



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3007320

**Applicant Name:** Jennifer Guthrie of Gustafson Guthrie Nichol, Ltd., Landscape Architects, for Seattle Union Street Association (the Seattle Sheraton Hotel)

**Address of Proposal:** 1400 6th Avenue

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow modifications to the east (7<sup>th</sup> Avenue) façade of an existing building (Seattle Sheraton Hotel) and to allow improvements in the 7<sup>th</sup> Avenue right-of-way between Pike Street and Union Street. Early Design Guidance and Environmental Review (SEPA) were conducted under application #2301709.

The development site is comprised of the entire block bounded by 7th Avenue on the east, by 6<sup>th</sup> Avenue on the west, by Pike Street on the north and Union Street on the south. The subject site is located within a Downtown Office Core 2 zone with a height designation of 300 feet (DOC2-300) and previously developed with The Sheraton Hotel. All the streets surrounding the site are Class 1 pedestrian streets.

The following approval is required:

**Design Review** - Chapter 23.41 Seattle Municipal Code (SMC)

**Additional Information**

On November 9, 2004, at a regularly scheduled Recommendation Meeting before the Downtown design Review Board for MUP application, 2301709, an application to allow a 25-story tower addition and expansion of the ballroom and other service areas of the existing Sheraton Hotel, time was given to a presentation of conceptual designs for the enhancement of the entirety of 7<sup>th</sup> Avenue between Union Street and Pike Street. The most notable feature of this presentation, however, was a significant change to the approach of dealing with the 7<sup>th</sup> Avenue façade and a proposed open

space at the corner of 7<sup>th</sup> Avenue and Union Street. Since the 7<sup>th</sup> Avenue improvements would involve a variety of players, including the Act Theatre, the Washington State Convention and Trade Center, and possibly others, the applicant suggested that improvements along the edge of the hotel site would be a part of a Local Improvement District (LID) or similar vehicle and separated from other elements of the proposal under review.

At a Design Review Recommendation Meeting held on January 11, 2005, the Board unanimously recommended approval of other elements of the project as presented, excluding from their approval the entirety of the 7<sup>th</sup> Avenue façade and portions of the Union Street facade and that portion of the development site at the corner of 7<sup>th</sup> Avenue and Union Street that were intended to be part of the scope of the LID.

At the final Recommendation Meeting for MUP 2301709, held on January 11, 2005, the applicants had identified and requested the following departures from design development standards:

- Setback limits-SMC 23.49.076 B, setbacks not within 2-feet of property line
- Minimum façade transparency-SMC 23.49.076 C3-less than 60%
- Blank façade limits-SMC 23.49.076 –exceeding 40% of street façade
- Sidewalk widths-SMC23.49.022-less than minimum standard
- Curbcut-SMC 23.54.030 F-not to exceed 25 feet
- Street level uses-SMC 23.49.025-not to meet 75% minimum
- Overhead Weather Protection-SMC23.49.025 B5-not continuous

In recommending to DPD that approval of these departures should be granted, the Downtown Design Review Board recognized the substantial nature of these combined departures and explicitly linked their recommendation of approval to the condition that significant and substantial improvements would be made to the 7<sup>th</sup> Avenue façade and adjacent right-of-way, either through the vehicle of a Local Improvement District (LID) or, failing that, the instrument of a subsequent Master Use Permit (MUP) that would be brought before them for their subsequent recommendation of approval.

The Board clearly affirmed their understanding that the plans for the proposed LID, insofar as they touched upon actual improvements to the 7<sup>th</sup> Avenue façade and the design of the pocket park at the corner of 7<sup>th</sup> and Union, would be returned to the Board for their recommendation of approval at a later date. The Board also provided, that should the LID fail to materialize, or fail to succeed in its intentions to produce a plan for 7<sup>th</sup> Avenue and for the pocket park at the corner of 7<sup>th</sup> and Union, the design of the 7<sup>th</sup> Avenue façade and the design of the pocket park within the development site at the corner of 7<sup>th</sup> and Union would be returned to the Board for its directives and guidance, and ultimately for its recommendation of approval to the Director of the Department of Planning and Development.

