



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane Sugimura, Director

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

Application Number: 3008499
Applicant Name: Olson Sundberg Kundig Allen Architects for Touchstone Corp.
Address of Proposal: 1900 1st Avenue

SUMMARY OF PROPOSED ACTION

The following approvals are required:

Land Use Application to allow an eleven (11) story building containing 13,170 sq. ft. of retail use at ground level, hotel (110 rooms) and 75 residential units above. Parking for 325 vehicles to be provided below grade.

SEPA - Environmental Determination – Seattle Municipal Code (SMC) 25.05

Administrative Conditional Use - SMC 23.49.046, to allow principal use parking garage for short-term parking in Downtown Mixed Commercial zone.

Design Review- SMC 23.41 Design Development Standard Departures.

1. Upper Level Setback- SMC 23.49.058F
2. Façade Modulation- SMC 23.49.58B
3. Façade Setback Limits- SMC 23.49.056B1
4. Street Level Use- SMC 23.49.009B1
5. Sidewalk Width- SMC 23.49.022

SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

BACKGROUND DATA

Site & Vicinity Description

The 19,980 square foot subject site is located at the northeasterly corner of 1st Avenue and Stewart Street at the edge of the Belltown neighborhood across the street from the historic Pike Place Market. The site is developed with a 78 space principal use surface parking lot and is zoned Downtown Mixed Commercial with a height limit of 125 feet (DMC-125). Surrounding zoning of property on the block face along 1st Avenue is DMC-125. Surrounding property to the west, across 1st Avenue is zoned Pike Place Market Mixed with an 85 foot height limit. Surrounding property to the east across the alley is zoned DMC with a height designation of 240 feet for non-residential, a base limit of 290 feet for residential and a maximum limit with bonus of 400 feet for residential.



Surrounding property to the east across the alley is zoned DMC with a height designation of 240 feet for non-residential, a base limit of 290 feet for residential and a maximum limit with bonus of 400 feet for residential.

The project site is flanked by the 56 foot tall Fairmount Apartments across 1st Avenue, by the 150 foot tall First and Stewart building across Stewart Street, by the 89 foot tall Plymouth on Stewart apartment building across the alley and the 70 foot tall Oxford Apartments north of the site. Future development contemplated across the alley fronting on 2nd Avenue will reach a height of 240 feet directly adjacent to the site, and another 400 foot tall structure at the corner of 2nd Avenue and Virginia.

First Avenue is designated as a class 1 pedestrian street- minor arterial. Stewart Street is designated as principal transit street. The streets are fully improved with curb, gutter, sidewalk but have no street trees. A 16 foot wide alley abuts the site on the east. With this development, the City will require a dedication of 2 feet in the alley. Future development across the alley will be required to dedicate resulting in a 120 foot segment of the alley abutting the site that will be 20 feet wide.

The site topography has a slight slope in that the southwest corner at 1st and Stewart is 10 feet higher than the northeast corner along the alley.

No vegetation exists on the site in that it is entirely impervious asphalt.

Project Description

The proposed project is an 11-story mixed use building consisting of 100 hotel rooms, 75 apartment units and 5,000 square feet of retail at the ground level. Five levels of below grade parking are proposed to accommodate 325 vehicles.

Early Design Guidance (EDG)

A design review meeting was held on April 22, 2008 to provide early design guidance for this proposal. The Design Review Board members provided design guidance after visiting the site, considering the analysis of the site and context provided by the proponents and hearing public comment. The Design Guidelines of highest priority to this project based on the City of Seattle's "*Design Review Guidelines for Downtown Development, April, 1999*" and the "*Design Guidelines for the Belltown Urban Center Village, effective August 26, 2004*"

Public Comment

Public notice was provided for the Design Review meeting that was held by the Downtown Seattle Design Review Board (DRB) for Early Design Guidance (EDG) and for a Design Review Board Recommendation meeting. Additional comment opportunities were provided at the time of Master Use Permit application.

DRB Early Design Guidance Meeting-April 22, 2008: four members of the public spoke at the meeting. The DRB received comments relating to; creating an 18 foot wide sidewalk along Stewart Street is important to the public and should be provided. Providing a public courtyard would be a good asset and might work if sidewalk was reduced; the city should do something about the condition of the alley; the numerous dumpsters make it a challenging site; the corner of the alley and Stewart should be opened up in that the design seems to make it constrained; the alley façade proposed should be just as nice as the Plymouth at Stewart buildings alley façade; the alley façade is important for the Plymouth at Stewart Building; obtaining a curbcut from Stewart Street is problematic and is really tough to get from the City; and providing a public courtyard would be a good gesture and nice neighborhood amenity.

Notice of Application for Master Use Permit: further notice and public comment opportunity was provided as required with the Master Use Permit application. The comment period ended on August 13, 2008. No written comments were received.

