



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

Application Number: 3008920
Applicant Name: John Savo, NBBJ Architects for Pete Aparico, Schnitzer NW
Address of Proposal: 1900 8th Avenue

SUMMARY OF PROPOSED ACTION

Land Use Application to establish use for future construction of a ten story 125,800 sq. ft. office building with 9,850 sq. ft. of retail commercial use at ground level. Parking for 216 vehicles will be located below grade. Project includes 30,000 cubic yards of grading. Addendum to EIS prepared by City of Seattle Downtown Height and Density Changes - January 2005.¹

The following approvals are required:

Design Review pursuant to Seattle Municipal Code Chapter 23.41 with Development Standard Departures:

- 1. Overhead Weather Protection (SMC 23.49.018)
- 2. Façade Setback Between 15’ and 35’ (SMC 23.49.056.)

SEPA - to approve, condition or deny pursuant to 25.05.660.

SEPA DETERMINATION: [] Exempt [] DNS [] MDNS [X] EIS²
[] DNS with conditions
[] DNS involving non-exempt grading, or demolition or involving another agency with jurisdiction.

BACKGROUND DATA

Site & Vicinity Description

The subject site, zoned Downtown Office Core 2 with a 500 foot height limit for non-residential use (DOC 2 – 500’/300’-500’), is a corner lot located on the southwest corner of the block. The site is bounded by Eighth Avenue on the west, the alley to the east, Stewart to the south and an ongoing project under construction (1918 Eighth, DPD Project # 3004017) to the north.

¹ Demolition of the existing structure under MUP #3009248

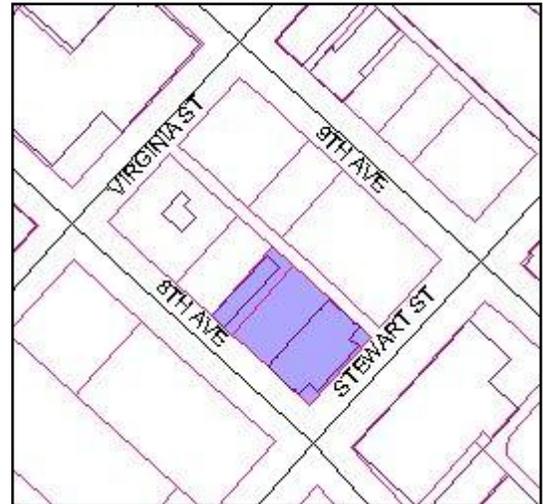
² This project includes an Addendum to the Downtown Height and Density Changes Final EIS dated January 2005, which is adopted with this decision. This Addendum was noticed on September 18, 2008

The DOC 2 zone continues to the south and east of the subject site. Across 9th Avenue to the east, the zone changes to Downtown Mixed Commercial (DNC 340'/290'-400') and to the north across Virginia, it changes to Downtown Mixed Commercial (DNC 240'/290'-400'). Development and use in the vicinity includes a variety of uses and structures, including high-rise structures for residences, office uses, a Federal Courthouse, institutions and other uses characteristic of those found in the Central Business District.

The site is marked by changes in elevation along both the surrounding rights of way and the alley. A four-foot drop in elevation occurs from east to west along Stewart Street with a similar grade change on the north of the site. A slightly greater grade change occurs south to north along the alley and along 8th Avenue.

Project Description

The proposal includes demolition of an existing structure and the construction of a new building. The new structure would be a ten story office building with ground level retail uses, below grade parking for 216 stalls. The new building is proposed to be an expansion of the 1918 Eighth Ave building that is currently under construction (DPD Project # 3004017) and will be a 36-story office tower to the north with the floor plates connecting at corresponding levels. The existing five-story building is proposed to be demolished under a separate permit.



Public Comments

No members of the public attended the Early Design Guidance meeting held on May 6, 2008.

Approximately six members of the public attended the Final Recommendation meeting held on September 23, 2008. No public comment was offered.

The SEPA comment period for this proposal ended on July 9, 2008. One comment letter was received requesting to be listed as a Party of Record.

ANALYSIS - DESIGN REVIEW

At the Early Design Guidance (EDG) meeting, the applicant presented several massing diagrams. Three schemes were presented – all of which included an office program and ground floor retail with almost 100% lot coverage. All of the schemes involved departures from the development standards.

1. Option 1 proposed an addition to the existing 1918 8th Avenue project currently under construction, which included an eleven (11) story square tower above a ground floor base with a traditional alley; a narrower gasket connecting the tower to the existing project. This scheme would share MEP systems and elevator core with the 1918 Eighth Project for

energy efficiency purposes. Additionally, it would share the 1918 parking entrance/exit at Virginia to minimize curb cuts and will expand the existing parking floors.