It was the Board's understanding that its recommendation for approval of all other elements of the proposal would be conditioned in the decision of the Director to require such a return to the Board for its approval either the plan proposed as the product of the LID, or, should the intended LID fail to materialize, the plan of such elements of the overall design that were relegated to the scope of the LID. In addition, the Board affirmed its continued desire that the applicant should keep exploring, as a key element in the design of the pocket park, a water wall at the rear of the open space, or other substantial water feature, at the corner of 7<sup>th</sup> and Union.

Master Use Permit 2301709, accordingly, was conditioned as follows:

**“CONDITIONS - DESIGN REVIEW**

*Prior to issuance of Certificate of Occupancy*

8. The applicant shall apply to DPD for a permit for those improvements to the 7<sup>th</sup> Avenue façade of the Sheraton Hotel and the pocket park at the southeast corner of the site as the design of these improvements has been developed within the overall design plan of the LID. Such application shall be subject to Design Review and plans will be presented before the Downtown Design Review Board for recommendation of approval.
9. If for any reason the LID has not gone forward towards completion, the applicant shall apply for a permit and submit plans for 7<sup>th</sup> Avenue façade enhancements and improvements to the proposed pocket park at the southeast corner of the site, which application shall be subject to Design Review. The proposal will be presented to the Downtown Design Review Board for recommendation of approval. The proposal shall include as an essential and indispensable element of the design a water wall or other substantial water feature, at the corner of 7<sup>th</sup> and Union.”

Having determined that an LID involving other property owners abutting the 7<sup>th</sup> Avenue right-of-way between Pike Street and Union Street was not to be realized, the applicant (Seattle Sheraton Hotel) made application for the current Master Use Permit, as was conditioned by MUP 2301707, on June 6, 2007. The application was deemed complete on June 6, 2007, Public Notice was published on June 14, 2007, and a Public Comment period ran between that date and June 27, 2007.

**BACKGROUND DATA**

Site and Vicinity Description

The subject site is located in a Downtown Office Core 2 zone with a height limit of 300 feet (DOC2-300). The whole block site is bounded by 6<sup>th</sup> Avenue, Pike Street, 7<sup>th</sup> Avenue and Union Street. An alley which previously bisected the block in a north-south direction was vacated prior to the construction of the Sheraton Hotel in the early 1980s. All the streets surrounding the site are Class 1 pedestrian streets. The immediate vicinity is characterized by a mixture of older, mid-rise retail-office structures and modern high-rise office buildings. Several of the buildings in the area have upper-level residential condominiums. The site lies one block west of Interstate Highway I-5 and the Washington State Convention and Trade Center.

As developed in the 1980s, the Seattle Sheraton Hotel was a 34-story structure with 838 guestrooms, a ballroom, and other ancillary spaces. Authorized by MUP 2301709, a second hotel tower was constructed on the southern portion of the site, directly across 7<sup>th</sup> Avenue from the Eagles Auditorium building, a 1914 City of Seattle Historic Landmark structure which contains residential units above street level and is currently home to the ACT theatre.

The 22-story, separate-tower addition (above a 3-story podium) to the existing hotel was completed in 2006. The addition added 423 guest rooms on the southerly portion of the site, an area that until then had been used for surface parking. The project also included the expansion of the existing ballrooms and providing additional retail and restaurant space. The expansion resulted in approximately 282,000 square feet of additional hotel, service areas and commercial/retail space on the 88,193 square foot site.

### Public Comments

Public comment was invited at initial Master Use Permit application and at the four design review public meetings pertaining to MUP 231709. Notice of the subject MUP (3007320) was published on June 14, 2007, with a public comment period running through June 27, 2007. Written comments regarding MUP 3007320 were few and mostly requests only to be made parties of record. None of the comments received raised fundamental objections to the proposed project. Comments from the Design Review Recommendation meetings for MUP 3007320 are noted within the Design Review process summaries which follow.