DRB Recommendation Meeting- October 28, 2008: four members of the public spoke at the meeting. Most of the comments were positive and are summarized as follows; likes that the proposed would create an active street, provides below grade parking and does not have a curbcut. Wants a comprehensive alley plan considering the amount of development abutting this alley. Wants to know what the corner element will look like in the daytime. Wants to know how welcoming and accessible the courtyard will be once the building is occupied. Wants to know whether the courtyard will be truly public or more private. Likes the green roof proposed. Alley needs to be cleaned up and dumpsters removed. Wants to ensure good visibility into the alley at intersection with street to ensure pedestrian safety. Courtyard design needs to be communicated better. Likes scale of project and "yin-yang" theme. Has concerns about the glass corner.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE PERMIT

The Land Use Code allows principal use parking garages for short-term parking as administrative conditional uses in Downtown Mixed Commercial zones per SMC 23.49.046 A and B. The proposed project includes parking within a below grade parking garage as follows:

Type of Use	Quantity Provided	Maximum Allowed
Residential (75 units)	75	NA
Commercial	99	99 (1 per 1,000 square feet)
Principal Use Parking	78 (existing)	NA
	73 (new)	
TOTAL	325	

All conditional uses shall meet the following criteria pursuant to SMC 23.49.046A:

1. *The use shall be determined not to be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*

The proposed use is principal use parking. Experience with similar decisions indicates that this use would not be materially detrimental to the public welfare or injurious to property.

2. *In authorizing a conditional use, adverse negative impacts may be mitigated by imposing requirements or conditions deemed necessary for the protection of other properties in the zone or vicinity and the public interest. The Director or Council shall deny the conditional use, if it is determined that the negative impacts cannot be mitigated satisfactorily.*

Mitigation to address pedestrian and vehicle conflict at the alley intersection have been imposed under SEPA. No additional adverse impacts requiring mitigation have been identified.

The following criteria shall be met pursuant to SMC 23.49.046B:

1. *Traffic from the garage will not have substantial adverse effects on peak hour traffic flow to and from Interstate 5, or on traffic circulation in the area around the garage; and*

The applicant submitted a Traffic Impact Analysis (TIA) prepared by Heffron Transportation, Inc. dated July 7, 2008 and a revised TIA dated September 10, 2008. The TIA estimated that the additional 73 principal use parking stalls are estimated to generate 4 AM peak hour trips, 45 PM peak hour trips and 220 daily vehicle trips. The total of peak hour trips generated by the proposed project is not expected to generate substantial adverse effects on the street system or level of service at nearby intersections. This is discussed in more detail under the SEPA traffic analysis later in the document. The peak hour trips associated with the principal use parking are very conservative and represent about 1/3 of the total PM peak hour trips for the entire project.

2. *The vehicular entrances to the garage are located so that they will not disrupt traffic or transit routes; and*

The vehicular entrance is located off the alley so that street traffic or transit routes will not be disrupted. Additionally, the alley and street intersections were studied in the TIA and are expected to operate with acceptable delays.

3. *The traffic generated by the garage will not have substantial adverse effects on pedestrian circulation.*

The vehicular entrance is located off the alley so this reduces the number of pedestrian/vehicle conflicts to only one point. No substantial adverse effect on pedestrian circulation is anticipated.

DECISION- ADMINISTRATIVE CONDITIONAL USE

An administrative conditional use to allow a 151 space principal use parking garage for short-term parking is **GRANTED**.

ANALYSIS - DESIGN REVIEW

Early Design Guidance

PRIORITIES:

The Design Review Board members provided the siting and design guidance described below after visiting the site, considering the analysis of the site and context provided by the proponents and hearing public comment. The Design Guidelines of highest priority to this project are identified by letter and number below and are described in more detail in the City of Seattle's "*Design Review Guidelines for Downtown Development, April, 1999*" and the "*Design Guidelines for the Belltown Urban Center Village, effective August 26, 2004*"

A - Site Planning & Massing

Responding to the Larger Context

A-1 Respond to the physical environment.

Develop an architectural concept and compose the building's massing in response to geographic conditions and patterns of urban form found beyond the immediate context of the building site.

A-2 Enhance the skyline.

Design the upper portion of the building to promote visual interest and variety in the downtown skyline.

The design concepts presented respond to the urban form very well in that the visibility of this site at the terminus of the street grid is an apt observation. The site was also identified as the gateway to Belltown and ending of the Market neighborhood. The project should create a "hinge" or articulation to accentuate the change in street grid and neighborhoods as presented. At the next meeting, the Board wants to see a more refined design that addresses these unique conditions and design concept.

The Board feels that the roof top design should be organized and attractive because it will be visible from taller buildings on the east. The Board wants the upper portion of the building to promote visual interest, to draw the eye down to it instead of the taller buildings that will be in the background to the east.

B - Architectural Expression

Relating to the Neighborhood Context

B-1 Respond to the neighborhood context.

Develop an architectural concept and compose the major building elements to reinforce desirable urban features existing in the surrounding neighborhood.