2. Option 2, the preferred scheme, was also an addition to the existing 1918 Eighth Avenue project currently under construction and included an eleven (11) story rectangular tower above ground floor retail. The alley was pulled back and made wider to allow for a more pedestrian friendly plaza leading to a secondary building entrance off Stewart, as well as a drop off valet. This option would include a landscaped roof-top terrace. The scheme would share MEP systems and elevator core with the 1918 Eighth Project for energy efficiency purposes. Additionally it would share the 1918 parking entrance/exit at Virginia to minimize curb cuts and will expand the existing parking floors.
3. Option 3 proposed a fourteen (14) story, freestanding square tower with its own, independent MEP systems and elevator core as well as garage entry off the alley.

At the Final Recommendation meeting, additional design details were presented for the entry canopy, parking screening, building materials and patterning and landscaping. The Board discussed at length the design of the alley along the east side of the subject site. Of particular interest is the relationship between pedestrian circulation and points of entry at the alley, the proposed development with the new building across the alley and the connection between the sidewalk and entry areas.

The architects expressed that a primary design goal of the project is to create an addition that relates to the development's adjacent buildings but express an individuality that is befitting of a prominent urban location. This is achieved by using systems, materials, and details that are either taken literally from, or inspired by, the adjacent buildings. These elements are assembled into a unique 'box' and 'lantern' composition set upon a common 'base' design.

The proposed overall massing shows further evolution from the preferred massing scheme shown at the EDG presentation. At the Recommendation meeting, additional information regarding the proposed open spaces, landscaping, façade treatment and lighting was presented.

The project is shown to relate to the surrounding neighborhood in function, scale, design, and materials. The design includes a site plan that shows the consistent relationship of the proposed streetscapes to the surrounding buildings, and the relationship to the courthouse plaza; the overall placement of street level retail, building entrances, and parking entrance on the block; the commons plan shows the important entry link through the addition to the commons (The commons provides tenant amenities and is the point of elevator access to the upper floors of the building); and the open space associated with the 1918 8th Avenue project that was previously located at the third level has been moved to the roof level of 1900 8th Avenue to accommodate the building addition.

After visiting the site, considering the analysis of the site and context provided by the proponents and hearing public comment on May 6, 2008, and September 23, 2008, the Design Review Board members provided the siting and design guidance described below and identified by letter and number those guidelines found in the City of Seattle's "*Design Review: Guidelines for Downtown Development*" of highest priority to this project. The plain text following the guidelines elaborates on the Board's discussion of the design issues. The Board's final recommendations are in bold lettering.

Site Planning

- 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.**

The Board discussed that design of the proposed building should strive to appear as a free-standing building whose shorter height provides relief from the taller surrounding buildings of the block. The open space notch shown in Option 1 works well provided it does not compete with the main building entrances.

At the Recommendation meeting, the Board discussed the overall building massing and architectural elements. The Board was very pleased with the character of the design that borrows and translates elements of the buildings to the north and east of the proposed development. The Board was very supportive of the elegant, glassy and light lantern element at the corner, as well as the setting back along the alley to create a more generous alley width and entry spaces. The Board applauded the restrained building architecture that incorporates lighter vertical spandrels that differs from the adjacent new buildings to the north and east, while still using architectural materials that are of a similar palette to these other two buildings. The vertical spandrels are delicate and of a different proportion than the vertical features of the adjacent buildings. The majority of the extruded curtain wall elements are either taken directly from, or closely related to, the details in the adjacent projects.

- A-2 Enhance the skyline. Design the upper portion of the building to promote visual interest and variety in the downtown skyline.**

The Board noted that the views of the rooftop design, mechanical equipment, penthouses and roof level landscaping will be highly visible from neighboring building and should be designed with this in mind.

At the Recommendation meeting, the Board was pleased with the use of trees and landscaping defining and serving as the building top. The Board recommended extending plantings to the alley side (eastern portion) of the roof top to offer the same sense of definition along the east façade.

Height, Bulk, and Scale

- 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.**

The Board would like to better understand the open spaces and development that is occurring on the entire block.

- 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.**

The Board was particularly interested in the building form and how it will relate to the rest of the block and greater context.

At the Recommendation meeting, the Board was supportive of the variety of open spaces located at the sidewalk, alley and rooftop. In addition, the developer has commitments to provide green street enhancements for two blocks along 9th Avenue, between Lenora Street and Stewart Street. The sidewalk open spaces were designed to build a relationship between the open space of the project and that of the Courthouse by including a wider sidewalk that creates a transition between the standard sidewalk and the larger space of the courthouse plaza. Also, the widened sidewalk along 8th Avenue provides relief the somewhat severe solid base of the Courthouse on 8th Avenue, while also enhancing the public realm.