## **ANALYSIS - DESIGN REVIEW**

### **Preliminary Recommendation meeting**

Public Notice of a Design Review Recommendation Meeting regarding MUP 3007320 was published and posted on June 21, 2007, and presentation of the proposal made before a regularly scheduled Downtown Design Review Board meeting, attended by all five members of the Design Review Board for Area 6 (Downtown), held at 7:00 P.M. on Tuesday, July 10, 2007.

### Introductory Board and Staff Comments

After introductions, the Board Chair explained the unusual nature of the project and unusual nature of the Design Review process, including that of initiating review at the "recommendation" phase of the process. The citing of pertinent design guidelines and generous guidance regarding expectations for the 7<sup>th</sup> Avenue façade, public space at the corner of 7<sup>th</sup> and Union, and the abutting rights-of-way had been imparted at the two Early Design Guidance meetings held in regard to MUP 2301709 and would provide an adequate framework upon which the current Board would make its recommendations.

For the benefit of both the Board and the public attending, DPD Land Use Planner, Michael Dorcy, gave a brief accounting of the historical background noted in the notes above. He also called attention to the sculpture to be created by artist Ginny Ruffner for the triangular section of property at the southeast corner of the, noting that the artwork itself was not within the purview of the Board. The public art piece has been reviewed and has received preliminary approval from the Public Art Advisory Committee of the Seattle Arts Commission. The façade behind the sculpture and the treatment of the ground beneath and surrounding it, are subject to the Design Review Board's review. Lyle Bicknell, Senior Urban Planner for the Department then indicated the importance of a successful outcome of this process from the City's perspective and reminded the Board of those salient urban design principles that should be a part of the Board's review of the applicant's proposal. Mr. Bicknell especially emphasized the golden opportunity provided by the

Seattle Department of Transportation's (SDOT's) willingness to close the curb-most lane of traffic on the west side of 7<sup>th</sup> Avenue in order to allow for an expanded sidewalk width along the entire façade length.

### Applicants' Presentation

Jerry Anches, a representative of the local ownership group of the Sheraton, made opening remarks on behalf of the applicants. These included a brief recounting of the rise and eventual decline of the LID proposed process. Mr. Anches recounted the assumption of the design challenge by Gustafson Guthrie Nichol, Ltd and some of the early, generally unsuccessful approaches to mitigating the overweening presence of the "wall." In addition, Mr. Anches introduced Ginny Ruffner, the artist commissioned by the Sheraton to create a monumental sculptural artwork, "The Urban Garden," to occupy a strategic position within the niche at the corner of 7<sup>th</sup> and Union.

The bulk of the presentation was made by Jennifer Guthrie, a principal with Gustafson Guthrie Nichol, Ltd. She guided the audience through the elements of a conceptual "Theatre Walk" along the west side of 7<sup>th</sup> Avenue. Playing off the historical and contemporary aspects of the street lying at the heart of the Theatre District, the sidewalk was characterized by a "red carpet running the length of the entire block and a series of "chandeliers," integrated into the overhead weather protection and running along a substantial portion of the northern half of the block. The lower half of the building façade, including that portion of façade running diagonally behind the proposed "Urban Garden" sculpture, was a simulated theatre-lobby "wallpaper," created by stenciling a *fleur-de-lis* pattern on the wall. Accenting this visual motif were a long row of ginkgo street trees with under-tree and along-the-wall plantings that flanked the "red carpet" sidewalk paving.