B-2 Create a Transition in Bulk and Scale

Compose the massing of the building to create a transition to the height, bulk and scale of development in neighboring or nearby less intensive zones.

B-3 Reinforce the positive urban form & architectural attributes of the immediate area.

Consider the predominant attributes of the immediate neighborhood and reinforce desirable siting patterns, massing arrangements and streetscape characteristics of nearby development.

B-4 Design a well proportioned & unified building

Compose the massing and organize the publicly accessible interior and exterior spaces to create a well-proportioned building that exhibits a coherent architectural concept. Design the architectural elements and finish details to create a unified building, so that all components appear integral to the whole.

The Board wants greater analysis on the courtyard typology found in the neighborhood context and a “finer grain” context of the neighborhood.

The Board offered positive feedback regarding the proposed upper level setback departure request along 1st Avenue, but needs further analysis on how the design would create a good transition in bulk and scale from the lower scale of the market to the 400 foot tall residential high-rises to the east.

The Board wants good design attention given to the north façade because the abutting buildings have windows and light wells that will face this façade and the top 5 floors will be visible from the street.

C - The Streetscape:

Creating the Pedestrian Environment

C-1 Promote pedestrian interaction.

Spaces for street level uses should be designed to engage pedestrians with the activities occurring within them. Sidewalk-related spaces should be open to the general public and appear safe and welcoming.

C-3 Provide active-not blank- facades.

Buildings should not have large blank walls facing the street, especially near sidewalks.

C-4 Reinforce building Entries

To promote pedestrian comfort, safety and orientation, reinforce the building's entry.

C-5 Encourage overhead weather protection.

Encourage project applicants to provide continuous, well-lit, overhead weather protection to improve pedestrian comfort and safety along major pedestrian routes.

C-6 Develop the alley façade.

To increase pedestrian safety, comfort and interest, develop portions of the alley façade in response to the unique conditions of the site or project.

The Board placed particular emphasis on the proposed courtyard design and pedestrian experience. The Board needs to know how the courtyard addresses the street and promotes pedestrian interaction. The Board shared concerns about the quality of space in the courtyard and wants the courtyard to be surrounded with active uses, have a connection, reduce the feeling of being in an auto court and be able to get good light and air. The Board needs to get a sense of the character and scale of the courtyard space. This is particularly important with respect to how it relates to the Steward Street sidewalk width departure because it needs to achieve the goal of becoming public space.

The Board was happy with the location of the apartment and hotel lobbies, but feels the residential lobby needs to have more prominence in the design. The Board suggested activating the courtyard by using the residential lobby or residential units.

The Board wants the alley intersection to be softer and more inviting; the façade should turn the corner. The Board felt that the elevator and stairwell location at the throat of the alley was not ideal and could prevent the development of a better alley façade. .

D - Public Amenities

Making the Most of the Streetscape & Open Space

D-1 Provide Inviting and Usable Open Space

Design public open spaces to promote a visually pleasing, safe, and active environment for workers, residents and visitors. Views and solar access from the principle area of the open space should be especially emphasized.

D-3 Provide Elements that Define the Place

Provide special elements on the facades, within public open spaces, or on the sidewalk to create a distinct, attractive, and memorable "sense of Place" associated with the building.

Providing inviting and usable open space needs to be integral to the courtyard design as discussed earlier. The Board agrees that creating a sense of place and a building of memorable character is important for this location. The Board suggested that creating a special place at the corner on the ground is important and that holding the corner above is a desirable concept. The Board feels that any deviation from the 18 foot sidewalk width requirement should not occur at the corner.

E - Vehicular Access and Parking

Minimizing the Adverse Impacts

E-1 Minimize Curb Cut Impacts

Minimize adverse impacts of curb cuts on the safety and comfort of pedestrians.

E-3 Minimize the Presence of Service Areas

Locate service areas for trash dumpsters, loading docks, mechanical equipment and the like away from the street where possible. Screen from view those elements which for programmatic reasons cannot be located away from the street front.

The Board supported alternative 2 which does not include street vehicular access. The Board did not identify that the project could better meet design guidelines by taking street access. On the contrary, the Board felt that the design guidelines could be adequately met as well as the program met with no street access.

The Board wants the designers to explore every opportunity to improve the condition of the alley. Suggestions included designing service area space beyond the needs of this project in order to accommodate other trash dumpsters or the like.

Summary of Design Review Board Recommendations

The applicant applied for the MUP (Master Use Permit) on July 8, 2008. After initial DPD design, zoning and SEPA review, the Design Review Board met on October 28, 2008 to review the project design and provide recommendations. The three Design Review Board members present considered the site and context, the public comments, the previously identified design guideline priorities, and reviewed the drawings presented by the applicant.

The Board appreciated how the design responds to the change in the street grid by using the hinge element and creating an iconic element at the corner of 1st and Stewart. The Board thought the proposed rhythm of openings, bay spacing and courtyard typology fit the neighborhood context well and the design appropriately responds. The Board focused their deliberations on the façade glazing treatment at the corner of 1st and Stewart, the perimeter streetscape and the courtyard design.

