



## City of Seattle

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Department of Planning and Development  
D. M. Sugimura, Director

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

**Application Numbers:** 3013151 and 3013153 and 3013154  
**Applicant Name:** Lindy Gaylord for Acorn Development LLC  
**Addresses of Proposal:** 2021, 2100 and 2101 Seventh Avenue

#### **SUMMARY OF PROPOSED ACTION**

##### **Project No. 3013151 (2021 7th Avenue) (Block 14)**

Land Use Application to allow a total of approximately 1,048,304 sq. ft. of administrative office in two buildings with ground floor retail. Below grade parking for 1,064 vehicles to be provided. All existing structures to be demolished.

##### **Project No. 3013154 (2101 7th Avenue) (Block 19)**

Land Use Application to allow approximately 1,123,052 sq. ft. of administrative office use in two buildings with ground floor retail use. Below grade parking for 1,137 vehicles to be provided. All existing structures to be demolished.

##### **Project No. 3013153 (2100 7th Avenue) (Block 20)**

Land Use Application to allow approximately 1,104,615 sq. ft. of administrative office use in two buildings with ground floor retail use. Below grade parking for 1,128 vehicles to be provided. All existing structures to be demolished.

The proposal includes a Planned Community Development component for all three development sites. An alley vacation is proposed on each of the three blocks.

The following approvals are required:

**Design Review** - Design Review for Early Project Implementation, Chapter 23.41, Seattle Municipal Code (SMC) with Departures:

Block 14:

Street Level Use (SMC 23.49.009.A.3)  
Facade Setback (SMC 23.49.056.B.1.b.2.b)  
Facade Length (SMC 23.49.056.B.2).

Loading Berth Dimensions (SMC 23.54.035.C.2)

Block 19:

Facade Length (SMC 23.49.056.B.2)

Upper Level Width (SMC 23.49.058.C)

Loading Berth Dimensions (SMC 23.54.035.C.2)

Block 20:

Upper Level Setback (SMC 29.49.058.F)

Loading Berth Dimensions (SMC 23.54.035.C.2)

**SEPA Environmental Determination** - To approve, condition, or deny the project pursuant to Section 25.05.660 of the Seattle Municipal Code (SMC).

**Planned Community Development** – To establish a three-block office development pursuant to Section 23.49.23.49.036 of the Seattle Municipal Code (SMC).

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

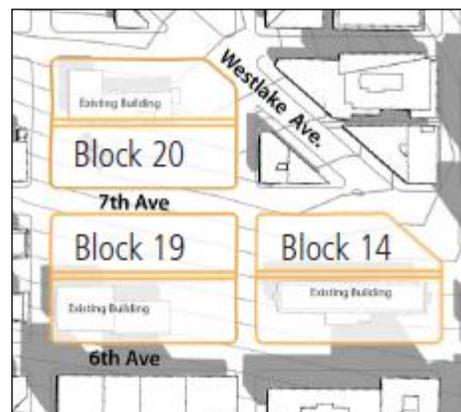
\* The Downtown Height and Density FEIS was adopted with an Addendum for the proposed development. The Notice of Availability of the EIS Addendum was published on August 23, 2012.

**BACKGROUND DATA**

Site Description

The project site consists of three contiguous blocks within the Denny Triangle Neighborhood in the Downtown Urban Center. The three block project site is approximately 5.2 acres. Block 14 is bounded by Lenora Street on the north, Virginia Street on the south, Westlake and Eighth Avenue on the east, and Sixth Avenue on the west. Block 19 is bounded by Blanchard Street on the north, Lenora Street on the south, Sixth Avenue on the west and Seventh Avenue on the east. Block 20 is bounded by Blanchard Street on the north, Lenora Street on the south, Eighth Avenue and Westlake Avenue on the east, and Seventh Avenue on the west. (See Figure 2 of the EIS Addendum). Each block includes an existing alley.

The site is zoned Downtown Office Core 2 (DOC2) 500/300-500. The DOC2 500/300-500 zoning designation allows a maximum height of 500 feet for non-residential development and a base height limit of 300 feet for residential development. Additional height up to a maximum



height limit of 500 feet is possible for residential development provided that bonuses are provided pursuant to SMC 23.49.015.

### Existing Conditions

Block 14 is an irregularly-shaped block due to Westlake Avenue bisecting the southeast corner of the sites. The block slopes from the west (corner of Lenora Street and Sixth Avenue) down to the east (corner of Westlake Avenue and Seventh Avenue) from an elevation of approximately 107.3 feet to 90.8 feet, for a total grade change of approximately 16.5 feet. The block currently contains a hotel – the Sixth Avenue Inn – on the west half of the block and a Budget Rent-A-Car service garage and office on the south end of the east-half of the block. Street trees border the sites along Westlake and Sixth Avenues. There is a small, elevated landscaped plaza bordering the 6<sup>th</sup> Avenue entrance to the Sixth Avenue Inn; otherwise there is no other vegetation or landscaping present on the block.

Block 19 slopes from the west (Sixth Avenue) down to the east (Seventh Avenue) from an elevation of 111 feet to an elevation of 94.6 feet, for a total grade change of 17.0 feet. The west half of the block currently contains the King Kat Theatre and a one-story office building to the south of the Theatre. The south parcel on the west half of the block contains an 83-space surface parking lot. The east half of the block is entirely occupied by surface parking (151 spaces). Street trees border Seventh Avenue, Sixth Avenue, and Blanchard Street. There is no other vegetation present on this block.

Block 20 is an irregularly-shaped block due to Westlake Avenue bisecting the southeast corner of the site. The block slopes from the west (Seventh Avenue) down to the east (Eighth Avenue) from an elevation of approximately 98.9 feet to an elevation of roughly 79.8 feet, for a total grade change of 19.1 feet. The west half of the block is primarily in surface parking and also contains a small one-story service building in the center. The east half of the block contains surface parking and an auto showroom/service garage occupied by Toyota of Seattle. There is no vegetation bordering the site.

### Vicinity Description

The project site is located within the Denny Triangle Neighborhood of the Downtown Urban Center. To the east, the area is zoned for downtown mixed commercial uses. To the north, across Denny Way, is the South Lake Union Urban Center and neighborhood, a fast growing residential and employment hub which currently houses corporate offices of Amazon, as well as other high tech and bio tech businesses. To the south is the downtown office and retail core, and to the west is the Belltown neighborhood and Elliott Bay. The Cornish College of the Arts campus is located to the east of the project across Westlake Avenue. Denny Park and Playfield is located north of the project across Denny Way. Development in the vicinity is a mixture of commercial and residential uses. The pattern of existing land uses surrounding the project includes a mix of apartment buildings, condominiums, retail buildings, and office buildings. Land uses surrounding the project sites include:

#### Block 14

- **North** – Block 19 is located north of Block 14 and Block 20 is northeast;
- **South** – A two-story, 8,480 sq. ft. McDonalds built in 1979;

- **East** – A three-story, 33 unit apartment building (Larned Apartments) built in 1909 and a two-story, 9,450 sq. ft. retail building (Little Darlings);
- **West** – A 33-story, Westin office building, built in 1981; an 11-story, 169,000 sq. ft. office building built in 1963 (Active Voice Building)

#### Block 19

- **North** – A 12-story, 206,000 sq. ft. office building that was built in 1968 and a four-story, 47,000 sq. ft. building that was formerly a Days Inn, which is currently leased to Cornish College of the Arts;
- **South** – Block 14 is located to the south of Block 19;
- **East** – Block 20 is located to the east of Block 20;
- **West** – A 24-story, twin tower residential building (under construction);

#### Block 20

- **North** – A one-story, 15,000 sq. ft. Budget car rental facility, built in 1964;
- **South** – A three-story, 33 unit apartment building (Larned Apartments) built in 1909 and a 2-story, 9,450 sq. ft. retail building (Little Darlings);
- **East** – A 2-story, 16,800 sq. ft. mixed-use office building with an auto shop, built in 1925; a surface parking lot, and a one-story, 3,800 sq. ft. medical/dental office, built in 1920;
- **West** – Block 19 is located to the west of Block 20.

The site vicinity has a robust grid of streets, is well served by transit, and has good facilities for pedestrians and bicyclists. Several arterials serve the project site and the immediate vicinity, including Denny Way, Westlake Avenue, Virginia Street, Lenora Street, Sixth Avenue, Seventh Avenue, and Eighth Avenue. These streets are generally improved with paving, curbs, sidewalks, lighting and, in some places, street trees. The site has convenient access to public transportation including light rail, bus and streetcar. It is within three city blocks of Westlake Center and the Westlake Station of the downtown tunnel carrying metro bus and light rail traffic. The streetcar line runs along Westlake Avenue, which borders two of the three blocks. The streetcar stops near the epicenter of the project at the intersection of Westlake and Seventh Avenues. Regular bus service is provided along Stewart, Virginia, and Lenora Streets, and along Seventh, Fourth, Third and Second Avenues. There are many bike facilities in the site vicinity including bike lanes along the Dexter Avenue/7<sup>th</sup> Avenue corridor, which is often referred to as the “bike freeway” by cyclists. This route connects the Fremont neighborhood, where the Burke-Gilman Trail and Ship Canal Trail are located, to downtown.

#### Alley Vacations

An alley vacation is proposed on each of the three blocks. An additional .4 acres of street area will be vacated bringing the total project size to approximately 5.6 acres. An alley vacation petition for each of the three blocks was submitted by the applicant to Seattle Department of Transportation on April 19, 2012. Conceptual approval of the alley vacations by City Council is required prior to issuance of a Director’s decision on the Master Use Permits. Various City departments provided comments on the vacations. The Seattle Design Commission recommended approval of the urban design merit portion of the vacation proposals on June 21, 2012 and the public benefits portion on July 12, 2012. SDOT staff issued its recommendation to City Council to approve the alley vacations on September 17, 2012. A public hearing on the

alley vacations was held by the Transportation Committee of the City Council on September 25, 2012. The City Council voted in favor of conceptual approval of all three alley vacations on November 5, 2012 (Clerk Files 312260, 312261, 312262).

## **PROJECT DESCRIPTION**

The proposal includes a Planned Community Development (PCD) component to design and construct office buildings on three contiguous blocks in the Denny Triangle Urban Village. The development is anticipated to occur in three phases corresponding to each of the three blocks. The tower and the lower office building on each block could proceed together or separately.