### Public Comment

After providing time for Board members to ask clarifying questions of the applicants, the Board Chair solicited comments from members of the public. One member of the public, Donna James, representing "friends" of the nearby *Freeway Park*, suggested that the wall and right-of-way treatments should incorporate signage for wayfaring, including way finding for a variety of entrances, including that for Freeway Park. She further suggested that the illuminated "marquee" would provide less of a feeling of "arrival at nowhere" if it were to be more continuous along the entire walkway. Another member of the public, Steve Coulter, representing the ACT Theatre, housed within the Eagles Temple Building immediately across 7<sup>th</sup> Avenue, emphasized that the façade treatment and walkway were not something to look at but to move through. He suggested that the fleur-de-lis pattern was "too heavy," most notably where it wrapped the corner onto Union Street. There was a distinct public advantage to provide continuous overhead weather protection, he noted, and a desirable advantage for the ACT Theatre if a vehicular pull-out for proving pedestrian drop-offs could be introduced into the widened sidewalk area.

### Board Comments and Deliberations

After eliciting comments from the members of the Public in attendance, the Board acknowledged the design challenge presented and commended the design team for what it knew would be continued wholehearted efforts to respond to the concerns and observations raised by the Public and the Board.

Among observations, suggestions and guidance, the Board offered the following:

- Study alternatives for the chandelier/lobby concept, *especially alternatives that provide for continuous overhead weather protection along the entire 7<sup>th</sup> Avenue façade*. While the intention was to convey an interior anteroom or lobby space beneath the chandeliers, members of the public and Board members noted that the treatment presented equally, or perhaps more strongly, communicated a marquee experience, an exterior place of arrival but without any real entry. The design team was urged to refine the design to convey the intended referent with equal panache but less disturbing ambiguity.
- Explore details and design considerations, including signage that will contribute to the “branding” of this passage as “The Theatre Walk.”
- Reconsider the fleur-de-lis wallpaper as a continuous surface, especially since the wall would greatly benefit from the incorporation of rhythmical, vertical elements, as strikingly incorporated within the Eagles Temple façade directly across the street and as shown in the earlier, “Concept-Light Curtain” scheme for the 7<sup>th</sup> Avenue Sheraton façade.
- The plaza surrounding the “Urban Garden” sculpture does not work with the sculpture at this point; re-examine the “Green Wall” concept generally, in particular for the sunny pocket park wall behind the sculpture; explore ways to integrate the sculpture within this niche space and with the context of the “Theatre Walk.” One of the Board members noted that the motifs chosen to portray the “Theatre Walk” seemed to all look backward while the sculpture appeared to look forward in time; for several, the wallpaper seemed especially inappropriate as a backdrop for the “Urban Garden” sculpture along the canted portion of the façade facing onto Union Street; the art piece, it was noted, is playful, while the wallpaper is sodden.
- Work to coordinate the sculpture with the detailed design of the wall behind and the ground surface treatment of the pocket park; provide more detail on the base of the “Urban Garden” and how this relates to treatment of the ground plane on which it sits; resolve especially the discordant junction with the “red carpet” along this section of the sidewalk. Consider and present for the Board a detailed study of the characteristics of this space at night.
- Work to better integrate the seemingly disjunctive ideas behind the “Urban Garden” sculpture and the “Theatre Lobby” concept and to articulate that integration.
- Strengthen the sense of a continuity of interesting small events occurring along 7<sup>th</sup> Avenue; further examine opportunities for clustering of the street trees and plantings along the street to promote these smaller events; and further examine the design of seating and patterns of seating along the street and show more clearly how these are centripetally arranged and conducive of interaction and conversation; show in detail how the seating is integrated with the lighting and landscaping.
- Do not ignore the presence of utility poles and the supports for the electrical system supplying the trolley buses and show how these are to be integrated into the overall street and façade designs; examine and provide the Board with graphic information for the entire length of the block from the perspective of different seasons and weather conditions.
- At the next Board meeting, provide samples of proposed colors, materials and treatments.