Public comments as well as Board comments regarding the hotel portion of the building at 1st and Stewart identified a concern about the material, scale and glazing of the lantern, and relationship to the entire project. The Board was interested in how the proposed amber glass proposed for the hotel would look upon completion. The presentation drawings showed varying renderings and it was acknowledged that it was unclear how the glass would look and function upon completion. The Board had some concern about how the operation and design of the hotel could impact the “lantern” effect because of the unknowns like window treatments, furniture placement, lighting and whether windows would be operable. The Board liked the distinct difference between the hotel portion and the residential portion, and how the two pieces fit together with no weaving of the materials. The Board concluded that a lantern effect is desirable as well as the two-story expression proposed for the hotel portion of the building. The Board recommended that DPD further evaluate the design development once the glazing and operational issues were resolved to ensure the lantern and two-story expression per floor are met (B-4 Design a well proportioned & unified building, D-3 Provide elements that define the place).

The Board liked the positioning and shape of the corner restaurant mass but felt the ground level landscaping should be designed to accentuate this shape in lieu of trying to square it. The Board suggested using the same design on 1st that is proposed on Stewart which consists of a porch-like element that creates a good transition from the public sidewalk. The Board also wanted the landscape design refined to help open up the courtyard entries at the street, and to make the proposed design for the residential entry more visible and more welcoming. The Board felt the residential entry was not visible and was “pinched” by the landscaping. The Board recommended that DPD ensure that the final design creates a more welcoming and visible residential entry by ensuring low planter walls and landscaping that does not block visibility.

In general, the Board suggested that more design attention be given to all the entries; the courtyard entries from the street, the hotel entry and the residential entry. The Board recommended that DPD further evaluate the design development of the perimeter landscaping and courtyard to ensure that the Boards recommendations were followed. The Board wants visibility and transparency through the restaurant space optimized so that people on the sidewalk get a glimpse of the courtyard beyond. The Board wants the courtyard entries opened up so that people on the sidewalk perceive the courtyard beyond. The Board wants to ensure that the courtyard and perimeter is welcoming public open space and meets the design guidelines (C-1 Promote pedestrian interaction, C-4 Reinforce building entries, D-1 Provide inviting and usable open space).

The three Board members recommended approval of the design with development standard departures.

Departure from Development Standards

The applicant identified the following code standard departures;

<i>Requirement</i>	<i>Proposed & Rationale</i>	<i>Board Recommendation</i>
SMC 23.49.058F Upper Level Setback. 15 foot setback above 65 feet along 1 st Avenue when across the street from Pike Place Market Historical District.	The design is better able to create an iconic corner in response to the change in the street grid by creating a strong architectural response at the ground as well as above. The design is better able to balance the block by providing a strong corner like the terminal sales building provides to the north. The departure enables the creation of a courtyard space in the middle of the building. Approximate volume of setback required is 142,500 cubic feet and of the void space for courtyard is 450,000 cubic feet.	The Board recommended approval of the departure and agreed that a strong corner is appropriate and better meets the context. The courtyard is desirable if it designed as inviting public open space.
SMC 23. 49.058B Façade Modulation. 15 foot setback above 85 feet along 1 st Avenue.	The façade modulation requirement is redundant because it is part of the upper level setback. The design is better able to create an iconic corner in response to the change in the street grid by creating a	The Board recommended approval of the departure and agreed that a strong corner is

	<p>strong architectural response at the ground as well as above. The design is better able to balance the block by providing a strong corner like the terminal sales building provides to the north. The departure enables the creation of a courtyard space in the middle of the building. Approximate volume of modulation required is 31,500 cubic feet and of the void space for courtyard is 450,000 cubic feet.</p>	<p>appropriate and better meets the context. The courtyard is desirable if it designed as inviting public open space.</p>
<p>SMC 23.49.056B1 Façade Setback Limits. Façade shall be within 2 feet of the property line between 15 and 35 feet in elevation. Setback beyond 2 feet shall not exceed 40%.</p>	<p>The design is better able to create a “hinge” in response to the change in street grid with this departure. The departure allows a skewed mass that angles away from the street. On 1st Avenue, 39% or 1301 square feet of the façade is setback farther than 2 feet from the property line. The length of façade exceeds the façade length allowed by 48 feet and includes portions farther than 10 feet away from the property line. On Stewart, 20% or 413 square feet of the façade is setback farther than 2 feet from the property line. The length of façade exceeds the façade length allowed by 7 feet and includes portions farther than 10 feet away from the property line.</p>	<p>The Board recommended approval of the departure based on the applicant’s rationale and felt it was a minor departure.</p>
<p>SMC 23.49.009B1 Street Level Use. A minimum of 75% of street level use is required at street level.</p>	<p>The restaurant component of the project consists of 47% of the street frontage and the remaining consists of hotel lobby and courtyard entry. The hotel will be designed as a lounge with transparent windows and meets the intent of the code.</p>	<p>The Board recommended approval of the departure based on the applicant’s rationale. The Board acknowledged that there are several good examples downtown where a hotel lobby use creates pedestrian interest but is technically not an allowed use.</p>
<p>SMC 23.49.022. Sidewalk Width- 18 feet on Stewart Street. No permanent sidewalk obstructions allowed.</p>	<p>A public safety issue has been identified where Stewart Street sidewalk intersects with the alley. A high level of vehicle and truck traffic is estimated in the alley assuming all the proposed development abutting the alley is built. In light of that, the Belltown Community as well as SDOT has asked for design solutions to</p>	<p>The Board supports a sidewalk widening departure to allow a planter in front of the hotel building for public safety reasons and to soften the corner and in front of</p>