Phase One will occur on Block 14 and consist of approximately 1,048,304 gross sq. ft. of office uses, including a meeting center and up to 16,000 gross sq. ft. of retail. In addition there will be up to six levels of underground parking with up to 1,064 parking stalls. Two buildings are proposed for the block, including a 37-story office tower located on the south half of the block. Phase One will also include an approximately 84,000 gross sq. ft. meeting facility on the north side of the block that will seat up to 2,000 people.

Phase Two will likely occur on Block 19 and consist of approximately 1,123,052 gross sq. ft. of office uses including up to 14,000 gross sq. ft. of accessory retail. Two buildings are proposed for the block. One building would be a 38-story office tower located on the north half of the block. A second smaller building up to six-stories would be located on the south half of the block. Phase Two will also include up to seven levels of underground parking with up to 1,137 parking stalls.

Phase Three will likely occur on Block 20 and consist of approximately 1,104,615 gross sq. ft. of office uses including up to 23,000 sq. ft. of accessory retail. Two buildings are proposed for the block. One building would be a 38-story office tower located on the south half of the block. A second smaller building up to eight-stories would be located on the north half of the block. Phase Three will also include up to seven levels of underground parking with up to 1,128 parking stalls.

Open space, landscaping, and other amenities will be provided for each phase for building occupants. A significant amount of improvements will be made within the street right-of-ways including street trees, landscaping, new and widened sidewalks, curb bulbs and pedestrian crossings to improve safety, site furnishings and lighting. The applicant is also working with SDOT on developing plans for a cycle track along Seventh Avenue and a shared use street to occur on Lenora Avenue between Seventh Avenue and Eighth Avenue. There will also be publically accessible improvements made within each block. Block 14 will include a large through block urban plaza, partially covered by an overhead trellis. Block 19 will include a playfield, off-leash dog area and accessible through block connection. And Block 20 will include large garden terraces with seating and a water feature. A green street setback will also be provided on Blanchard Street on Blocks 19 and 20.

### Public Comment

A PCD public open house was held on March 13, 2012 and the public provided comment on project priorities. These comments are summarized in the Director's PCD Priorities Report dated May 29, 2012. A public comment period on the application was held from June 7, 2012 to June 20, 2012. Public comments received during this time included requests to be added as Parties of Record and two letters were received stating concerns about the provision of public open spaces, traffic and transportation impacts to the neighborhood, as well as concerns about the viability of the retail spaces and questions regarding the proposed program.

The SEPA Addendum was issued on August 23, 2012, and a 15-day day public comment period was held. No comments were received on the SEPA Addendum.

The Design Review Board reviewed the project and took public comment on the following dates: March 27, 2012, May 8, 2012, July 10, 2012, August 14, 2012, and September 25, 2012.

Approximately 60 members of the public attended the Early Design Review meeting on March 27, 2012 and several comment letters were submitted. The following comments, issues and concerns were raised:

- Concerned with business practices of Amazon.
- Found it difficult to compare schemes, but encouraged treating each wall as a front and not leave a façade undersigned or as a shear wall.
- Encouraged integration of more community elements, as well as usable, public open space on the rooftops of the lower six-story buildings.
- Pleased to see proposed density and supported the solar access allowed by Option 3. Found it difficult to evaluate the hybrid alternative in terms of shadow impacts.
- Supported the proposal for urban parks. Noted that attention to wind patterns is important.
- Felt a disconnect between the proposed departures and the ground level details shown. Suggested that the next meeting include greater detail. Noted that pipeline projects should be shown in the context analysis. Encouraged consideration of some of the more unusual conditions nearby such as the Braille Library, Cornish, and the West Precinct.
- Supported the hybrid preferred option. Encouraged close examination of the retail spaces and designing for the most successful retail. Suggested that the many wide facades be differentiated and treated with different materials. Encouraged extraordinary, creative design and not a corporate appearance.
- Pleased with the proposed setbacks at street level. Encouraged integration of color and visual interest in the building materials and design – not simply use of grey and black. Suggested that the height of the three towers be differentiated. Would like more information about the Blanchard Green Street design. Supportive of a variety of usable green roofs and terraces. Noted that the design should contemplate future expansion by Amazon to the north and how connections to the north might be made.
- Incorporate public open spaces and landscaping into the project. Include open spaces for dogs. Would like to see street level pedestrian improvements.
- Encouraged the building massing to be situated towards the center of the blocks and not at the edges. Concerned with view blockage, increased traffic and construction noise. [Staff note: these issues are not within the DRB purview.]

Approximately 50 members of the public attended the Second Early Design Review meeting on May 8, 2012 and several comment letters were submitted. The following comments, issues and concerns were raised:

- Surprised with the amount of lobby space proposed to front onto the public areas; would like to see more mid-block retail and less lobby use. The mid-block passageway and open spaces will be used by the public and neighbors, so encouraging activation of these spaces is important. Would like to know about the air flow and noise between buildings and wind impacts. Would like to avoid concentration of loading dock noise. Pleased with proposed design and likes the covered breezeway on Block 19 and the glass covered canopy on Block 14.
- Pleased with the presentation and significant design work that has occurred since the first meeting. Appreciates how the magnitude of the project was broken up into a manageable scale. Supportive of alley vacation and proposed departures. Looks forward to seeing future design development.
- Encouraged more play areas in downtown open spaces, as well as interactive art.
- The view of the Space Needle along 6<sup>th</sup> Avenue should complement the design and site plan.
- Found presentation graphics understandable. Would like to see more information for the auditorium building and impact on streetscape. Encouraged green roofs for the short podium buildings since they will be highly visible from surrounding towers.
- Noted that this is an extraordinary urban design opportunity. While the buildings may be constructed over a period of time and include a diversity of landscaping and building designs, there should remain a sense of continuity and relationship amongst the parts. This may be in the materiality or some other aspect of the overall design language, but the sense of the whole is important as well.

The following comments, issues and concerns were raised at the Initial Recommendation meeting held on July 10, 2012:

- Supportive of the proposed massing of the 6 forms, but suggested that the rotated tower on Block 20 at Westlake is too generic and is an opportunity for a more expressive, signature statement. Appreciated the detail of the presentation. Concerned the corner of Lenora and 6<sup>th</sup> needs activating commercial uses, not just lobby and auditorium. Proposed that even larger floor area for retail or restaurants use on Block 20 that can be broken down with multiple entries and storefront features to animate the street edge. Noted that the loading dock areas should be sized to accommodate retail demand. Supported the circulation and elevator strategy that requires users of the underground parking to access the street level and mid-block open spaces, and suggests weather protection at those points most heavily used. Also suggested covered smoking areas be designated and designed (and ventilated) separate from the most frequented public areas.
- Commended the proposed design of streetscapes and open spaces for being green and vegetated, with public art, color and variety of treatments that engage with the pedestrian. Also supported the proposed variety for the bases of the six building forms, and advocated for further sculptural approach to these buildings.
- Disappointed there is a dedicated dog park, but no specified places or features for children's play and family recreation. The open space design appears pleasant, but not supporting the full range of activities of a diverse user group. At minimum, suggested that the open spaces incorporate elements of safe, interactive, playable art.

The following comments, issues and concerns were raised at the Second Recommendation Design Review meeting on August 14, 2012:

- Encouraged preservation of plantings in the courtyard of the existing hotel.
- Noted that all sidewalks should be wide and un-obstructed by sidewalk cafes, to prevent pedestrian bottlenecks with the proposed 12,000 population on three blocks.
- Stated that the loading and parking access at 8th and Blanchard is across from an existing residential building, and on a corner so might impact pedestrian flows at intersection.
- Supported the accent features at the top of the towers, and suggested they be more dramatic, perhaps a sky deck or hole through the building.
- Supported the changes at the Lenora and 6<sup>th</sup> intersection, especially the glass stair tower which could be an illuminated night beacon at the corner.
- Noted that the lower buildings should relate to the tower buildings on their respective blocks. Would like to see more of the larger context.
- Stated the façade layering on Block 20 tower is important, and supported the variation and break-up of the podium elements on all three blocks.
- Concerned there is not disabled access through two of the mid block plazas, and stated a physical model is needed to accurately understand the level changes and stairs in the plazas.
- Supports bridges between the tower and low-rise building on each block, and encourages more design linkages between each set of 2 buildings; as if they were “dance partners”.
- Supports the pin or “star lights” above one plaza and suggests an educational aspect for public understanding of that feature, and other historical/educational elements in the public spaces.
- Supports the asymmetrical facades, range and variety of textures and colors, and encourages even more variety of shapes and bold colors; less “continuity” and more “diversity”.
- Concerned there is no designated children’s play space that is at least the size of the 1200 sq ft dog park, and wanted more details on any active play art pieces, or other features for children and families.

The following comments, issues and concerns were raised at the Final Recommendation meeting which occurred on September 25, 2012:

- Pleased with the design changes at the 6<sup>th</sup> and Lenora corner.
- Complimented the improved relationship between the two buildings on Block 20, but remained concern with the design of the tower. Felt the tower on Block 20 is the least interesting of the three and should instead be the statement building given its pivotal location. Encouraged more interesting façade treatment. Not thrilled with the color scheme of Block 14. Encouraged quiet loading dock sensors during pm hours on Block 20.
- Would like to see a playground included. Encouraged colorful and varied design. Supportive of the rotation of Block 20 tower.
- Encouraged softening the design of the freight entrance on Block 20 to be more pedestrian friendly and suggested overhead protection.

## **ANALYSIS – DESIGN REVIEW**

### **Design Guidance**

**EARLY DESIGN GUIDANCE – March 27, 2012**

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance at the Early Design Guidance meeting.