Along 8th Avenue, the elevation shows the retail base that is carried over from the 1918 8th Avenue project to the north. On top of that base is the glassy ‘lantern’ element with column articulations that retain the scale of the adjacent building’s narrow vertical pre-cast elements. Topping the ‘lantern’ is an allee of trees on the roof, which acts as a capping element for the composition. The glassy character of the lantern is enhanced by raising the interior ceiling height at the perimeter to eleven feet, reducing the horizontal spandrel panels at each floor to a narrow two feet deep.

On Stewart Street, the elevation most directly shows the overall building composition of a ‘lantern’ adjacent to a more solid ‘box’. The double height retail space along this street is clearly expressed. The ‘box’ is a more opaque façade, with smaller glazed openings as necessitated by the energy code, to balance the more open composition of the lantern. The ‘box’ and ‘lantern’ elements are placed on the pedestrian-friendly base of a pre-cast colonnade and transparent retail frontage.

The alley elevation shows the relationship of the Stewart Street entry directly to the common interior space, as well as the valet parking area.

- 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 was supportive of the “knuckle” concept between the proposed building and the 1918 Eighth Avenue building. They agreed that the glassy, open connection would be an appropriate design concept to pursue. The Board discussed and felt strongly that this proposed building should not appear as an addition to the 1918 Eighth Avenue building, rather it should have a distinct character of its own.

At the Recommendation meeting, the Board noted that the “knuckle” portion of the west elevation that abuts the building to the north was generally well-executed, but might benefit from further simplification of the base of the element to provide this link between the new building and the abutting building to the north.

Architectural Elements

- 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, and open to the public.**

The Board specified that they will be very interested in a strong retail design at the ground level, especially at the corner. The corners of both the alley and the street should be specifically designed to ground the building and attract active retail uses.

The Board agreed that combining the proposed building with the 1918 Eighth Avenue building is advantageous in that the elevator provisions are accounted for in the other building, allowing the retail uses and spaces to be more flexible.

At the Recommendation meeting, the Board felt that the corner lantern element that overhangs the sidewalk is a dramatic feature. The lighting design relates the project to the adjacent buildings by reincorporating the ‘crown’ lighting concept with façade mounted uplights and reusing the canopy mounted down-light details to create a consistent pedestrian experience along both edges of the block.

- C-4 Reinforce Building Entries. To promote pedestrian comfort, safety and orientation, reinforce the building entrance.**

The Board was particularly interested in how the entries off of the alley, as well as the alley space will be treated, to create a gracious, elegant space. The Board noted that both the alley entrance, as well as the street entrances should be treated equally as the front doors if the preferred scheme is pursued.

At the Recommendation meeting, the Board liked that individual retail entries could be designed at the street level. The Board also agreed that the provision and connections between the retail, lobbies and interior spaces are a welcoming concept that promotes pedestrian interaction.

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

The Board looks forward to an alley design that is innovative and offers a unique element that contributes to the pedestrian environment.

The Board noted that this guideline is particularly important because the vehicle entry and drop off functions off the alley will make this an active, visible place that should be enhanced. See also C-4.

At the next meeting, the Board will be interested in the organization and functionality of the parking access and service areas. The Board agreed that vehicular access off of Virginia is desirable provided that studies of the traffic and parking show that the anticipated volume can be supported with this single access point.

At the Recommendation meeting, the Board enthusiastically supports the garage entry design at the alley, which is set back from the sidewalk and hidden beyond the pedestrian entry points.

Pedestrian Environment

D-1 Provide Inviting and Usable Open Space. Design public open spaces to be visually pleasing, safe and active environment for residents, workers and pedestrians. Views or solar access to the principal are of the open space should be especially emphasized.

The Board agreed that the open space at ground level should relate to the retail uses. The Board agreed that some combination of the open space plans shown in Options 1 and 2 would be most appropriate to the site – creating both ground and roof level open spaces. The Board also discussed the long, unrelenting wall of the courthouse across the street to the west. Given this monolithic structure on the west side of Stewart, it is even more critical that the building face along the east side, including the subject site, be broken and modulated to provide relief and visual interest. The Board did agree that the configuration of the courthouse plaza area should lend cues as to how the streetscape and ground level open space are designed and that the two sites should relate. The generous courthouse plaza creates an opportunity for the proposed building to draw pedestrians down the street with wide sidewalks, landscaping and strong retail.