	address pedestrian safety. The proposed planters in this location would provide a sight triangle for vehicles exiting the alley, but would require a departure from sidewalk width in that location because they would be permanent obstructions.	the restaurant to create a porch element because it creates a transition from the street. However, the Board also recommended approval of the design without a departure which results in no porch-like element or planters along Stewart.
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DRB Recommended Conditions

1. The Board recommended that DPD further evaluate the design development once the glazing and operational issues were resolved to ensure the lantern and two-story expression per floor are met (B-4 Design a well proportioned & unified building, D-3 Provide elements that define the place).
2. The Board recommended that DPD further evaluate the design development to create a more welcoming and visible residential entry by ensuring low planter walls and landscaping that does not block visibility (C-1 Promote pedestrian interaction, C-4 Reinforce building entries, D-1 Provide inviting and usable open space).
3. The Board recommended that DPD further evaluate the design development of the perimeter landscaping and courtyard to ensure that the Boards recommendations were followed. The Board wants to ensure that the courtyard and perimeter is welcoming public open space and meets the design guidelines (C-1 Promote pedestrian interaction, C-4 Reinforce building entries, D-1 Provide inviting and usable open space).

Director’s Analysis

The Director concurs with the Design Review Board’s recommendation to approve the proposed design with the above conditions. The Design Review Board’s recommendation does not conflict with applicable regulatory requirements and law, is within the authority of the Board and is consistent with the design review guidelines.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY APPROVED.**

CONDITIONS

Design Review conditions are listed at the end of this report.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated July 7, 2008 and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 23.05.665) discusses the relationship between the City's code/policies and environmental review. The Overview Policy states, in part, "*Where City regulations have been adopted to address an environmental impact; it shall be presumed that such regulations are adequate to achieve sufficient mitigation subject to some limitation*". The Overview Policy in SMC 23.05.665 D1-7, states that in limited circumstances it may be appropriate to deny or mitigate a project based on adverse environmental impacts.

The policies for specific elements of the environment (SMC 25.05.675) describe the relationship with the Overview Policy and indicate when the Overview Policy is applicable. Not all elements of the environment are subject to the Overview Policy (e.g., Traffic and Transportation, Plants and Animals and Shadows on Open Spaces). A detailed discussion of some of the specific elements of the environment and potential impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition, grading and clearing and hydrocarbon emissions from construction vehicles and equipment; temporary soil erosion; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; increased noise; increases in carbon dioxide and other greenhouse gas emissions and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality, noise and traffic and circulation warrant further discussion.

Air Quality

The subject site is a surface parking lot and no structures need to be demolished; therefore any impacts associated with the removal of the parking lot asphalt is expected to be minor and no mitigation is required.

Greenhouse gas emissions associated with development come from multiple sources; the extraction, processing, transportation, construction and disposal of materials and landscape disturbance (Embodied Emissions); energy demands created by the development after it is completed (Energy Emissions); and transportation demands created by the development after it is completed (Transportation Emissions). Short term impacts generated from the embodied emissions results in increases in carbon dioxide and other green house gases thereby impacting air quality and contributing to climate change and global warming. While these impacts may be adverse they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this specific project. Energy and transportation emissions are considered use-related impacts and are discussed later in this document. No SEPA conditioning is necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675A.

Noise

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends. Many properties in close proximity are developed with housing and will be impacted by construction noise. The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7 AM to 6 PM and Saturday from 9 AM to 6 PM.

Additionally, some stages of construction may require extraordinary long periods of continuous work, like concrete pours or activity that generates low levels of noise, such as, foundation excavation. During these stages of construction and for these activities, DPD may consider allowing nighttime work or hours beyond the hours stipulated above on a case by case basis. Any construction noise proposed outside the limitations of the noise ordinance must be reviewed through the variance process described in the noise ordinance.

Construction activity will be contingent on an approved noise mitigation program for the duration of construction. A mitigation program proposal must be submitted by the applicant or contractor and approved by DPD prior to commencement of any work. The plan will include general, as well as specific mitigation measures that shall be undertaken to minimize noise and vibration-related impacts during construction. No further SEPA conditioning is warranted.