In general, the Board agreed that there was need for a more apparent integration between the proposed sculpture at the corner of 7<sup>th</sup> Avenue and Union Street and the elements of the “Theatre

Walk” along 7<sup>th</sup> Avenue. The Board observed that the proposal shown to them might benefit by a return and re-examination of some of the earlier schematic explorations (“initial concepts”). As one Board member articulated it, while the earlier schemes seemed to be too much about the wall, the scheme they had been presented with “had lost the wall.” The “light curtain” concept especially, showed the value of vertical rhythmic elements to mollify the extreme linearity of the sidewalk and wall. The Board was in agreement that a successful design would incorporate overhead weather protection, perhaps in discrete articulations, but, nonetheless, continuous for those pedestrians who would traverse 7<sup>th</sup> Avenue.

## **Final Recommendation Meeting**

### **Architect’s Presentation**

Notice of a second Design Review Board meeting regarding MUP 3007320 was published and posted on September 6, 2007. In response to the Board’s guidance given at the July 10<sup>th</sup> meeting, the design team returned for a regularly scheduled meeting of the Downtown Design Review Board at 7:00 PM on Tuesday, September 25, 2007. At the outset of their presentation, the applicants indicated a substantial shift both in an overall general motif and in the constitutive elements proposed for execution of the project. These elicited a generally favorable response and general approval from the four members of the Board in attendance at the second meeting.

In lieu of the “Theatre Walk,” the procession along 7<sup>th</sup> Avenue was conceptualized as a “Garden Walk,” culminating in the arrival at the “Urban Garden” sculpture by Ginny Ruffner. The wall was transformed into a literal “green wall,” faced with Boston Ivy, planted at the base of the wall and trained up the wall, and interlaced with a series of large, oversized mirrors. The Garden Walk was presented as being “of a piece” with a larger, conceptual neighborhood “green garden walk” comprised by the plaza of Two Union Square, the Washington State Convention & Trade Center, and Freeway Park. A sectional, illuminated glass canopy, translucent with pendant glass crystals ran the entire length of the walk with segments at various heights above the sidewalk. The sculpture was more fully embraced by the streetscape design, with the vegetative wall wrapped around to fill the canted wall joining Union Street and 7<sup>th</sup> Avenue. A long, curved bench with raised planting bed behind the sculpture would provide the kinetic art piece with a rich setting and establish it as a place of arrival. In lieu of the former “red carpet,” the walkway along 7<sup>th</sup> Avenue was described as “floating” above a swath of green that descended down the wall and “under” the walk to spread out and fill the planting strip up to the curb line. Several benches, along the walkway provide for opportunities of sojourning along the path. It was noted that wayfaring would be incorporated into the paving at the pocket park.

### **Design Departures**

The Land Use Code (SMC 23.49.018) requires that overhead weather protection be located no more than fifteen feet above the sidewalk level. Individual sections of the canopies were proposed to be in conformity with the requirements of the code, but portions of the canopies toward the south end of the façade were proposed to be higher than fifteen feet in order to maintain a clear line of sight as pedestrians approached from the north. The departure was requested to ensure the dramatic revelation and unfolding of that portion of the sculpture that hung into the right-of-way. This

departure was in addition to those that had been requested for recommendation of approval under MUP #2301709.

### **Board Deliberations**

After asking clarifying questions and eliciting public comments the four Board members present agreed that the return to the literal “green wall,” an idea dating back to the first Early Design Guidance meeting for MUP 2301709, marked a positive shift in direction from what the Board had seen the last time out. The Board acknowledged that the continuous “Garden Walk” incorporated many of the elements of the guidance the Board had given at the previous meeting. A genuinely inviting, pedestrian environment was helped by the continuous overhead weather protection. With some Board reservations, the benches, as stopping-off places, were viewed as providing for the occasions for “smaller events” along the way that the Board had requested. The Board agreed that the introduction of the mirrors along the façade introduced some much needed verticality to the wall, provided by the shapes of the mirrors themselves and in the way the reflections in the mirrors pulled into the wall images of the street trees and elements of the façade across the street.