At the Recommendation meeting, the Board liked the relationship of the landscape design at the sidewalk level with the landscaped open space at the courthouse across 8th Avenue to the west. On 8th Avenue, the landscape site plan shows existing trees, planting beds, and benches along the sidewalk. The building along 8th Avenue has been setback an additional 3'-0" beyond the required sidewalk dedication. On Stewart Street, the sidewalk has existing trees and planting beds, and is activated with outdoor café seating for a potential restaurant use. The building along Stewart Street has been set back an additional 9'-2" beyond the required sidewalk dedication. Along the alley, the plaza-like sidewalk finishes extend down the alley and the planting in this area creates a comfortable experience for the Stewart Street entry to the common interior space and valet parking area. The highly visible landscape roof plan includes a variety of occupied spaces available to tenants of the building. A key feature of the rooftop design is the allee of trees along the 'lantern' portion of the building. This gesture seeks to improve the roof garden experience, as well as act as a cornice of the 'lantern' seen from street level.

- D-2 Enhance the Building with Landscaping.** Enhance the building and site with substantial landscaping, which includes special pavements, trellis, screen walls, planters and site furniture, as well as living plant material.

At the Recommendation meeting, the Board recommended that the pedestrian entry at the alley be further emphasized to create a more welcoming and obvious entry. The Board was very pleased with the generous width given to the alley, but agreed that further emphasis of the entry area would improve the functionality and perception of this alley concept. The elevator lobby providing ADA access should be better signed and articulated to create a more gracious entry. The Board recommended that the lobby space become wider and include greater transparency to achieve this sense of entrance at the alley level. The Board also recommended that the high quality ground level materials shown on the street facing facades should wrap around to the alley and extend at least as deep as the far edge of the elevator lobby. These materials include the pre-cast granite base, etc.

- 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.

The Board felt that the alley façade and program should include elements that define the space and create an identifiable character.

Landscaping

- 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 will be very interested in how the open space is distributed throughout the project site and encouraged the open space to be located at the sidewalk and plaza levels for the greatest pedestrian and community benefit.

The Board discussed that the alley will be in shadow from the proposed building and if the intent is to make a welcoming, active entrance off the alley, then consideration of the solar exposure is important. Maximizing light to the alley entrance area will be critical to the landscaping and comfort of the space.

At the Recommendation meeting, the Board confirmed that the garage ventilation was screened from pedestrian views.

Design Review Departure Analysis

At the Recommendation meeting, two departures from the Code were proposed.

1. HEIGHT OF OVERHEAD WEATHER PROTECTION (SMC 23.49.018.A and D):

Continuous overhead weather protection is required along the entire street frontage between a minimum of ten feet and a maximum of 15 feet above the sidewalk with a minimum horizontal

extension of eight feet. The proposed design includes canopies that are higher than 15 feet above sidewalk on both street frontages. The change in canopy height is related to the change in sidewalk elevation to a maximum of four feet, six inches above sidewalk grade.

The Board agreed that this design responds appropriately to the existing topography and voted unanimously in favor of the proposed departure. (B-3, C-1)

2. FAÇADE SETBACK LIMITS (SMC 23.49.056.B):

The Code required that the facade be located within two feet of the property line, except that setbacks larger than two feet shall be limited to 40% of the façade for Type 1 pedestrian streets. The proposed design includes a greater setback area along both streets. On Stewart Street, the setback is nine feet, six inches for a total 62% setback of the façade. On Eighth Avenue, the façade is setback two feet, four inches for a 100% total façade setback.

The Board agreed that the proposed design creates a more generous, wider sidewalk and streetscape environment that responds to the context to the courthouse to the west and creates a more spacious and welcoming street presence for pedestrian circulation and voted unanimously in favor of the proposed departure. (B-4, D-1)

The Board, therefore, unanimously recommended approval of the design as shown, including the requested departures.

SUMMARY OF BOARD'S FINDINGS AND RECOMMENDATIONS

At their final meeting on September 23, 2008, the Board indicated their support for the project based on the development of their project using the design guidance from City of Seattle's "*Design Review Guidelines for Downtown Development, April, 1999*". The Board indicated that after considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the five Design Review Board members in attendance recommended **CONDITIONAL APPROVAL** of the proposed design including the requested departures subject to the following design elements in the final design. The recommendations summarized below are based on the plans submitted at the Final Design Review meeting. Design, siting or architectural details specifically identified or altered in these recommendations are expected to remain as presented in the presentation made at the Final Recommendation public meeting and the subsequent updated plans submitted to DPD.

The following recommendations of the Board reflected concern on how the proposed project would be integrated into both the existing streetscape and the community. Since the project would have a strong presence along Eighth Avenue and Stewart Street, the Board was particularly interested in the establishment of a vital design that would enhance the existing streetscape, encourage pedestrian activity and promote interesting design.

1. The pedestrian entry at the alley should be further emphasized to create a more welcoming and obvious entry. The elevator lobby providing ADA access should be better signed and articulated to create a more gracious entry. The Board recommended that the lobby space become wider and include greater transparency to achieve this sense of entrance at the alley level.