Traffic and Circulation

Site preparation would involve removal of the existing asphalt pavement and excavation for the foundation of the proposed building and below grade parking garage. Peak construction traffic at the site would occur during the excavation for the underground garage. An estimated 45,000 cubic yards of material would be excavated. This material is assumed to expand to about 58,500 cubic yards when it is excavated and loaded into a truck (“fluff” factor of 1.3). Assuming that each dump truck with trailer can carry about 24 cubic yards of material, the excavation would generate a total of about 2,440 truck loads or 4,880 truck trips (2,440 empty trucks in plus 2,440 full trucks out). A typical construction site can load 8 to 12 trucks per hour with a single loader, or about 100 trucks per day for an eight-hour day. Given that, the initial excavation could last five to eight weeks or longer depending on construction sequencing.

During the construction phase, large trucks would make trips to the site to deliver cranes, machinery, and other construction equipment; construction materials (e.g. steel, wood for forms/framing, and concrete); and other materials including prefabricated building components, sheet rock, and building machinery (e.g., HVAC, plumbing, electrical equipment, etc.). Concrete deliveries would occur early in the overall construction schedule and decline in frequency as the construction process continues.

The presence of a temporary work force on-site would increase the demand for construction-worker parking. It is anticipated that existing off-site surface parking lots would accommodate a portion of this increased demand.

The project will be conditioned to submit a Transportation Construction Management Plan that addresses impacts caused by construction vehicle traffic and parking. A construction transportation plan for workers and truck deliveries/routes shall be prepared to minimize disruption to traffic flow on adjacent streets and roadways. The plan shall consider the need for special signage, flaggers, route definitions, street cleaning; construction-worker parking; coordination with Metro transit relative to construction activity that could affect transit service proximate to the project site; vehicle and pedestrian circulation and safety. No further SEPA conditioning is warranted.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased height, bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; increases in carbon dioxide and other greenhouse gas emissions; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code which requires on site detention of stormwater with provisions for controlled tight line release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term long term impacts, although some impacts warrant further discussion.

Height, Bulk and Scale

The SEPA Height, Bulk and Scale Policy (Section 25.06.675.G., SMC) states in part, that *“the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies set forth in Section B of the land use element of the Seattle Comprehensive Plan regarding Land Use Categories, ...and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.”*

In addition, the SEPA Height, Bulk and Scale Policy states that *“(a) project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated.”*

The subject site is zoned DMC 125 which allows a building height of 125 feet. Surrounding zoning of property on the block face along 1st Avenue is also DMC-125. Surrounding property to the west, across 1st Avenue is zoned Pike Place Market Mixed with an 85 foot height limit. Surrounding property to the east across the alley is zoned DMC with a height designation of 240 feet for non-residential, a base limit of 290 feet for residential and a maximum limit with bonus of 400 feet for residential. Currently there are two proposed projects that are planned to reach 400 feet in height on the east side of the alley in the subject block. Private property zoned PMM 85 is located on the west side of 1st Avenue about 84 feet away from the subject site. Because the right of way is a wide arterial it provides some buffer from the more intense DMC 125 zone. No unusual topographic or other conditions make the transition between the less intensive and more intensive zones unreasonable or exacerbate the transition between the two.

The proposal was reviewed and approved through the Design Review process and conforms to the Downtown and Belltown Design Guidelines. Additionally, design details, modulation, visual interest and finish materials will contribute towards mitigating the perception of height, bulk and scale in that these elements will break down the overall scale of the building. No further mitigation of height, bulk and scale impacts is warranted pursuant to SEPA policy (SMC 25.06.675.G.).

Traffic and Parking

The applicant submitted Traffic Impact Analysis (TIA) prepared by Heffron Transportation, Inc. dated July 7, 2008 and a revised TIA dated September 10, 2008. The analysis examined existing traffic conditions and estimated conditions with and without the project (2010) including levels of service (LOS) at study intersections, traffic safety, transit service, parking, and non-motorized facilities within the study area. Applying a 1% annual growth rate to 2008 traffic volumes coupled with applying traffic from five projects in the development pipeline was used to determine the 2010 traffic volumes. The TIA examined six off-site intersections; four were analyzed for the AM peak hour, and all six were analyzed for the PM peak hour.

Trip generation for this project was determined using residential, restaurant and retail rates from Trip Generation (Institute of Transportation Engineers [ITE], 7th Edition, 2003). Because ITE data is based on mostly suburban land uses, the rates were adjusted to reflect the higher level of transit and non-automobile mode use in this urban area. The ITE rates for a hotel were not used because they reflect suburban conditions where most patrons drive to the hotel. Instead, hotel rates were derived from traffic counts at two Seattle hotels, the Alexis Hotel located downtown and the University Inn located in the University District. Generation rates for the principal use parking were derived from traffic counts at the existing surface parking at the site. The total vehicle trips estimates also made adjustments for pass-by trips (“internal capture”) because it is expected that people in the hotel or residential units will already be on site and visit the retail or restaurant. In other words, those people will not generate a new trip to visit the retail or restaurant.

