficult for the public to prepare responses to it;
- The design team spoke of the structure providing "transitions," but it was difficult to decipher any transitions from the waterfront;
- The parking provided was inadequate and placed demands on a neighborhood already saddled with a problem of finding adequate parking space;
- The gesture to reduce the height of the building was still inadequate to mitigate the impact of the building;
- The north façade of the building should embrace retail uses and promote street life;
- The building still failed to do anything for the park;
- The "lop-a-top" gesture was inadequate and did not adequately address the issue of overall compatibility of the structure with the Design Review guidelines;
- The proposal remained a "inappropriate fit" for the park and the neighborhood;
- The perforated copper sheets were an improvement and added a positive dimension to the south-facing façade;
- A spokesperson for SAM thought the changes offered were significant improvements; the underside of the balconies remained an important component of the project as did the qualities of materials and the potential for glare; the continued maintenance of the building was important to the Museum; limitations and conditions would need to be in place;
- One member of the public, commenting on earlier statements about the impacts of "glare" emanating from the glass on the proposed structure, referred to the considerable reflectivity from the glassed pavilion in the park and pointed out that sometimes there are offered serendipitous and delightful opportunities for light to play off surfaces.

BOARD'S DELIBERATIONS

During its deliberations, the Board acknowledged the many positive aspects of the proposal. The developer and design team were credited with responding admirably to the guidance of the Board; the building was said to have achieved an improved "quietness," a quality imparted by

both the composition and the choice of materials, one that conveyed a sense of simple elegance. The addition of the townhouses along Elliott Avenue N. was a “nice touch” that was thought to superbly address the Board’s earlier concerns about neglecting that particular street front. The design was found to be successful. The palette of external materials was approved as at once rich and subdued.

While the Board members were agreed about recommending approval for the residential structure at this site, there was discussion, nonetheless, about some particular aspects of the proposal. For instance, some Board members wondered whether the color chosen for the perforated copper sheeting overlaying the powder-coated steel panels that covered the structural columns between balconies was quite right. It was suggested, without final agreement or insistence, that a “more muted color” might be more appropriate. The Board agreed on a recommendation that the design team continue to study the question of color and hues of the column assembly. One Board member also expressed concern regarding the appearance of the glass rail and stainless steel fasteners in the balcony assembly. In that instance the Board agreed to recommend a condition requiring the design team to work with the DPD Land Use Planner to arrive at an acceptable choice of materials and configuration of this part of the balcony assembly.

Two other areas at issue were premised on what appeared to be the Board’s underlying concern that there could eventuate so-called “value engineering,” especially if there were to be passage of the project from one owner’s hands to another’s after the Board had made its recommendations. There was apprehension expressed that in such a situation a developer could dumb-down the design, especially regarding proposed materials both for the building and the landscaping, or water-down any sensitivity to concerns expressed throughout the series of Board meetings by the Olympic Sculpture Park. Regarding the landscaping, the Board recommended a condition that the quantity and quality of landscaping materials would be installed as shown at the meeting, that the landscaping would incorporate a high proportion of native materials, would display strong continuity with the palette of materials and patterns established by the landscaping of the Olympic Sculpture Park , and would be installed in coordination by the Seattle Art Museum.

Finally, one of the Board members urged that CC&R’s encumbering the title of the property to the benefit of the Olympic Sculpture Park the Board be a recommended condition of approval. This condition of its recommendation of approval would be applied to the materiality of the proposed structure and of its landscaping as approved and further conditioned by the Board, as well as to certain restrictions needed to mitigate impacts, including, for example, restrictions on tenant uses of their balconies.

Staff Note

While agreeing with the intention of the above recommended condition, DPD will make a determination of the most effective and enforceable means to achieve the results intended by the Board, namely that the Board’s conditions should be subject to certain agreements and, where it might be appropriate, legal instruments, to be negotiated between the owner of the property and the Olympic Sculpture Park (sc., the Seattle Art Museum), which would be approved by the Department of Planning and Development.

Departures from Development Standards:

The applicants did not seek any departures from development standards.