1. **Context.** The Board was interested in better understanding the existing and future context around the subject sites.
  - a. Include information showing future pipeline projects within the vicinity of the subject sites.
  - b. Provide more details of the proposed massing within the existing and future skyline.
  - c. Show how the proposed massing is responsive to the existing and future context.
2. **Massing.** The Board agreed that the presentation included a thorough and well-executed tower form and massing study. The Board was supportive of the preferred massing scheme.
  - a. Images were shown identifying character structures in the vicinity: how might these character structures inform the design of the proposed buildings?
  - b. Express how the proposed design might respond to the neighborhood context, including future pipeline projects.
  - c. Massing and scale transitions between each block and within each block are critical considerations as the massing and design are further developed.
3. **Architectural Concept:** The architectural design should strive for innovative, bold and interesting design that will be highly visible on all sides.
  - a. The Board noted that the proposed development should not read as a corporate campus, but instead should strive towards creating different tower/base buildings with different characters within an urban context.
  - b. The proposed buildings include multiple highly visible facades, with no apparent backside and as such, all facades should be well-designed and considered with this visibility in mind. The differing characters of the abutting neighborhoods and conditions should also inform the design of these facades.
4. **Streetscape & Open Space.** The Board would like to review more information and detail regarding where the buildings meet the street (ground plane up to the first six stories).
  - a. The Board expressed concern with the proposed elevated building connectors (walkways/meeting spaces) linking the towers to the lower buildings. Separation of human activity between ground level and above grade levels has the potential to limit or hinder the vitality of the ground level open spaces. The impact of the above-grade bridge elements on the ground level open spaces should be further analyzed for shadow impacts.
  - b. The Board agreed that the hybrid scheme appeared to create the strongest site plan for a central open space. However, the Board would like to better understand the ground level experience and solar access on Block 20 with the preferred scheme tower placement. The solar access at ground level from Options 2 and 3 should also be shown to better analyze the impacts. Please clarify whether departures would be needed for these other two schemes. (See departure consideration for the rotated tower).

- c. The Board would like to see greater information and detail regarding the proposed auditorium building (Block 14) is needed. The design of this building should encourage active facades; blank walls should be avoided. This building should be designed as a focal point for the intersection of the three sites.
- d. The Board was supportive of the pocket park concepts and through-block open spaces and would like to see greater detail regarding the activation of these open spaces by being thoughtfully located to maximize solar exposure and connectivity, as well as through programmatic efforts including artwork, retail, landscaping, furniture, lighting, signage, etc-
- e. Rooftop landscaping and design is critical given the visibility of this top façade from neighboring buildings, as well as the proposed towers.
- f. Elements that define the ground level open spaces should be included. The 2200 Westlake project is an example of a successful entry plaza area that includes a variety of hardscaping, landscaping, artwork, retail frontage and spillover while also accommodating a variety of pedestrian circulation routes and modes of transport.
- g. A public art plan should be developed for the variety of proposed ground level open spaces.
- h. The open space plan and programming for Block 19 should integrate and connect to the open spaces provided on Blocks 14 and 20.
- i. The Board would like to see more information addressing a retail strategy and how this approach will inform the location of ground level retail on all three sites.
- j. Emphasis on the Westlake corridor is critical as the design develops.

The Board identified the following Downtown Design Guidelines of highest priority for this project.

## DESIGN REVIEW GUIDELINES

### 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.

### 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-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 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-2 **Design Facades of Many Scales.** Design architectural features, fenestration patterns, and materials compositions that refer to the scale of human activities contained within. Building facades should be composed of elements scaled to promote pedestrian comfort, safety, and orientation.
- 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.

## Public Amenities – Enhancing the Streetscape & Open Space

- D-1 **Provide Inviting & 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 principal area of the open space should be especially emphasized.
- D-2 **Enhance the Building with Landscaping.** Enhance the building and site with substantial landscaping—which includes special pavements, trellises, screen walls, planters, and site furniture, as well as living plant material.
- 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.
- D-4 **Provide Appropriate Signage.** Design signage appropriate for the scale and character of the project and immediate neighborhood. All signs should be oriented to pedestrians and/or persons in vehicles on streets within the immediate neighborhood.
- D-5 **Provide Adequate Lighting.** To promote a sense of security for people downtown during nighttime hours, provide appropriate levels of lighting on the building facade, on the underside of overhead weather protection, on and around street furniture, in merchandising display windows, and on signage.
- D-6 **Design for Personal Safety & Security.** Design the building and site to enhance the real and perceived feeling of personal safety and security in the immediate area.

## Vehicular Access & 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 front where possible. Screen from view those elements which for programmatic reasons cannot

## SECOND EARLY DESIGN GUIDANCE – May 8, 2012

The priorities and recommendations provided by the Board at the Second EDG were the following:

### 1. Diverse and Engaging Open Spaces:

**Block 14:** The Board would like to see more information for the landscape plans for Block 14. Further development and detailing of these spaces is needed to better understand how these open areas will be used and programmed. The Board was concerned that the proposed open space feels too much like a pass-through and should instead be inhabited with spaces to linger, stop and gather. Given that Block 14 open space is termed *The Gallery*, the interconnections between the open space users and the artwork should be further developed. (C-1, C-5, D-1, D-2, D-3)

**Block 19:** The Board agreed that the landscape design for Block 19 is the most successful of the three blocks because it is highly programmed to include an open field area, tree grove, rooftop dog park, winding pathways and artwork. This combination of open spaces and landscaping with generous dimensions and functional uses emphasizes the pedestrian use and enjoyment of the space. (C-1, C-5, D-1, D-2, D-3)

**Block 20:** On Block 20, the Board was pleased with the higher quality open space showed at ground level as a result of the revised tower footprint. The Board, however, felt this design was too generic and was the least developed, integrated and programmed landscape design. The Board would like to see more information for the landscape plans for Block 20. Further development and detailing of these spaces is needed to better understand how these open areas will be used and programmed. (C-1, C-5, D-1, D-2, D-3)

### All Blocks:

- a) The Board would like to see a conceptual art plan for all of the blocks showing the general location and urban design direction for the placement of art (focal points). (D-1, D-3)
- b) The Board would like to better understand the security and lighting plans for all of the open spaces. (D-5, D-6)
- c) The Board would like to encourage the provision of amenities for families and children to be integrated into the open space designs. (D-1, D-3)

## 2. Vibrant Pedestrian Environment:

### Block 14:

- a) The street level, street facing (Lenora) design of the auditorium structure on Block 14 is critical in terms of activating the sidewalk and pedestrian environment. (C-3)
- b) The Board expressed concern that the Lenora and Blanchard street level facades avoid appearing vast, expansive and/or inactive and that they receive the level of attention and detailing given to the interior facades. The Board warned against designing blank facades especially along Lenora, where the auditorium is proposed on Block 14.

### All Blocks:

- a) The Board agreed that some amount of retail should be included along the interior open spaces to help activate those areas, however activating the street frontage is also critical. The Board would like to review a more refined retail plan that endeavors to activate both the interior and street-facing environments. (C-1, C-3)
- b) The Board was very pleased with the programmatic move on all three blocks to have the garage elevators separated from the main building elevators. This separation moves pedestrians through the mid-block plaza spaces as they transfer between the garage and the office tower, thus activating the open spaces. (C-1, D-1)

## 3. Varied Massing, Integrated Design & Architecture:

### Block 20:

- a) The Board was concerned that the shortening of the tower footprint from rectangular to square resulted in a tower where the treatment of all four facades is too uniform and should be further articulated to respond to the different edges. Breaking up the scale of these facades based on the contextual conditions was encouraged by the Board.
- b) The Board noted that Block 20 should consider its unique position as more of a gateway location to the downtown core to create more of a signature design.
- c) The Board would like greater refinement of the base of the Block 20 office tower building. In particular, the Board expressed concern that the curved base should be further broken down to respond to the Westlake frontage. As viewed from the 8<sup>th</sup> Avenue side, the expansive curve lacked the scale and faceting that is more successfully executed on the 7<sup>th</sup> Avenue side. (B-1, B-4)

### All Blocks:

- a) The Board discussed at length and agreed that a significant challenge of this development proposal is to design unique, creative, site specific buildings that stand individually, while also creating elements that tie the three blocks together. The Board stated that strenuous attention to striking this balance must be considered as the designs moves forward. The Board also noted that the Block 20 conceptual design appears more disparate from the other two blocks and greater attention to the resolution of this block is crucial. (A-1, B-1, D-3)
- b) The Board accepted the proposed aerial connector concept designs shown that have been reduced in scope and number and agreed that they are well-integrated into the

architecture and have improved by being located at increased heights above the mid-block open spaces. Block 14 includes one aerial connector that is integrated into the dual overhead weather protection architectural feature connecting the tower and the auditorium buildings. Block 20 includes one double story aerial connector at the closest point between the curved base of the office tower and the podium building. The aerial connections on Block 19 have been eliminated. (C-1, D-1)

- c) The Board acknowledged that the proposed development that includes six buildings and no back sides is a significant design challenge. (E-3)
- d) The Board would like to see more information showing the design and character of the rooftop elements for both the tower and podium buildings. Specifically, the Board is interested in reviewing the building rooftop design and form and whether roofs will be accessible, green, occupied, etc.

#### **4. Next Meeting:**

- a) The Board would like to review floor plans (including elevator locations) and elevations for all proposed buildings.
- b) The Board would like to review more plan and section details to better understand how the buildings work in terms of circulation and use layout.
- c) The Board would like to better understand the perimeter streetscape conditions surrounding the building, including façade treatments through sections and perspectives.
- d) For all of the blocks, all points of access should be clearly shown and delineated, including pedestrian, office users, cars, trucks, bikes and retail customers.
- e) The Board would like to better understand the loading space departure in terms of an analysis of the loading demands of both the proposed and potential future tenants. The Board is also interested in understanding and avoiding a high concentration of loading areas from the proposed and existing developments.

### **INITIAL RECOMMENDATION – July 10, 2012**

**At the Initial Recommendation meeting, the Board provided the following recommendations:**

#### **1. Continuity v. Diversity of Structures:**

- a. The Board agreed that the individuality and diversity of the buildings should be expressed at street level, while the tower levels expression should reflect elements of harmony and continuity. (A-2, C-2)
- b. The Board noted that the intersection of the towers with the lower portions of the buildings is critical. (B-4, C-2)
- c. The diversity among the lower levels (approximately first six floors) should project strong architectural gestures that inform the language of the facades. (B-4, C-2)

- d. The Board remained most concerned with the circular base design of Block 20 and felt that the explanation for this form was the least developed. (B-1, B-4)
- e. The Board appreciated the vignettes of the street level perspectives and open spaces to gain a clearer understanding of these areas.