The proposed project is anticipated to generate a net increase of 1,150 vehicle trips per day, 56 vehicle trips during the AM peak hour, and 134 vehicle trips during the PM peak hour as summarized in the table below:

Land Use	Size	Daily Trips	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Residential	75 units	220	4	17	21	15	7	22
Restaurant	7,800 sf	480	6	7	13	34	16	50
Retail	8,500 sf	20	0	0	0	1	0	1
Hotel	111 rooms	210	5	13	18	12	4	16
New Public Parking	73 stalls	220	2	2	4	23	22	45
Total Vehicle Trips		1,150	17	39	56	85	49	134

The TIA assigned and distributed the vehicle trips to the study intersections to determine the 2010 level of service at each intersection. The tables below provide the without and with project LOS results at study intersections in the AM and PM peak hour.

Table 6. Level of Service Summary – Without and With Project Conditions

	Year 2010 Without Project		Year 2010 With Project	
	LOS ¹	Delay ²	LOS ¹	Delay ²
Signalized Intersections – AM Peak Hour				
First Avenue/Stewart Street	B	11.5	B	11.8
Second Avenue/Stewart Street	B	13.2	B	13.2
Unsignalized Intersections – AM Peak Hour ³				
Alley/Stewart Street (northwest left)	B	10.2	B	10.6
Alley/Virginia Street (southeast left)	B	14.6	C	15.5
Signalized Intersections – PM Peak Hour				
First Avenue/Stewart Street	B	19.7	C	20.9
First Avenue/Virginia Street	A	6.9	A	7.3
Second Avenue/Stewart Street	B	14.7	B	15.5
Second Avenue/Virginia Street	B	14.7	B	14.9
Unsignalized Intersections – PM Peak Hour ³				
Alley/Stewart Street (northwest left)	A	9.2	A	9.4
Alley/Virginia Street (southeast left)	C	15.9	C	17.6

Source: Heffron Transportation, August 2008

1. Level of service.
2. Average seconds of delay per vehicle.
3. Level of service and delay reported for the worst minor movement for unsignalized intersections, such as a left turn.

It was determined that no study intersection would degrade to LOS F which is indicative of intolerable delays when vehicles need to wait through more than one signal cycle. The estimates show that the intersection of 1st Avenue and Stewart Street would degrade from LOS B to LOS C, and the unsignalized intersection of the alley and Virginia Street would degrade from LOS B to LOS C. LOS C is indicative of stable traffic flow with acceptable delays. In both cases the average delay per vehicles measured in seconds is only marginally within the LOS C range. LOS C has a range of 20.1 to 35 average delay per vehicle for signalized intersections and the intersection of 1st Avenue /Stewart Street is estimated to have a 20.9 second average delay which is .9 seconds beyond the LOS B range. Likewise for the Alley/Virginia Street intersection the estimate is a half a second beyond the LOS B range.

The proposed project is not estimated to impact non-motorized facilities or transit and is expected to meet the transportation concurrency requirements. There will be widened sidewalks with new landscaping abutting the site on all street sides and bike parking per code will be provided in the below grade parking garage.

The proposed development is expected to increase traffic along the alley as vehicles enter and exit the building. The traffic analysis shows that approximately 225 trips will occur at the south end of the alley during the PM peak hour, including existing trips and traffic anticipated to be generated by other projects currently under review. In order to increase visibility and safety for pedestrians and vehicles at the intersection of the alley and Stewart Street, several conditions are warranted. The sight lines for westbound traffic turning from Stewart Street into the alley and the sight lines for vehicles exiting the alley and making a right-hand turn onto Stewart Street are of particular importance. The following conditions are imposed to increase visibility at these two corners:

1. Per SDOT approval, raised planters shall be installed and vegetated on the sidewalk along Stewart Street and in the alley in front of the southeast corner hotel lobby to shift pedestrian and vehicle circulation away from the building face, thereby increasing the distance and visibility between pedestrians walking eastbound on the sidewalk and vehicles exiting the alley.
2. A mirror shall be installed and maintained on the southeast corner of the proposed building to increase visibility between pedestrians and vehicles, particularly westbound pedestrians approaching from the east of the project site.

Other Impacts

Emissions from the generation of greenhouse gases due to the increased energy and transportation demands may be adverse but are not expected to be significant due to the relatively minor contribution of emissions from this specific project.

The other impacts such as but not limited to, increased demand for public services and utilities and increased light and glare; are mitigated by codes and/or are not sufficiently adverse to warrant further mitigation by condition.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2c.
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

PROCESS INFORMATION - DESIGN REVIEW

During Construction

1. All changes to approved plans with respect to the exterior façade of the building and landscaping on site and in the right of way must be reviewed by a by the DPD Land Use Planner assigned to this project (Jess Harris- 206-684-7744) or by Design Review Manager (Vince Lyons- 206-233-3823) prior to proceeding with any proposed changes.