Additionally, the mirrors provided for an interesting dialogue between the expansive, monomorphic Sheraton wall façade and the highly articulated, rhythmic bays and rusticated lower story of the Italianate renaissance revival architecture of the historic land marked Eagles Temple across 7<sup>th</sup> Avenue. The color and texture of the Boston ivy was a welcomed replacement for the “wallpaper” treatment of the earlier scheme. It was noted that the wall treatment effectively wrapped the corner behind the sculpture, proving a more elegant setting for it. The flow of the landscaping along the wall and along the street provided for that integration with the sculpture that the Board felt had been largely missing in the earlier “Theatre Walk” proposal.

### **Board’s Recommendation**

The Board was sufficiently satisfied with the turn-about and progress that had been made in the design to recommend approval of the design and approval of granting the requested departure. In doing so, the Board recommended conditioning the project so that the design team would continue to refine the design in the direction that had been taken and continue to work with the Land Use Planner and Urban Planner from the Department of Planning and Development to achieve in both built and planted forms the rich layers of textures, colors, drama, excitement and comfort that had been the clear underlying promise of what had been presented at the meeting.

It was understood by the Board that the final product and solution would entail those elements that had been presented. The Board was satisfied that the return to a literal “green wall,” an idea dating back to EDG #1, marked a positive shift in direction from what was presented to the Board the last time out.

The continuous “Garden Walk,” it was agreed, incorporated several elements of the guidance given by the current Board. These included the desirability of continuous overhead weather protection” and the more obvious integration provided by the concept of a “garden walk” rather than the “theatre walk.” The color and texture of the Boston Ivy was a welcomed replacement for the fleur-de-lis “wallpaper. The interstices in the design, relieving the earlier extreme linearity provided for stopping-off places. The benches were thought to provide for the “smaller events along the way” that the Board had been asking for. The mirrors were acknowledged to provide for an interesting

dialogue with the rhythmic Eagles Temple façade across 7<sup>th</sup> Avenue. The wall treatment was seen to wrap the corner at 7<sup>th</sup> and Union much more effectively than previously seen.

The Board was also agreed that further design development should continue to address the following concerns voiced by members of the Board:

- Provide for some variation from the strictly linear placement of the benches in order to provide alternatives for more intimate, centripetally focused exchanges and experiences on the part of users of the benches;
- Continue to work on the design of effective wayfaring signage integrated into the overall design of the “Garden Walk”;
- Provide more detail and specifics of the design and placement of lighting, an essential ingredient for the success of the project, but inchoate in the presentations to date;
- Provide an integrated program, from the selection of materials to setting up schedules for maintenance, to guarantee the long-term sustainability of the project.

### **Design Development**

Following the second Recommendation Meeting, the applicants continued to work with DPD to refine elements of the design which addressed the concerns of the Board. Since a substantial portion of development will be within the public right-of-way, review and preliminary approval of the City of Seattle Department of Transportation (SDOT) was also a necessary part of the design development and refinement.

As early as the first Recommendation Meeting, held on July 10, 2007, DPD’s Senior Urban Planner had reported to the Board SDOT’s willingness to entertain a design proposal that would extend the sidewalk and curb line along the west side of 7<sup>th</sup> Avenue between Pike Street and Union Street into the existing street, eliminating the westernmost, southbound lane of vehicular traffic. Proposed street improvements, involving relocations of the curb, light poles and Metro transit poles, widening of the sidewalk, new plantings of street trees and other plants as part of a landscape plan that included street furnishings, elements essential to the realization of the concept and particulars approved by the Design Review Board, went through a series of iterations and refinements in plans submitted to the Seattle Department of Transit. On December 19, 2008, SDOT granted conceptual approval of the street improvement plans, on the condition that the applicant continue to work with SDOT and King County Metro on both the lighting in the public right-of-way and logistics regarding the poles utilized by Metro to support the overhead power lines that feed the trolley buses that run along 7<sup>th</sup> Avenue and along Union Street.