## **2. Corner of 6<sup>th</sup> Ave and Lenora St:**

- a. The Board expressed concern that this corner would appear as a blank wall and should instead strive towards a transparent glass facade that engages and activates the streetscape. The presence and impact of a meeting facility at the ground level poses a critical concern at this changing intersection that is transitioning to a residential neighborhood to the west. (A-1, C-3)
- b. The Board encouraged exploration of lifting the meeting space upwards to accommodate some amount of retail use at this important corner. (A-1, C-1)

## **3. Development of the Ground Plane:**

- a. The Board was very pleased with the significant progress made on the development of the ground plane. (C-1)
- b. Block 20 appears the least developed in terms of how the building meets the ground; more detail is needed for this ground level design for this block. The functionality and configuration of the retail uses at the ground level is critical, as is the connection to the ground level open spaces. (C-1, D-1)
- c. On Block 14 and 20, the Board noted that the slope and topography of these blocks poses a significant challenge to how the ground level is perceived and experienced. The proposed design addresses the grade change with a singular set of stairs, which results in obstructed views through the sites. The Board encouraged working with the topography in a softer manner to include a series of grade changes that are more gradual, accessible and encourage longer views through the mid block open spaces. Opening up views through the sites will enhance security and safety of these spaces. (D-6)
- d. On Block 14, the exterior lighting should be sensitive to neighbors and adaptable to different types of events occurring at the meeting facility. (D-5, D-6)
- e. On Block 20, the Board indicated a stronger preference for accessible public spaces that relate to or energize the ground level commercial uses versus planted, garden spaces. (D-1)
- f. On Block 20, the opportunity to connect and engage retail uses with the adjoining open spaces should be encouraged and emphasized. The Board encouraged continuing to pay attention to building penetrations and activation of the open space. (D-1)
- g. The Board encouraged inclusion of artwork that is kid-friendly and interactive. (D-1, D-3)
- h. The Board encouraged adaptability of the ground level open spaces to be flexible for future kid-focused programming. (D-1)
- i. The Board encouraged distinctive overhead weather protection on the three blocks. These canopy designs and details are important elements in terms of creating diversity at the ground level and connecting the pair of buildings on each block. (C-4, C-5, D-1)
- j. The Board suggested that designated places for smokers to congregate away from doorways be designed. (D-1)

- k. The Board discussed the suggestion of synthetic turf for on Block 19 and noted that such ground cover suggests an active sports area rather than the meadow-like character presented. The Board noted that the material selection should not preclude the intent of the space and should focus on flexibility and adaptability. (D-1, D-2)
- l. The Board noted that the design of the fencing around the dog park area is an opportunity for artwork or stylized detailing that should be addressed. (D-1)

#### **4. Next Meeting:**

- a. The Board noted that the roofscapes of the lower level buildings should be designed and clarified for the next meeting. On Block 14, the rooftop of the lower building was of particular interest given the overhead architectural element connecting the two buildings. (B-2, D-2)
- b. The Board would like to see details of the loading bay areas and access points.
- c. Perspective views and renderings of the ground plane from the pedestrian height and vantage points should be provided. (B-1, C-1, C-4, C-5, D-1)
- d. The Board would like to review information regarding the maintenance and security of these well-designed open spaces.
- e. An overhead weather protection canopy diagram should be provided. (C-5, D-1)
- f. Provide information on the volumes of people using these buildings.(D-1)
- g. Elevations of approximately the first six floors of all of the building should be prepared for the Board.

### **SECOND RECOMMENDATION – August 14, 2012**

#### **At the Second Recommendation meeting, the Board provided the following recommendations:**

##### **1. Block 14:**

- a. The Board was very pleased with the inclusion of ground level retail along 6<sup>th</sup> and 7<sup>th</sup> Avenues. (A-1, C-1, C-3)
- b. The Board agreed that the further development of the meeting facility and the revised entry from the courtyard was successful. (A-1, C-3, C-4)
- c. The Board was unclear on the materials (perforated metal) used along the meeting facility levels and would like greater clarification. (C-2)
- d. The Board continues to be concerned with the blank wall or inactive sidewalk level facades along 6<sup>th</sup> Ave and Lenora and location of the stairs at all four corners. In particular, the Board questioned the location of the exit stair tower at the 6<sup>th</sup> and Lenora corner and expressed concern for the inactivation of the corner itself due to the exit only stairwell. The Board noted that if the stairs remain at these locations, additional effort to design these as prominent beacons remains to be achieved. (C-1, C-3)
- e. On Virginia Street, the Board would like to see greater detail regarding the blank wall on either side of the loading dock area. (C-3)
- f. The Board noted that the retail space fronting onto Westlake contains an odd configuration with a narrow pinch point due to the garage ramping and was concerned that an odd interior space might compromise the viability and success of retail use at this prominent corner. (C-1)

- g. The Board felt that the vertical screen that extends from the tower over the podium building is the most successful of the three blocks in creating a relationship between the two buildings. The Board would, however, like to see more information regarding the materiality and color of this feature and how it is integrated into the podium building on the Lenora side. (C-2, D-3)
- 2. Block 20:**
    - a. The Board would like to see the material and color details of the ground level wall projections. These projecting elements should be well integrated into the building base and avoid appearing applied. The Board elaborated that the tower lacks a base or a transition to a base, so the expression of the retail use with the projecting forms appears out of scale and less resolved. (B-4)
    - b. The Board would like to more clearly understand the serrated elevation form of the Blanchard façade. (C-2)
    - c. The Board was very pleased with the inclusion of the water feature into the revised landscape design for this *garden* block concept. (D-1)
    - d. The Board noted that the relationship between the incubator building and the tower building are the least developed and recommended that further work be done to design an affiliation between the two buildings. (B-4, D-3)
- 3. Block 19:**
    - a. The Board would like to review examples where the proposed synthetic turf has been used for passive recreation. (D-1)
    - b. The Board would like to review more information regarding the kid-friendly artwork and dog park fencing. (D-1, D-2, D-3)
    - c. The Board noted that the color accent should be carefully applied on the buildings. (B-1, B-4)
    - d. On pages 58-59 of the packet, the Board agreed that the relationship between the incubator building and tower base demonstrated the most developed relationship between the buildings. The window treatments, form and colors help to achieve this communication between the buildings. (B-4, D-3)
- 4. Design Guidelines for the Blocks 19 and 20 Towers:**
    - a. The Board felt that the design guidelines should be shorter in length and focus solely on the towers (above approx 60 feet).
    - b. The Board would like to see an introductory statement to the guidelines included that describes the intent and objective of the guidelines.
    - c. The Board agreed that they would like to have an updated draft of the guidelines available for their review before the next meeting.
- 5. All Blocks:**
    - a. The Board agreed that the landscaping plan and design was very well-developed and considered on all three sites. (D-1, D-2, D-3)
    - b. The Board would like to see further exploration of how each tower meets the podium and how these communicate with the incubator building on the same block. (B-4, D-3)

- c. The Board would like to review the elevation details of the garage door entrances, including the garage door designs, specialty paving and/or other safety measures to alert pedestrians and drivers alike of the sidewalk crossing. (D-6)
- d. The Board would like to review detailed designs of the overhead canopies.(C-5)
- e. The Board is interested in seeing the ADA pathways through each of the sites and that these routes are enhanced to the same effect as the non-ADA circulation route. (D-1, D-6)

**6. Next Meeting:** The Board would like to review the following:

- a. A physical model that shows the subjects sites within context.
- b. A detailed material and color board with actual samples.
- c. Axonometric views of the buildings/blocks (such as shown on page 99 of the packet). The blocks should be shown 1) in isolation, illustrating how the volumes, tower and base on each block are working together, and 2) the three blocks in their entirety.
- d. Black and white elevations of the full buildings (these may be at a small scale).
- e. Update on the review by the Public Art Advisory Committee (PAAC).

**FINAL RECOMMENDATION – September 25, 2012**

**At the Final Recommendation meeting, the Board provided the following recommendations:**

**1. Block 14:**

- a. The Board agreed that the composition and massing of the tower is well-proportioned and strong.
- b. The Board was very pleased with the improvements to the design and configuration of the conference center to relocate the stairs to open up the ground level corners to retail uses.
- c. The Board agreed that the 6<sup>th</sup> Avenue elevation was most successful and distinctive in the application of the color and material palette.
- d. A majority of the Board recommended that the tower color and materials palette be simplified and strive to achieve the clarity and strength of 6<sup>th</sup> Avenue elevation on the 7<sup>th</sup> Ave elevation. The Board also supported the efforts to tie the color and materials of the conference center to the tower and create a visual relationship between these two buildings.
- e. The Board noted that the interior wall of the conference center will be highly visible and should be treated similar to an exterior wall in terms of visibility. The Board also supported use of similar colors and materials on the conference center to reinforce the relationship with the tower design.

**2. Block 19:**

- a. The Board agreed that a consistent treatment of the soffits throughout both buildings would better knit the two buildings on this block together. This includes the overhangs and canopies of both the tower and podium buildings.

**3. Block 20:**

- a. Board was concerned that the entry and retail base of the tower felt unresolved and was too diminutive in relation to the tower and should read as more proportional to the tower with a bolder statement, similar to the massing shown on Blocks 14 and 19.
- b. The majority of the Board felt that the scale of intersecting volumes was successfully achieved on Block 14 and 19, but remained unclear on the Block 20 tower. The Board recommended breaking down the volumes and improving the relationship or transition between the tower and the base.
- c. The Board was very pleased with the response and improvements to the podium building.
- d. The Board recommended overhead weather protection added to the garage/loading dock entrance facing 8<sup>th</sup> Avenue in an effort to soften and screen this use, while providing benefit to the pedestrian. The Board would also like to see overhead canopies above the retail entrances.
- e. The Board strongly suggested that the proposed display windows be carefully maintained to provide visual interest to these blank wall locations.
- f. The Board suggested that a warning system for vehicles crossing over the sidewalk is selected that is sensitive to neighboring residents (in terms of audio levels and lighting).

**4. Design Guidelines:**

- a. The Board unanimously recommended deletion of the words “exterior skin” from Section III, Guideline C-2 (subsection 3), so that the sentence reads “Compose the building as a series of intersecting volumes.”
- b. The Board was satisfied with the remainder of the Design Guidelines which will govern the design of the towers on Blocks 19 and 20, above 60 feet.

**DEVELOPMENT STANDARD DEPARTURES**

**The Board’s recommendation on the requested departure(s) are based upon the departure’s potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departure(s). At the time of the Final Recommendation meeting, the following departures were requested:**

- 1. Upper Level Development (SMC 23.49.056.B2):** The Code requires that the maximum length of a façade without modulation located within 15 feet of a property line is 80 feet long for the portion of a façade above 500 feet. On Blocks 14 and 19, the applicant proposes a façade length to be 90 feet long and un-modulated above an elevation of 500 feet.