Prior to Issuance of Certificate of Occupancy

2. Compliance with the approved design features and elements, including exterior materials, façade colors, landscaping and right of way improvements, shall be verified by the DPD Land Use Planner assigned to this project (Jess Harris- 206-684-7744) or by a Design Review Manger (Vince Lyons- 206-233-3823). Inspection appointments must be made at least three working days in advance of the inspection.

CONDITIONS - DESIGN REVIEW

Prior to Issuance of Construction Permits (excluding grading, foundation or shoring)

The responsible party must submit plans, graphics and narrative to Vince Lyons-Design Review Manager 206-233-3823, demonstrating;

3. How the final design for the hotel portion of the structure is in substantial conformance to the Design Review approval. Specifications/design parameters and samples for window glass, furniture layout concept and window treatment/screening shall be provided. The design shall exhibit a lantern concept and two-story expression similar to what was presented to the Design Review Board on October 28, 2008.
4. How the final design for the landscape, courtyard and residential entry result in a more welcoming and visible residential entry. Plans shall show low planter walls and landscaping that does not block visibility of the residential entry.
5. How the final landscape design results in a more welcoming atmosphere making hotel and commercial entries more visible and public. Entries from street into the courtyard shall be designed to create a sense of openness and encourage public to enter the courtyard. Lighting and signage designs/specifications need to be provided and contribute to the sense of openness.

Prior to the Final Certificate of Occupancy

6. Install the applicable features described in condition nos. 1-3 above.

CONDITIONS SEPA

Prior to Issuance of any Construction Permit

7. The responsible party must submit a Transportation Construction Management Plan that addresses impacts caused by construction vehicle traffic. A construction transportation plan for workers and truck deliveries/routes shall be prepared to minimize disruption to traffic flow on adjacent streets and roadways. The plan shall consider the need for special signage, flaggers, route definitions, street cleaning; construction-worker parking; coordination with Metro transit relative to construction activity that could affect transit service proximate to the project site; vehicle and pedestrian circulation and safety.
8. The responsible party must submit a noise mitigation plan to DPD which includes at a minimum the following general, as well as specific mitigation measures that shall be undertaken to minimize noise and vibration-related impacts during construction.
 - Creation of a procedure for hearing neighbor complaints and concerns (monthly meeting, door to door canvassing, etc.), providing affected neighbors with a construction schedule in advance of such work, and providing available project contact persons at the site and by phone during construction hours.
 - Limit most activities to standard construction hours between 7 AM and 6 PM on non-holiday weekdays and 9 AM – 6 PM on Saturdays.
 - Nighttime and/or hours beyond the standards hours will be allowed after approval from DPD for activities that require long durations of continuous work, generate low levels of noise, and for emergencies. Submit requests to DPD noise compliance officer to work nighttime hours or hours beyond the standard hours at least five days prior to the requested work time.
 - Limit the use of noise impact-type equipment, such as pavement breakers, pile drivers, jackhammers, sand blasting tools and other impulse noise sources, to work activity between 8 AM and 5 PM on non-holiday weekdays.
 - Whenever appropriate, for impact tools substitute hydraulic with electric models to further reduce demolition and construction-related noise and vibration.
 - Limit loud talking, music, or other miscellaneous noise-related activities.
 - Construction noise would be reduced with properly sized and maintained mufflers, engine intake silencers, engine enclosures and turning-off idling equipment.
9. The responsible party must revise plans, per SDOT and DPD approval to show raised planters with low growing plant material (no sight obstruction above 32 inches) along Stewart Street and in the alley abutting the southeast building wall to shift pedestrian and vehicle circulation away from the building face, thereby increasing the distance and visibility between pedestrians walking eastbound on the Stewart Street sidewalk and vehicles exiting the alley. And a mirror on the southeast corner of the proposed building to increase visibility between pedestrians and vehicles, particularly westbound pedestrians approaching from the east of the project site.

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

10. The responsible party shall abide by the approved noise and transportation construction management plans approved by DPD.

11. All construction activities are subject to the limitations of the Noise Ordinance.

Construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays¹ from 7am to 6pm and Saturday from 9 am to 6 pm. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized in writing by the Land Use Planner for emergencies, for safety reasons or requested by SDOT to decrease traffic impacts. Additionally, during some stages of construction which may require extraordinary long periods of continuous work or activity that generates low levels of noise DPD may consider allowing nighttime work or hours beyond the hours stipulated above. Requests for extended construction hours must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request

¹New Year's Day, Martin Luther King Junior's Birthday, President's Day, Memorial Day, July 4, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day.

Prior to Certificate of Occupancy

12. Install planters and mirror at southeast corner to increase visibility of pedestrians and vehicles per approved plans.

Signature: (signature on file)
Jess E. Harris, AICP, Senior Land Use Planner
Department of Planning and Development

Date: February 19, 2009