2. The high quality ground level materials shown on the street facing facades should wrap around to the alley and extend at least as deep as the far edge of the elevator lobby.

ANALYSIS & DECISION – DESIGN REVIEW

Director’s Analysis

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director’s decision reads in part as follows:

The Director’s decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

- a. *Reflects inconsistent application of the design review guidelines; or*
- b. *Exceeds the authority of the Design Review Board; or*
- c. *Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or*
- d. *Conflicts with the requirements of state or federal law.*

Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

Five members of the Downtown Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project’s overall success. The Director must provide additional analysis of the Board’s recommendations and then accept, deny or revise the Board’s recommendations (SMC 23.41.014.F3). The Director agrees with the well-considered street level details, building materials, and architectural design that support a high-quality, functional design responsive to the neighborhood’s unique conditions. Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include all of the recommendations of the Design Review Board.

In developing their guidance for the project, the Board prioritized guidelines aimed at further refining and developing the street level design and uses. Further, the Board supported the applicant’s request for a departure from street level uses based on the quality of the street level uses provided.

The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the five members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Downtown. The Director agrees with the Design Review Board’s conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board, as well as the additional condition listed above.

Director's Decision

The Director finds that the conditions of approval on the design recommended by the Board are warranted. In developing their guidance for the project, the Board prioritized guidelines aimed at further refining and developing an active and vibrant street level design.

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle's "*Design Review Guidelines for Downtown Development, April, 1999*". The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departures with the conditions enumerated above and summarized at the end of this Decision.

ANALYSIS - SEPA

Environmental review is required pursuant to the Washington Administrative Code 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05). The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. 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 limitations. Under such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

A Final Environmental Impact Statement (FEIS) was published for the Downtown Height and Density Changes proposal in January 2005. The FEIS identified and evaluated the probable significant environmental impacts that could result from changing the height and density requirements in several downtown zones. That analysis evaluated the direct, indirect and cumulative impacts of the Preferred Alternative and alternatives.

The subject site is within the geographic area that was analyzed in the FEIS and is within the range of actions and impacts that were evaluated in the various alternatives. The proposed development lies within the new DMC 240'/290'-400' zoning district and the environmental impacts of a height increase to 400 feet at the project site were adequately evaluated as part of the non-project FEIS. DPD determined that for SEPA compliance associated with the subject site, it is appropriate to adopt the Downtown EIS and prepare an EIS Addendum to add more detailed, project-specific information. DPD determined that the EIS Addendum should address the following areas of environmental impact:

- Land Use
- Greenhouse Gas Emissions
- Wind

- Traffic and Transportation
- Construction

DPD has identified and adopts the City of Seattle's Final Environmental Impact Statement dated January 6, 2005 prepared for and in conjunction with amendments to the Land Use Code, Seattle Municipal Code section 23.49, concerning Downtown Seattle. DPD relies on SMC 25.05.600, allowing the use of existing environmental documents as part of its SEPA responsibilities with this project. DPD has determined that the proposal impacts for this Master Use Permit are identified and analyzed in the referenced FEIS; however additional analysis is warranted as permitted pursuant to SMC 25.05.625-630, through an Addendum to the Downtown FEIS. Accordingly, the Notice of Adoption and Availability of Addendum was published in the City's Land Use Information Bulletin on November 20, 2008. A copy of the Addendum was sent to parties of record that commented on the EIS for the downtown code amendments. In addition, a copy of the notice was sent to parties of record for this project. As referenced, the Addendum prepared for this project included an analysis of the project impacts disclosed above.

A. Long Term Impacts Identified in the Downtown EIS

The following is a discussion of the impacts identified in each element of the environment, along with indication of any required mitigation for the impacts disclosed. The impacts detailed below were identified and analyzed in the Downtown EIS.

Land Use

SMC 25.05.675J establishes policies to ensure that proposed uses in development projects are reasonably compatible with surrounding uses and are consistent with applicable City land use regulations and the goals and policies set forth in the land use element of the Seattle Comprehensive Plan. Subject to the overview policy set forth in SMC Section 25.05.665, the decision maker may condition or deny any project to mitigate adverse land use impacts resulting from a proposed project. Density-related impacts of development are addressed under the policies set forth in SMC 25.05.675 G (height, bulk and scale), M (parking), R (traffic) and O (public services and facilities) and are not addressed under this policy.