The Board voted unanimously in support for the proposed departure allowing the form and massing of the tower to establish a strong design concept that will contribute to the continuity of development among the three blocks. (A-1, A-2, B-4)

- 2. Upper Level Development (SMC 23.49.058.C):** The Code requires that the building above 240 feet be no more than 145 feet along the general north-south axis to the Avenues. The applicant proposes to rotate the tower on Block 20 to be perpendicular to Westlake Avenue and approximately 216 feet wide parallel to 7<sup>th</sup> and 8<sup>th</sup> Avenues.

The Board voted 3-2 in favor of the departure request which results in a larger open space provided at the intersection with better solar access. The majority of the Board also supported the manner in which this configuration addressed Westlake as a primary arterial and visual connection between downtown and South Lake Union. The Board also supported the landscape design of the resultant ground level open spaces which promote pedestrian activity with landscaping, hardscape treatments, water features, artwork and a clear retail presence. (A-1, A-2, B-1, B-3)

- 3. Upper Level Facade Setback Limits (SMC 23.49.058.F):** The Code requires continuous upper level setbacks of 15 feet along designated Green Streets at a height of 45 feet. On Block 19, the departure request would be to allow an architectural element that is approx. 18 inches thick to project into the upper level setback at an elevation of 45 feet. The element is five feet deep and will be set back 10 feet from the street property line.

The Board voted unanimously in favor of the departure request finding that the projecting architectural element will allow a major architectural feature of the façade to continue uninterrupted along the entire length of the Blanchard Street elevation, creating a strong and desirable design element. (B-2, B-4, C-2, C-3)

- 4. Loading Berth Requirements (SMC 23.54.035.C2):** The Code requires a loading berth size to be 10'x35'. The applicant proposes to provide a minimum of two loading berths at full size, as well as two at 10' x 25' and the remainder at a van size (8'-6"x19'0") on each block. The proposed design requests the following departures:

Block 14: two 10'x35' loading berths, two 10'x25' loading berths, six van sized spaces 8'6"x19' (five at grade and one below grade) for a total of ten berths.

Block 19: two 10'x35' loading berths, two 10'x25' loading berths, seven van sized spaces 8'6"x19' (six at grade and one below grade) for a total of eleven berths.

Block 20: two 10'x35' loading berths, three 10'x25' loading berths, six van sized spaces 8'6"x19' (five at grade and one below grade) for a total of eleven berths.

The Board voted unanimously in favor of the departure request based on information provided documenting the projected delivery types and sizes of the tenant as able to be well accommodated with the proposed loading berth sizes. Additionally, information was provided examining the loading berth usage at other comparable office buildings and concluded that the proposed loading berth provisions would accommodate potential future building users. (C-1, C-3)

- 5. Street Level Uses (SMC 23.49.009.A3):** The Code requires street level uses be located within 10 feet of the property line. On Block 14, the applicant proposes to allow a portion of

the street level use along Westlake to be set back more than 10 feet for a running distance of 13 feet. The proposed setback varies with a maximum setback of 19 feet.

The Board voted unanimously in support for the larger sidewalk width provided along Westlake to accommodate the retail frontage, but also the street car stop that will be integrated into the building architecture. The setback also allows the podium base to better transition to the tower. (B-1, B-3)

- 6. Upper Level Facade Setback Limits (SMC 23.49.056.B1):** The Code requires that the facades of structures between 15 and 35 feet above sidewalk shall be located within 2 feet of the property line. On Block 14, along Westlake, a portion of the façade is proposed to set back between 6 feet and 19 feet from the street lot line for a running distance of approximately 145 feet, the total façade length along Westlake Ave.

The Board voted unanimously in support for the larger sidewalk width provided along Westlake to accommodate the retail frontage, but also the street car stop that will be integrated into the building architecture. The Board will be very interested in the further development and programming of this space and the development of the streetcar stop features. (B-1, B-3, D-1, D-3)

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

**At the conclusion of the Final Recommendation meeting, the Board recommended approval of the project with a vote of 3-2 along with the following recommendations:**

1. On Block 14, the tower color and materials palette should be simplified and strive to achieve the clarity and strength of 6<sup>th</sup> Avenue elevation on the 7<sup>th</sup> Ave elevation.
2. On Block 19, the treatment of the soffits throughout both buildings should be consistent to better knit the two buildings on this block together. This includes the overhangs and canopies of both the tower and podium buildings.

3. On Block 20, the entry and retail base of the tower felt unresolved and was too diminutive in relation to the tower and should read as more proportional to the tower with a bolder statement, similar to the massing shown on Blocks 14 and 19.
4. On the Block 20 tower, the Board recommended breaking down the volumes and improving the relationship or transition between the tower and the base.
5. On Block 20, the Board recommended overhead weather protection be added to the garage/loading dock entrance facing 8<sup>th</sup> Avenue in an effort to soften and screen this use, while providing benefit to the pedestrian. The Board also recommended overhead canopies above the retail entrances.
6. For the Design Guidelines, the Board recommended deletion of the words “exterior skin” from Section III, Guideline C-2 (subsection 3), so that the sentence reads “Compose the building as a series of intersecting volumes.”
7. For the Design Guidelines, the Board recommended updating the graphics to reflect the recommendations.

## **ANALYSIS & DECISION – DESIGN REVIEW**

### **Director’s Analysis**

All five members of the Downtown Design 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 and accepts the conditions recommended by the Board that further augment the selected Guidelines.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. 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 Multifamily and Commercial Buildings. 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. The Director is satisfied that all of the recommendations imposed by the Design Review Board have been met.

### **Director’s Decision**

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 five members present at the decision meeting, provided additional review and finds that they

are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. 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 departure with the conditions summarized at the end of this Decision.

### **ANALYSIS – PLANNED COMMUNITY DEVELOPMENT (PCD)**

The PCD is a permitting process that may be applied in downtown zones to promote comprehensive development of large tracts of land per SMC 23.49.036. By coordinating the development of large sites through the PCD process, the public benefits that can be achieved are greater and their design more holistically considered than would otherwise occur if the area was developed in a more standard, site-by-site fashion. A PCD may be permitted by the Director as a component of the Master Use Permit and is a Type II land use decision under SMC 23.76.

To encourage this more comprehensive planning approach, the PCD provides for additional development flexibility by allowing exceptions from certain development standards to achieve specific public benefits. However, exceptions to specified provisions are not allowed through the PCD process, most notably the height limit and floor area ratio. Floor area may be moved around on the project site, but not be exceeded overall. The proposed project has not requested exceptions to the development standards, but has reserved the flexibility to move up to 100,000 square feet from Block 19 to Block 20. This alternative is noted in the EIS as an Alternate Development Option (page 8) and if pursued, would be subject to the MUP revision process.

As required under SMC 23.49.036.B, a public meeting was held by the Director on March 13, 2012 to identify concerns about the project and to receive public input into the priorities for public benefits identified in the Code. Approximately 55 people attended the meeting and 16 written comments were submitted. Public comments focused on open space, urban form, and the pedestrian experience.

#### **PCD & MUP Term**

An additional benefit of the PCD process is the recognition of the longer time frame often needed to develop complex, large site, and multi-phased projects. Thus, the PCD process allows for an extended life of the Master Use Permit, three years for the first phase, and expiration of future phases to be determined at the time of permit issuance for each phase, pursuant to SMC 23.76.032.A.1(d). The applicant has asked for a 12 year life for the PCD.

The Director finds that a 12 year term is reasonable in light of the project scope and anticipated phasing the requested 12 year term for the PCD is approved commencing on the date of this decision. Expiration of the Master Use Permit for Phase Two and Phase Three shall be set from the time of permit issuance and shall be consistent with the 12 years of this PCD approval.

#### **Public Benefit Priorities**

Consistent with 23.49.036.F.1, a proposed PCD project must include at least three of the nine elements identified in the Code. Based on public comment and analysis of the Code, the Director identified four elements as priorities (see May 29, 2012 Priorities Report memo) for

this proposed project: (1) Improvements in Pedestrian Circulation; (2) Improvements in Urban Form; (3) Improvements in Transit Facilities; and (4) Other Elements that Further an Adopted City Policy and Provide a Demonstrable Public Benefit. In response to the priorities identified by the City, the project will provide important public benefits in the four areas discussed below.

In addition, the design and development of the proposal, including the results of the Design Review and alley vacation processes, provides a significant overall public benefit package. In addition to meeting the four specified PCD public benefit options, the proposal furthers the goals of the City's Comprehensive Plan, the neighborhood plan and a number of other City objectives.

1. Improvements in Pedestrian Circulation (SMC 23.49.036.F.1.f)

The Director identified improvements in pedestrian circulation as a public benefit priority. The Department finds that the project has met this priority. The project enhances pedestrian circulation with through block connections and the creation of a Westlake Avenue Street Design Concept Plan, which includes advanced design concepts for portions of 7<sup>th</sup> Avenue and Lenora Street as well as Westlake. As discussed below, both contributions enhance the pedestrian experience and help connect Denny Triangle to both South Lake Union and Downtown.

Through block connections on all three blocks allow pedestrians to move freely across the sites. The through block connections vary on each block, providing a direct route through the blocks and an enjoyable respite from activity on the street. To encourage pedestrian movement through the mid-block open space, the garage elevators have been separated from the main building elevators. Additionally, the design team concentrated on building placement and massing to allow for more air and light at the street level to improve the through block pedestrian experience. This pleasant and direct route encourages pedestrians to access the site, the neighborhood, and the surrounding areas.

The applicant also developed a Westlake Avenue Street Design Concept Plan that the City or adjacent property owners can implement from Denny Way to Pine Street. The Plan provides for improved pedestrian comfort and safety, enhanced intersection functions, integrated transit, and the extension of the Westlake Avenue "boulevard" treatment. Improvements to Westlake Avenue will enhance pedestrian circulation, increase pedestrian activity in the Denny Triangle, and allow Westlake Avenue to connect the surrounding neighborhoods. The plan also includes ideas for extending the concept for a shared-use street on Lenora across Westlake Avenue, which will be implemented as part of the alley vacation public benefits.