### **DECISION - DESIGN REVIEW**

The Director has reviewed the proposal that contains these essential elements as set forth in plans accompanying the MUP application:

- A large hydro-chrono-kinetic sculpture designed by artist Ginny Ruffner and entitled “Urban Garden,” to be located in the pocket park at the northwest corner of 7<sup>th</sup> Avenue and Union Street;

- A large, arc-shaped concrete bench, raised landform with plantings, and vines planted in the ground and trained up the wall that forms the back edge of the pocket Park and provides a backdrop for the “Urban Garden” sculptural piece;
- A widened sidewalk that extends into the current vehicular lane along the west side of 7<sup>th</sup> Avenue, and that provides space for extensive planting beds, including a substantial planting bed along the façade of existing Sheraton Hotel;
- Five large, multi-paned mirrors attached to the existing 7<sup>th</sup> Avenue Sheraton Hotel façade;
- New street trees (10-12, 6-inch caliper *Ginko Biloba* , “Princeton Sentry” along 7<sup>th</sup> Avenue;
- Overhead canopies along the extent of 7<sup>th</sup> Avenue with integrated transparent glass, hanging “crystals,” and lighting;
- Permanent wayfaring signage embedded in the sidewalk at the corner of 7<sup>th</sup> Avenue and Union Street;
- Continuous vines (Boston Ivy) planted at the base of the 7<sup>th</sup> Avenue hotel façade and trained up the face of the building;
- Clusters of efferent-directed benches integrated into the landscape along 7<sup>TH</sup> Avenue;
- Relocated or new street lights/Metro trolley wire support poles as required.

The Director of DPD has reviewed the recommendations of the four Design Review Board members present at the final Design Review recommendation meeting and finds that they are consistent with the *City of Seattle Design Review Guidelines for Downtown Development* and that the development standard departure requested will provide for overhead weather protection, integrated within a design that will improve pedestrian comfort as called for in Guideline C-5 while offering an improved design solution, better meeting the intent of the Design Guideline, than would be obtained through strict application of the Seattle Land Use Code.

Therefore, the proposed design is **approved** as presented at the September 25, 2007, Design Review Board meeting, and as subsequently refined with input from DPD and SDOT. The design and the recommended development standard departure described above are approved, subject to the design conditions, enumerated below.

### **Conditions-Design Review**

#### *Prior to Issuance of the Master Use Permit*

1. Plans shall be updated to have embedded colored elevations of the 7th Avenue façade, the sculpture, the portion of the Union Street façade that backs the pocket park, as well as a colored site/landscape drawing, as required by CAM 238.
2. Provide a note regarding the “Design Departure” on Sheet G 100 in the MUP plan sets.

Prior to Issuance of any Building Permit by DPD

3. Provide to the DPD Land Use Planner for review and approval: 1.) details regarding the illumination of the overhead canopies; 2.) details regarding the wayfaring signage to be included within the sidewalk paving.
4. Provide to the DPD Land Use Planner for review and approval a maintenance plan intended to guarantee the long-term survival of the various elements of the proposal.

Prior to Issuance of a Final Certificate of Occupancy for the Tower Addition and Other Improvements Proposed and Constructed under MUP 231709

5. The Director shall be satisfied that substantial and tangible progress has been made toward the realization of the improvements proposed for the 7<sup>th</sup> Avenue façade and the 7<sup>th</sup> Avenue right-of-way as shown in plans that are a part of this MUP application. Additionally, the Director shall be satisfied that substantial and tangible progress has been made toward the realization of the Ginny Ruffner sculpture “Urban Garden,” as well as the proposed improvements on that portion of southeast corner the site where the sculpture, “Urban Garden,” is to be installed.

Signature: \_\_\_\_\_ (signature on file) \_\_\_\_\_ Date: February 02, 2009

Michael Dorcy, Senior Land Use Planner  
Department of Planning and Development

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