The Downtown EIS included an analysis of how the code changes were consistent with land use policies based on impacts disclosed in the Downtown EIS. The Addendum analyzed applicable goals and policies of the Urban Village Element of the Comprehensive Plan, the Downtown Neighborhood Plan and the Denny Triangle Plan, as well as development standards in the land use code and the zoning for the site and the surrounding area. In addition, impacts on height, bulk and scale were analyzed. The new codes addressed in the Downtown EIS create incentives to encourage density that can be accommodated in taller, more slender buildings. The design review process conducted in conjunction with the proposed development is intended to mitigate the land use impacts for height, bulk and scale. The architecture and urban design features of the proposed structure are described in the aforementioned Design Review portion of this report and are summarized in the Addendum. Therefore, the department concludes that no adverse impacts exist from the proposal and the proposed development does not contribute significant adverse impacts requiring mitigation. Accordingly, no mitigation of impacts disclosed in this section is required.

Energy and Greenhouse Gases

The Downtown EIS identified several strategies aimed at reduction in energy use. Several legislative amendments have since been adopted to achieve energy savings both at the state and municipal levels. The scale of global climate change is so large that the impacts of a project can only be considered on a cumulative basis. It is not anticipated that a single development project, such as the proposed development, would have an individual discernable impact on global climate change. In addition to complying with the City's Energy Code, several mitigation measures are proposed to reduce energy use, increase sustainable building design and reduce greenhouse gas emissions. Accordingly, no mitigation of impacts disclosed in this section is required.

Wind

The Downtown Height and Density Changes EIS notes that tall buildings can notably affect the wind environment for pedestrians and that the Preferred Alternative in the EIS would permit buildings of greater height. However, the EIS also notes that ground level wind effects usually can be controlled by design features that deflect the winds near the base of the building, and that including such design features is an effective design strategy.

The purpose of the wind analysis completed for this project was to identify potential effects of wind on pedestrians, which in turn would affect the public's ability to use public streets and areas around the project site. This analysis focuses on pedestrian comfort levels, and compares existing conditions with projected impacts from the proposed building; specifically, the analysis describes how the proposed building form could modify air currents in the project area in ways that may affect pedestrians. Large buildings tend to intercept stronger winds at higher elevations and redirect them down to the street level, causing a "downwashing flow." Also, a "channelling effect" can occur when buildings are situated side by side and wind flow accelerates between them.

Rowan, Williams, Davies & Irwin, Inc. (RWDI) prepared a report, dated July 22, 2008, that analyzed effects of wind around the project site to determine the downwashing flow of wind from each building and the channelling effects from the proximity of the nearby buildings on the pedestrian environment. Discussion below is excerpted from this report.

To assess wind effects, RWDI utilized local climate and wind data, site data, design drawings, and their experience with wind tunnel modeling of buildings and structures, including recent projects in Seattle. RWDI used their proprietary software to complete numerical analysis to evaluate wind flow around the general building forms and compare these with wind comfort criteria categorized by types of typical pedestrian activities.

Three types of pedestrian activities were reviewed:

(1) Sitting: Low wind speeds during which one can read a newspaper without having it blown away. These wind speeds are appropriate for outdoor cafes and other amenity spaces that promote sitting.

(2) Standing: Slightly higher wind speeds that are strong enough to rustle leaves. These wind speeds are appropriate at major building entrances, bus stops or other areas where people may want to linger but not necessarily sit for extended periods of time.

(3) Walking: Winds that would lift leaves, move litter, hair or clothing. Appropriate for sidewalks, plazas, parks or playing fields where people are likely to be more active and receptive to some wind activity.

Wind conditions were considered suitable for sitting, standing, or walking if the wind speeds identified for each activity are expected for at least 4 out of 5 days (80% of the time). An “uncomfortable” designation means that the criterion for walking is not satisfied. Safety was also considered by the criteria and is associated with excessive gust wind speeds that can adversely affect a pedestrian’s balance and footing.

Based on RWDI’s analysis of wind data and potential for local wind acceleration caused by the proposed and existing buildings, winds from the south through the south west and north are considered important in the assessment of pedestrian wind conditions, although other wind directions were also considered in their analysis.

Wind conditions suitable for standing are desirable for main entrances, while wind comfort suitable for sitting is preferred at a sidewalk café. For other sidewalk locations, winds comfortable for walking are satisfactory.

For the rooftop open space, potential wind conditions on the roof are predicted to be comfortable for walking, whereas lower wind speeds are comfortable for sitting. The rooftop design includes landscaping, a roof canopy or pavillion and a glass screen. It is recommended that added trees are located in the terrace areas to disrupt some of the horizontal winds that will pass over the screen wall. The report also recommended installing additional horizontal features over the seating areas on the north side.

In summary, the proposed development includes several positive design features for wind control. The construction of these developments are not expected to significantly change the existing wind comfort conditions on and around the subject site. Generally, the potential wind conditions on the ground are predicted to be comfortable for standing and walking throughout the year. Wind conditions on the roof are expected to be suitable for walking and general concepts for improving wind conditions for sitting were recommended. Recommended by RWDI, many of the wind control features such as landscaping, wind screening or canopies have been incorporated at the rooftop. Accordingly, no mitigation is necessary.