2. Improvements in Urban Form (SMC 23.49.036.F.1.g)

The Director identified improvements in urban form as a public benefit priority. The Department finds that the project has met this priority. The proposal includes a number of specific improvements to urban form. The following improvements in urban form are provided by the proposal: further improve connections between Downtown and South Lake Union; increase density within the Downtown Urban Center and office core; establish a coherent ensemble of buildings in the Downtown neighborhood; contribute to the vibrancy of the neighborhood; provide appropriate space between high-rise towers to enhance views and diffuse impacts of tower shading; stagger building placement and heights to avoid direct lines of sight to surrounding towers; and orient buildings to create a large urban room that forms a solar pocket and aligns one building with the transitioning street grid formed by Westlake and Denny.

Because this is a PCD that will be built out over future years, the design team also developed a set of proposed Design Guidelines for Blocks 19 and 20, which were reviewed by the Department after consultation with the Design Review Board and are hereby approved. These Design Guidelines will ensure continued design quality and coherency and inform future design of structures above 60 feet. The Design Guidelines address site planning and massing, as well as architectural expression. These Guidelines ensure that moving forward, the project's attention to detail and improvements to urban form remain a project priority and public benefit.

3. Improvements in Transit Facilities (SMC 23.49.036.F.1.h)

The Director identified improvements in transit facilities as a public benefit priority. The Department finds that the project has met this priority. The project will make the following significant improvements to the streetcar system:

- *Enhanced Streetcar Stops.* The project will install enhancements to the existing street car stop on Block 14. The streetcar stop on Block 14 will be integrated with the building frontage by its adjacency to a wide sidewalk, overhead weather protection, landscaping, seating, and retail. The revisions to the Westlake Avenue and Seventh Avenue intersection noted above will further improve safety and access for streetcar passengers traveling to and from the existing northbound stop on the east side of Westlake at Seventh Avenue.
- *Expanded Third Streetcar Subsidy.* Since June 2011, the applicant and other employers in South Lake Union have subsidized the operations of a third streetcar to provide 10-minute headways during the four hour afternoon/evening weekday peak periods. This subsidy has recently been renewed until July 2014. As part of the PCD, the applicant proposes to provide a subsidy for a term of 10 years to operate a third streetcar weekdays, 7 AM to 7 PM, at 10 minute headways commencing approximately with occupancy of Block 14 to ensure the continued vitality of the streetcar system. The operating subsidy shall begin upon occupancy of Block 14, or earlier, as mutually agreed between SDOT and the applicant. Payment of the subsidy shall be annually and from an invoice prepared by SDOT.

These efforts to improve the surrounding transit facilities will encourage public use of the space. Transit improvements will also help connect the Denny Triangle neighborhood with South Lake Union and Downtown.

4. Other Elements that Further an Adopted City Policy and Provide a Demonstrable Public Benefit (SMC 23.49.036.F.1.i)
5. The Director identified other elements that further adopted city policy and provide a demonstrable public benefit as a public benefit priority. The Director identified environmental sustainability as a priority. The project is targeting LEED Gold or better and will be registering with the USGBC. The Letter of Intent (dated October 26, 2012) to achieve LEED Gold certification is in the project file. Additionally, the key sustainable features of the project include: operable windows, high performance façade, high efficiency mechanical plant with fresh air HVAC systems, heat recovery, efficient water fixtures, high efficiency irrigation system and green roofs. The Department finds that the project has met this priority.

## **DECISION – PLANNED COMMUNITY DEVELOPMENT**

The proposed Planned Community Development is **CONDITIONALLY GRANTED**, subject to the conditions listed at the end of this decision.

### **ANALYSIS - SEPA**

A Final Environmental Impact Statement (FEIS) was published for the *Downtown Height and Density Changes* proposal in January 2005 (referred to as the “*Downtown FEIS*”). The FEIS identified, evaluated, and compared the probable significant environmental impacts that could result from changing the height and density requirements in several Downtown Seattle zoning districts. Analysis contained in the *Downtown FEIS* evaluates the direct, indirect, and cumulative impacts of a *Preferred Alternative*, as well as four additional alternatives.

The subject three development sites are within the geographic area that was analyzed in the *Downtown FEIS* and is within the range of actions and impacts that were evaluated in the various alternatives. The proposed development lies within the Downtown Office Core 2 (DOC2) 500/300-500 zoning district. DPD determined that for SEPA compliance associated with the subject project, it is appropriate to adopt the *Downtown FEIS* and prepare an EIS Addendum to add more detailed, project-specific information. DPD determined that the proposal impacts for this Master Use Permit are identified and analyzed in the referenced FEIS; however additional analysis was warranted as permitted pursuant to SMC 25.05.625-630, through an Addendum to the *Downtown FEIS*. DPD determined that the EIS Addendum should address the following areas of environmental impact:

- ***Land Use*** (land use patterns, project consistency with elements of the City’s *Comprehensive Plan*, the *Downtown Urban Center Plan*, and the *Land Use Code*);
- ***Energy / Greenhouse Gas Emissions*** (evaluation of climate impacts);
- ***Environmental Health*** (analysis of on-site hazardous materials from the *Phase I Environmental Assessments*);
- ***Aesthetics*** (urban design);
- ***Viewshed*** (evaluation of impacts to views from key locations);
- ***Light, Glare and Shadows*** (evaluation of impacts on public open spaces for each of the four key days of the solar years – vernal equinox, summer solstice, autumnal equinox, and winter solstice);
- ***Wind*** (evaluation of impacts to pedestrians at street-level);
- ***Historic Preservation*** (evaluation of impacts to on-site structures that are at least 50 years old or older);
- ***Transportation, Circulation and Parking***; and
- ***Construction-Related Impacts***.

DPD relies on SMC 25.05.600, allowing the use of existing environmental documents as part of its SEPA responsibilities with this project. Accordingly, the Notice of Adoption and Availability of Addendum was published in the City’s Land Use Information Bulletin on August 23, 2012. Notice of the availability of the Addendum was sent to parties of record that commented on the *Downtown EIS* and 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 development

alternative was studied to allow the transfer of up to 100,000 sq. ft. from Block 19 to Block 20. The impact analysis included herein applies to that alternative as well as the proposed action.

The Seattle SEPA ordinance provides substantive authority to require mitigation of adverse impacts resulting from a project (SMC 25.05.655 and 25.05.660). Mitigation, when required, must be related to specific adverse environmental impacts identified in an environmental document, must be reasonably capable of being accomplished, and may be imposed only to the extent that an impact is attributable to the proposal. Additionally, mitigation may be required only when based on policies, plans, and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675, inclusive (SEPA Overview Policy, SEPA Cumulative Impacts Policy, and SEPA Specific Environmental Policies). In some instances, local, state, or federal requirements will provide sufficient mitigation of an impact and additional mitigation imposed through SEPA may be limited or unnecessary.

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 specific circumstances (SMC 25.05.665 D 1-7) mitigation can be required.

### Short-Term Impacts

#### Construction

Construction impacts from the project will occur in phases and extend over several years, which will limit the potential cumulative construction impacts of the three sites. Site preparation, excavation, and construction will generate short-term environmental impacts including: noise and vibration, environmental health, air quality, light and glare, and transportation. While the majority of all construction activity would occur during the daytime, at times it may be necessary for some construction activity to occur during evening hours. Such may be necessary to reduce the duration of the overall construction timeframe and/or because the City requires certain construction activities to occur at that time in order to lessen impacts to pedestrians and vehicles during the day. As such, construction activity associated with the project would be noticeable to some adjacent land uses.

Several adopted City codes and/or ordinances provide mitigation for the identified impacts. Specifically these codes and ordinances are: the Stormwater, Grading and Drainage Control Code (controls grading, site excavation, temporary shoring, and soil erosion); the Street Use Ordinance (requires watering/sweeping streets to suppress dust, removal of debris, and minimizing obstructions of the pedestrian right-of-way); the Building Code (construction measures in general); and the Noise Control Ordinance (controls construction-related noise). Compliance with these and other local, state, and federal regulations will reduce or eliminate most short-term impacts to the environment.

In most cases these regulations provide adequate mitigation. However, the size, location, and other aspects of this project require that some additional measures be employed to adequately mitigate impacts. The following sections evaluate potential construction-related impacts in terms

of noise/vibration, environmental health, air quality, light/glare, and transportation-related impacts, and identify mitigation that could be implemented. While some construction-related transportation and parking impacts would be unavoidable, with the mitigation proposed and given the anticipated phasing, none of the impacts would be considered significant.

### Noise/Vibration

During construction, localized sound levels and localized vibration would temporarily increase in the vicinity of the project sites and streets used by construction vehicles accessing the construction site. The increase in sound levels and vibration would depend upon the type of equipment being used, the duration of such use, and the proximity of the equipment to the property line (and sensitive land uses). Construction noise would result in temporary annoyance and possibly increased speech interference near the construction site. Construction-related noise would be temporary in nature.

### General Noise Mitigation Measures

Because of the proximity of potentially sensitive land uses near the project site, the following project-specific mitigation is warranted. Pursuant to the SEPA Construction Impacts Policy, SMC 25.05.675B, in addition to the requirements of the Noise Ordinance, noise shall be mitigated as described below:

- Limit most construction-related activities to standard construction hours between 7 am and 10 pm on weekdays and between 9 am and 7 pm on Saturdays. During some stages of the project, it is expected that a smaller second shift may work until midnight on weekdays, although work would be limited to activities that generate little noise (such as daily cleanup) and are within the 60 dBA limit of the Noise Code.
- 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 weekdays.
- Whenever appropriate, substitute hydraulic impact tools with electric models to further reduce demolition and construction-related noise and vibration.
- Provide properly sized and maintained mufflers, engine intake silencers, and where necessary engine enclosures on operating equipment.
- Turn-off idling equipment.
- Truck haul routes to be jointly developed by the applicant, the Seattle Dept. of Transportation (SDOT) and DPD; SDOT will approve the routes established.

### Specific Noise Mitigation Measures

#### *Demolition, Earthwork and Shoring*

- As necessary, deploy portable sound barriers around generators, compressors, tieback drill rigs, etc.
- As needed, construct temporary barriers of materials at least as dense as one-half-inch thick plywood with sound-dampening insulation.

#### *Concrete Construction*

- Stage concrete trucks at a location outside the Downtown area, to limit the number of concrete trucks on-site at any one time.

- Where possible, pre-fabricate core-wall formwork at the contractor's off-site facility to minimize the use of electric saws and hammers on-site.
- Where possible, pre-fabricate reinforcing steel for the concrete core-wall curtains off-site to reduce the amount of noise associated with this work on-site.
- Where possible, locate the concrete pumping station and associated trucks to minimize impacts to residents in nearby buildings and other sensitive land uses proximate to the project site.
- Use hydraulic jacks to lift the core-wall formwork rather than disengaging, hoisting with crane, and re-attachment.

#### *Interior Construction*

- Pre-fabricate large duct risers and long interior runs and hoist them into place.
- Screen the building perimeter during steel fireproofing activities.

#### Environmental Health

The Phase I Environmental Survey completed for the project by GeoEngineers (dated June 7, 2012). This analysis identified potential contamination within each of the blocks associated with historical site uses. State law provides for the cleanup and appropriate disposal of hazardous substances and the project is required to comply with state law in this regard. The Model Toxics Control Act (WAC 173-340) is administered by the Washington Department of Ecology (DOE) and establishes processes and standards to identify, investigate, and clean up facilities where hazardous substances have come to be located.

Pursuant to the SEPA Environmental Health Policy, SMC 25.05.675.F, mitigation measures shall include the following:

- Conduct site cleanup in accordance with applicable Model Toxic Control Act requirements.
- Document site remediation activities in a manner sufficient to obtain property-specific No Further Action determinations from the Washington State Department of Ecology, as applicable.
- In the event that contaminated soils are encountered during redevelopment of the site, proper precautions, including the following, would be taken:
  - a) requiring contractors present during excavation to have health and safety plans in place that address the risks associated with contaminated soils;
  - b) requiring excavation contractors to have 40-hour HAZWOPER trained individuals available, if necessary, to excavate contaminated soils;
  - c) having an environmental consulting firm on retainer to oversee any work that becomes necessary in response to contaminated soils; and
  - d) complying with all applicable laws and regulations in the handling, removal, transport, and disposal of any contaminated soils.

#### Air Quality

Construction of the proposed development would generate air pollutants as a result of fugitive dust from earthwork, excavation, and other site preparation activities and emissions from construction vehicles. The primary types of pollutants during construction would be particulates and hydrocarbons. Gasoline or diesel-powered machinery used for demolition, excavation, and

construction emit carbon monoxide and hydrocarbons. Such emissions, however, would be temporary in nature and localized to the immediate vicinity of the construction activity. Also, trucks transporting excavated earth and/or construction materials would emit carbon monoxide and hydrocarbons along truck haul routes used by construction vehicles. No construction activity or off-site construction-related truck movements are expected to cause violations of applicable ambient air quality standards.

Pursuant to the SEPA Air Quality Policy, SMC 25.05.675.A, mitigation shall also include adhering to Puget Sound Clean Air Agency's regulations and the City's construction best practices regarding demolition activity and fugitive dust emission, including:

- As necessary during demolition, excavation, and construction, sprinkle debris and exposed areas to control dust;
- As necessary, cover or wet transported earth material;
- Provide quarry spall areas on-site prior to trucks exiting the site;
- Wash truck tires and undercarriages prior to trucks traveling on City streets;
- Promptly sweep earth tracked or spilled onto City streets;
- Monitor truck loads and routes to minimize dust-related impacts;
- Use well-maintained construction equipment and vehicles to reduce emissions from such equipment and construction-related trucks;
- Avoid prolonged periods of vehicle idling; and
- Schedule the delivery and removal of construction materials and heavy equipment to minimize congestion during peak travel times associated with adjacent streets.

### Light and Glare

Construction of the proposed development may result in light and glare-related impacts during the phased build-out of the site, both from stationary sources and mobile sources – particularly at night and at times of the day with low light levels. The lighting sources would be associated with infrastructure and building construction, lighting of the job site (to meet safety requirements), trucks, and other equipment. Construction lighting could potentially be noticeable in certain areas proximate to the site. Also, glare could reflect off construction vehicles and equipment, and construction-related vehicle headlights could at times produce light and glare when accessing the site from area roadways. While noticeable, such lighting is not expected to cause significant impacts. Lighting associated with construction activities would be limited by City of Seattle regulations which limit activities during nighttime hours. Light and glare related impacts would be temporary in nature and no mitigation is necessary.

### Transportation

When each block is under construction, it is anticipated that construction workers would arrive at the construction site prior to the morning peak period and depart either prior to the evening peak period or after the evening peak period, depending upon specific work schedules. The number of construction workers would vary by construction stage, but in general the number of workers would be highest during the finishing stages of the building. Before the on-site parking garage is complete (and certified for occupancy), construction workers would increase the demand for parking at nearby commercial parking lots. To limit this impact, the project will be required to obtain a sufficient number of off-street parking spaces to accommodate peak construction worker

parking demand, through lease, covenant, or other arrangement. Following Certificate of Occupancy of the on-site parking garage for any of the Blocks, off-site parking will be required only to the extent that it is needed to accommodate peak construction worker parking demand that exceeds the parking garage supply.

Trucks greater than 30' in length are prohibited in the Downtown Traffic Control Zone between 6:00 AM and 7:00 PM Monday through Saturday without special permission (per SMC 11.14.165). This Zone is in effect southeast of Lenora Street and southwest of 8<sup>th</sup> Avenue. Such restrictions will limit impacts of large trucks in the vicinity of the project; it is expected that truck access to and from the site will occur from the north.

For most urban projects, the most noticeable construction-related traffic impacts are likely to occur during demolition of existing uses and excavation for subterranean parking and foundations. On each of the two largest blocks (Block 19 and 20), the amount of material to be excavated is estimated to be about 240,000 cubic yards (cy). This material is assumed to expand to about 312,000 cy when it is excavated and loaded into a truck ("fluff" factor of 1.3). Assuming that each dump truck with trailer can carry about 20 cubic yards of material, the excavation would generate a total of about 15,600 truck-loads or 31,200 truck trips (15,600 empty trucks in plus 15,600 full trucks out). It is expected that the loading rate would be 8 to 12 trucks per hour, or up to 24 truck trips (12 in and 12 out) per hour. This work could last for several months. Another construction phase that would result in high levels of truck activity would occur during foundation work for the buildings, which can require continuous concrete pours. Because of the above-mentioned daytime restrictions on truck activities in the Downtown core, any continuous pour operations would likely occur on a weekend. During continuous pours or other concrete work, the project could generate 32 trucks trips (16 in and 16 out) per hour. This activity would be completed over a much shorter duration than the excavation effort.

Other materials, such as steel, lumber, drywall, windows, and other building supplies, are expected to be trucked to the site as needed, but deliveries and truck trips would not typically be concentrated in such short times as they would during the excavation and concrete stages of the work.

Due to the Downtown Traffic Control Zone, it is expected that most construction trucks would access the downtown area via I-5, and they would be directed to use the Mercer Corridor between I-5 and the site. Some materials could arrive via SR 99. Dexter Avenue, Seventh Avenue and Sixth Avenue are the likely routes that would be used between Mercer Street, SR 99, and the site. During some stages of the work, lane closures may be required for utility work or to stage and load/unload trucks.

In order to mitigate for the adverse impacts of traffic during construction activities, the mitigation contained in the EIS Addendum, as well as mitigation per the SEPA Construction Impacts Policy, SMC 25.05.675.B.2.g, shall become conditions of this project. Prior to issuance of a building permit on each block, the project's prime contractor shall prepare a *Construction Management Plan*. This plan shall document the following measures.

- Truck haul-routes to and from the site;
- Peak hour restrictions for construction truck traffic and how those restrictions would be communicated and enforced;
- Truck staging areas (e.g., locations where empty or full dump trucks would wait or stage prior to and during loading or unloading);

- Measures to reduce construction worker trips such as rideshare, shuttles, carpool, transit passes or related programs;
- Secure 100 off-street parking spaces through lease or other arrangement as designated construction parking. The price construction workers are charged for this parking shall be set below the neighborhood's average daily parking rate to prevent workers from parking in other off-site lots at a lower rate. After the building's parking garage can be certified for occupancy and construction workers can park on-site, the contractor can eliminate this requirement to provide off-site parking. Peak construction worker capacity will occur after the garage can be occupied.
- Lane, sidewalk, or bike lane closures that may be needed during utility, street or building construction;
- A plan detailing temporary traffic control, channelization, and signage measures should be provided for affected facilities;
- Construction or staging needs that would affect King County Metro transit stops, the Streetcar line and station, or bus layover areas adjacent to the site; the contractor shall work with Metro staff to arrange for temporary stop closures or temporary layover areas, if needed;
- A public information strategy identifying how the community will be notified of proposed lane, sidewalk, or bike lane closures, temporary traffic control measures, relocation of King County Metro transit stops, and other potential construction impacts within the right-of-way;
- Other elements or details may be required in the *Construction Management Plan* to satisfy street use permit requirements of the City of Seattle.

### Long-term Impacts

Several long-term or use-related impacts are anticipated as a result of approval of this proposal including: potential indirect impacts on surrounding land use; energy/greenhouse gas emissions, aesthetics, light, glare and shadows; and increased traffic in the area.

### Land Use

The project would be consistent with development trends that are occurring (and planned) throughout the Denny Triangle area. The project would require demolition of all existing buildings on the three-block site. The project includes construction of a three block mixed-use complex containing office, retail, restaurants, a multi-purpose staff meeting space area, and structured parking. The SEPA review studied the impacts of approximately 3.3 million sq. ft. of total gross floor area associated with six buildings that would be developed – consisting of a high-rise tower and a lower building on each block. Below-grade parking would be provided for up to approximately 3,329 vehicles.

The proposed development would provide a total of approximately 55,000 sq. ft. of privately owned open space available to the public that would be provided on all blocks. The open space would include hardscape, landscaping and public stairways and would provide opportunities for passive recreation, community gatherings, and other events. Consistent with goals and policies contained within the *Denny Triangle Neighborhood Plan*, this would create a unique, focal point within the Denny Triangle Neighborhood that could integrate the surrounding residential and office neighborhood.

An *Alternate Development Option* is being considered for Block 19 and Block 20. While it would involve the same amount of total square footage as the subject proposal, the *Alternate Development Option* would “transfer” up to 100,000 sq. ft. of FAR from Block 19 to Block 20 as allowed by a PCD. The FAR transfer between Block 19 and 20 would not result in land use impacts that are substantially different.