Traffic and Transportation

SMC 25.05.675R requires that the Director assess the extent of adverse impacts of traffic and transportation and the need for mitigation. The Downtown EIS analysis considered the direct, indirect and cumulative impacts of that proposal and alternatives as they relate to the overall transportation system. The subject site is within the area analyzed in the EIS and the proposed development is within the range of actions and impacts evaluated in the EIS.

A Traffic Impact Study, completed by The Transpo Group dated September 2008 and referenced in the Addendum found that the proposed project is estimated to generate approximately 59 trips during the AM peak hour and 44 trips during the weekday PM peak hour. The study examined 17 intersections in the project vicinity and found that during the weekday PM peak hour, all of the signalized study intersections are anticipated to operate at the same Level of Service (LOS) baseline conditions. All intersections will operate at (LOS D or better) with the exception of Yale and Howell intersection which is anticipated to operate at LOS E during the weekday PM peak hour with or without the proposed project.

The proposed development will share the Virginia Street access approved as part of the adjacent 1918 Eighth Avenue project. The garage would provide parking for the tenants and visitors. As proposed in the 1918 Eighth Avenue project, driveway operations will be restricted to allow right turn in/right turn-out movements only, through the placement of C-curbing along Virginia in the vicinity of the driveway.

The proposed development will provide parking for 216 vehicles, all of which are accessed from the Virginia Street access. Because the project is located in a Downtown zone, no parking is required for the proposed project. The combined parking supply results in a ratio of less than one parking stall per 1,000 square feet of development.

Peak parking demand for Eighth and Stewart would total 153 parking stalls. The combined peak parking demand for 1918 Eighth Avenue and the proposed development is anticipated to total 896 stalls. Assuming a combined parking supply of up to 628 parking spaces between the proposed project and an effective supply of 95%, or 597 spaces, the peak parking demand would not be able to be accommodated by the proposed on-site parking supply with an anticipated parking overspill of 299 stalls. However, to mitigate the parking overspill associated with 1918 Eighth Avenue, the use of valet parking was identified as mitigation. The use of valet parking is anticipated to increase the effective parking supply associated with 1918 Eighth Avenue to 547 stalls. This would result in a total combined effective parking supply for both projects of 756 parking stalls, which would result in a reduction in the anticipated parking overspill from 299 stalls to 140 stalls.

To evaluate the potential effect of parking overspill into the surrounding neighborhood, an inventory of existing and available public parking supply was conducted. The inventory was taken on a weekday during the mid-day hours, consistent with the peak parking demand time of day for the project. The inventory was conducted within an 800 foot radius of the site, a distance considered walkable. Within this area, 11 public parking facilities were identified. The cumulative total parking supply of these lots is 1,942 stalls, of which approximately 80% are utilized (1,554 stalls), leaving approximately 291 stalls available for new patrons. On street parking is also available in this area. However, because it is highly utilized with few available parking spaces, it was not included in the available off-site parking supply. As a result, at any given time, the actual availability of off-site parking that is available to accommodate parking overspill may exceed the characterization above. Overall, the potential overspill of 140 stalls could be absorbed by existing public parking lots within the vicinity of the project site.

Property development within and near South Lake Union is expected to produce substantial increases in vehicular traffic in the foreseeable future. Taken cumulatively, these projects will have a noticeable and substantial impact on the South Lake Union transportation system. The

traffic volumes of the proposed development, together with those of other projects, will produce impacts that warrant mitigation. Assessing the pro-rata share of the anticipated costs of accommodating such growth reasonably apportions the costs of such mitigation. The proximity of the project site to the South Lake Union area requires mitigation for project trips that are anticipated to pass through South Lake Union pursuant to the capital improvements identified in the South Lake Union Transportation Study. The project has proposed a payment of \$3,884 towards the mitigation fund established for South Lake Union capital improvements, consistent with the projected impacts of the project in the South Lake Union area.

3. Provide the pro rata share of the anticipated traffic mitigation costs prior to issuance of the Building Permit.

Based on the traffic analysis provided above, in conjunction with the proposed payment to the South Lake Union fund, no further mitigation measures or conditioning is warranted.

Construction

SMC 25.05.675.C provides policies to minimize or prevent temporary adverse impacts associated with construction activities. To that end, the Director may require an assessment of noise, drainage, erosion, water quality degradation, habitat disruption, pedestrian circulation and transportation, and mud and dust impacts likely to result from the construction phase.

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; 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; 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. The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. Puget Sound Air Pollution Control Agency 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. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment.

Short—Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; 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; and consumption of renewable and non-renewable resources.

Noise

The Addendum includes a series of measures to mitigate noise, vibration air quality and traffic impacts associated with work in the downtown area. These include limiting hours of most construction work to between 7:00 am and 6:00 pm Monday through Friday and 9:00 am to 6:00 pm on Saturdays, ensuring nighttime activities do not exceed noise ordinance limits, limiting high noise impacts to between 7:00 am and 5:00 pm on weekdays. Other mitigation measures include reducing or limiting vibrations, using sound barriers and other methods to reduce impacts on adjacent structures, developing truck haul routes and processing certain materials off-site. Traffic management measures to mitigate impacts on the vehicular and pedestrian networks during construction are also included, specifically the development of a truck hauling plan, use of structured parking facilities for construction parking, staging of trucks outside of the downtown area, maintaining pedestrian walkways and sidewalks during construction, with temporary closures and covered walkways if needed.

Accordingly, the project is conditioned to implement all mitigating measures outlined in the Addendum related to mitigation of Construction impacts through the development of a Construction Management Plan addressing access to the site during construction, noise mitigation efforts, vibration mitigation efforts and other features to address impacts related to construction activities. In order to preserve the existing level of services and functions that occur along the alley, the following mitigation goal shall be included in the Construction Management Plan, as well as measures to meet this objective:

1. The alley shall be kept clear of construction parking, storage, debris or other non-essential construction related activity, other than normal circulation and delivery activities typically associated with alley functions. The Plan shall detail those limited circumstances when it is essential for the alley is to be used for construction activities, and shall provide for advance notice to adjoining properties when such activities are to occur.

B. Additional Impacts Not Identified in the Downtown EIS

SMC 25.05.600.D allows for existing environmental documents to be used. As stated above, this project includes the adoption of the Downtown EIS along with the development of an Addendum to analyze and mitigate site specific impacts not disclosed in the EIS. The area of impact that was not discussed in the EIS – Construction – is analyzed with the Addendum for this project. The authority to allow for additional analysis is in SMC 25.05.600.D3, as long as the analyses and information does not substantially change the analysis of significant impacts or alternatives in the existing environmental document, that being the Downtown EIS.

Air Quality

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project. No unusual circumstances exist which warrant additional mitigating, per the SEPA Overview Policy.

DECISION - STATE ENVIRONMENTAL POLICY ACT

The proposed action is **APPROVED WITH CONDITIONS.**

CONDITIONS – DESIGN REVIEW

Prior to Final Building Permit Issuance

1. The pedestrian entry at the alley should be further emphasized to create a more welcoming and obvious entry. The elevator lobby providing ADA access should be better signed and articulated to create a more gracious entry. The Board recommended that the lobby space become wider and include greater transparency to achieve this sense of entrance at the alley level.
2. The high quality ground level materials shown on the street facing facades should wrap around to the alley and extend at least as deep as the far edge of the elevator lobby.
3. Provide the pro rata share of the anticipated traffic mitigation costs (\$3,884) prior to issuance of the Building Permit.

Prior to the Issuance of the Building Permit

4. As proposed, the architectural features and details presented at the Final Design Review meeting shall remain. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner or by the Design Review Manager. Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
5. Embed all of the conditions listed at the end of this decision in the building permit drawings.
6. Embed the 11 x 17 colored elevation drawings from the DR Recommendation meeting and as updated into the Building Permit Plan set in order to facilitate subsequent review of compliance with Design Review.

Prior to the Issuance of the Certificate of Occupancy

7. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD Land Use Planner assigned to this project or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

CONDITIONS - SEPA

Prior to the Issuance of the Demolition and/or Shoring Permit

8. The applicant shall submit for review and approval a Construction Management Plan to address mitigation of impacts resulting from all construction activities. The Plan shall include

a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. The project shall also include all mitigating measures for construction related impacts identified in the Addendum (pages 63-66). The Plan may also be incorporated into any Construction Management Plans required to mitigate any short term transportation impacts that result from the project.

9. The Construction Management Plan shall also include the following statement (and provide implementation measures to ensure its compliance): “The alley shall be kept clear of construction parking, storage, debris or other non-essential construction related activity, other than normal circulation and delivery activities typically associated with alley functions.” The Plan shall detail those limited circumstances when it is essential for the alley is to be used for construction activities, and shall provide for advance notice to adjoining properties when such activities are to occur.

During Construction

10. The project shall implement all mitigating measures for construction related impacts identified in the EIS Addendum and contained in the Construction Management Plan.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Lisa Rutzick, (206 386-9049) at the specified development stage, as required by the Director’s decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved. **Prior to any alteration of the approved plan set on file at DPD, the specific revisions shall be subject to review and approval by the Land Use Planner.**

Signature: _____ (signature on file) Date: August 9, 2012
Lisa Rutzick, Senior Land Use Planner
Department of Planning and Development
Land Use Division

LR:bg