The proposed development is located within the City’s Downtown Urban Center. Consistent with the goals and policies identified for Urban Centers, the concept for the project would provide a mix of employment-generating uses onsite in a compact, mixed use pattern. The range of potential employment uses would contribute to providing jobs for the City’s diverse residential population. The project would also concentrate employment growth in a location with direct access to the Seattle Streetcar network, major bus routes, and Sound Transit Light Rail, as well as convenient access to residential areas in nearby neighborhoods, such as First Hill, Capitol Hill, Belltown, South Lake Union, and the Central Area.

The proposal also involves vacation of the mid-block alley that is located within each block. Vacation of these alleys would not affect access to any other properties since the project would redevelop the entire block. The applicant developed an access plan with City staff to provide access to the proposed below-grade parking garages and loading functions while minimizing the number of curbcuts. Vacating the alleys would provide the best opportunity to locate these access points where they would have the least impact to traffic operations, pedestrian facilities, and bicycle travel. The alley vacations were reviewed and approved by the City Council on November 5, 2012.

Pursuant to the SEPA Land Use Policy, SMC 25.05.675.J, no significant adverse land use impacts are anticipated from development of the project and no mitigation is necessary.

#### *Energy/Greenhouse Gas Emissions (GHG)*

The proposal would not have an individually discernible impact on global climate change. GHG emissions associated with the project would combine with emissions across the City, County, State, and planet to cumulatively contribute to global climate change. Sustainable features would be incorporated into the project to reduce GHG impacts.

The project is designed to comply with provisions of the City’s Energy Code and the project is designed to meet current LEED Gold standards. In addition, the following measures are proposed to reduce energy use, increase sustainable building design and reduce GHG emissions:

- The project will provide for alternative commuting opportunities, including parking provisions for bicycles, showers and locker rooms.
- High performance curtain wall to be installed on the office towers with double glazing and low-E coatings, reducing both heat gain and loss throughout the year.
- There will be a reflective roof surface treatment to reduce the ‘heat island effect.’
- Drought resistant and tolerant planting would be planted in landscaped areas to minimize irrigation requirements.
- Maximize use of outside air for heating, ventilating, and air conditioning.
- Efficient light fixtures will be on occupancy and daylight sensors as well as nighttime sweep controls.

- Low flow plumbing fixtures will result in a 30% reduction of water consumption.
- Low VOC emitting materials will be used for finishes, adhesives primers and sealants.
- Recycled content and rapidly renewable materials used will include concrete, steel and fibrous materials (bamboo, straw, jute, etc).
- Construction waste management will include salvaging demolished material and construction waste for recycling.

Pursuant to the SEPA Energy Policy, SMC 25.05.675.E, no significant energy/greenhouse gas emission impacts are anticipated and no additional mitigation is necessary.

### Aesthetics – Urban Design

The *Downtown* EIS addresses the impacts of increasing height, bulk and scale in specific sections of Downtown Seattle. The largest concentration of structures is anticipated to occur within the Downtown Commercial Core (DOC-1 and DOC-2). The subject sites are all in DOC-2. The EIS notes that the increase in height limits will allow more variations in the skyline with less bulky buildings even as the density increases.

The Downtown requirements associated with the DOC-2 zone, in particular, are intended to create incentives to encourage density and bring more employment opportunities into Downtown, with the stated intent of helping to foster a more vibrant and safer Downtown core. The Downtown code encourages taller, more slender buildings that are comprised of smaller floor plates and that have less building bulk.

The following urban design features are incorporated into the project:

- A key design feature of the complex would be a series of stepped forms to break up the mass of the tall towers proposed on Blocks 14, 19, and 20. By breaking the towers into smaller elements, the façade of each building would appear as a series of proportioned vertical elements that are more in keeping with the widths of adjacent structures.
- The project's proposed buildings locations would maximize separation between high-rise structures, both on the site and on adjacent blocks.
- The podiums of the buildings on Blocks 14, 19, and 20 are designed to provide human scale at the street level by holding the street edge and providing well proportioned windows and retail display fronts.
- The project is designed to express a continuity between elements among the three blocks, but allow for variation, variety and diversity in order to create an interesting and inviting urban environment.
- Building facades will be composed of elements scaled to promote pedestrian comfort, safety, and orientation.
- Building exteriors would be comprised of glass, metal, and/or concrete.
- Activation of ground level of all three blocks with combinations of open space, ground-level retail, building entries and lobbies, and parking garage entries. Loading/unloading functions are planned to occur off street and parking occurring in underground parking areas.
- The proposed project has been designed to reflect and enhance the existing and emerging architectural character of the Downtown Urban Center and the Denny Triangle neighborhood, in particular.

The proposal would adhere to all current, applicable City Land Use Code requirements and the project has undergone review by the City's Downtown Design Review Board and the Seattle Design Commission. In addition, the PCD approval includes additional design guidelines.

Pursuant to the SEPA Height, Bulk, and Scale Policy, SMC 25.05.675.G, no significant unavoidable adverse impacts are anticipated relative to urban design.

#### Aesthetics – Viewshed

The Downtown Plan EIS notes that there are possible impacts to the Harborview Viewpoint, Plymouth Pillars Park, views towards various landmarks, public places, skyline views and scenic routes as a result of the proposed increase in building height and density in Downtown. The Downtown Plan EIS also notes that views would be altered in the sense that the number of buildings and arrangement of buildings that compose the Downtown skyline would be different as buildings are developed under the subject proposal. This type of change is not considered a significant impact.

The EIS Addendum includes photo simulations depicting the proposed building from relevant viewpoints and scenic routes. These visual simulations involved creating photomontages by superimposing a preliminary building-massing model onto an existing site image. While the proposed development would be visible from each of these locations, in most cases the proposed buildings blend into the existing Downtown building massing that occurs adjacent to the project site.

The proposed development (subject proposal and Alternate Development Option) would not result in any significant impacts to designated scenic views, landmarks, or scenic routes. Views of the Downtown skyline, the Space Needle, the Olympic Mountains, and adjacent water areas would still be possible from designated public viewpoints.

Pursuant to the SEPA View Policy, SMC 25.05.675.P, no significant adverse impacts are anticipated from the proposal and no mitigation is necessary.

#### Light, Glare & Shadows

##### Light and Glare

The *Downtown FEIS* notes that, in general, taller buildings increase the length of a shadow and increased building bulk widens the shadow that is cast. Buildings that are taller and narrower with spacing between structures may cause fewer shadow impacts.

While vehicle headlights, glazing and/or specular surfaces on vehicles occasionally create glare, the principal source of glare associated with most development projects is sunlight reflected from specular surfaces on building facades. Factors influencing the amount of reflective solar glare that may occur include: weather (e.g. cloud cover); building height; width and orientation of the façade; percent of the façade that is glazed or composed of specular material; reflectivity of the glass or specular surfaces; design relationship between the glazed and non-glazed portions of the façade (e.g., glass inset from the sash, horizontal and vertical modulation); the color and texture of building materials that comprise the façade; and the proximity of other intervening structures or significant landscaping.

Principal sources of light that presently occur proximate to the project site include streetlights, light from headlights of vehicles operating on adjacent streets and maneuvering on parking lots and within above-grade parking garages, and building lighting (interior and low-level exterior) in the immediate area of the site.

The proposal would replace the existing buildings and surface parking lots on the three-block site with three 500 ft. tall office buildings and three lower-rise office buildings. Such would result in an increased number of vehicles entering and exiting the project site, with the potential for localized increases in light and glare resulting from vehicle headlights and building lighting (interior and low-level exterior) in the immediate area of the site. However, no significant light and glare-related impacts associated these activities are anticipated.

Because of the proximity of the proposed development to Westlake Avenue – a principal arterial – a solar glare analysis was performed for the proposed development. The analysis depicts reflected solar glare from the project at two times of the day during each of the four key days of the solar year – vernal equinox (approx. March 21<sup>st</sup>), summer solstice (approx. June 21<sup>st</sup>), autumnal equinox (approx. September 21<sup>st</sup>), and winter solstice (approx. December 21<sup>st</sup>). The two times of the day (8 am and 5 pm) reflect peak hour traffic periods for Westlake Avenue.

A key consideration for motorists is the effect of potential solar glare on a driver's cone-of-influence. The cone-of-influence is defined as the driver's viewing area and is within 20 degrees of the horizontal that points in the direction of vehicle travel. This typically represents the most sensitive viewing area for motorists. Glare impacts that occur outside the 20-degree cone-of-influence are considered less critical.

The analysis indicates that at certain times of the year and times of day – and assuming that weather conditions are suitable (e.g., not cloudy, overcast or raining) – reflected solar glare from the façades of the proposed buildings could be noticeable for a second or two (depending upon travel speeds) for northbound motorists on Westlake Avenue. Such reflected solar glare impacts, however, would occur outside the 20-degree cone-of-influence. No significant solar glare-related environmental impact is anticipated for Westlake Avenue and no mitigation measures are necessary. The potential impacts described above for the project would also apply to the *Alternate Development Option* – reflected solar glare from the proposed building on Block 20 that would be roughly three stories taller under the *Alternate Development Option* would also not impact northbound or southbound motorists on Westlake Avenue.

The following features of the project will help to reduce overall light and glare for the project in the neighborhood surrounding the site:

- The City's Downtown Design Review Board (DRB) has reviewed and provided comments regarding facades of buildings on Block 14 and those portions of the facades of structures that are proposed on Blocks 19 and 20 below a height of 60 feet in terms of materiality and modulation. The recommendations of the DRB are included in this MUP Analysis and Decision.
- The Downtown DRB has reviewed and provided comments regarding design guidelines that address future development on Blocks 19 and 20 and the recommendations of the DRB are included in this MUP Analysis and Decision.
- Reflectivity of the glazing will be dictated by the nature of glass that is employed and the requirements set forth by the City's Energy Code and the LEED energy requirements. It is

anticipated, however, that no excessively-reflective surfaces (i.e. mirrored glass, or polished metals) that go beyond what is required to meet energy-related code provisions are proposed anywhere on the exterior of the project buildings

Pursuant to the SEPA Light and Glare Policy, SMC 25.05.675.K, no significant adverse impacts are anticipated from the proposal and no mitigation is necessary.

### Shadows

Seattle's SEPA policies aim to "minimize or prevent light blockage and the creation of shadows on open spaces most used by the public." Policy background, however, indicates that due to the scale of development that is permitted Downtown, it is not practical to prevent shadow impacts at all public open spaces in Downtown. In general, within the Downtown, areas where shadow impacts may be mitigated are: Westlake Park and Plaza, Freeway Park, Steinbrueck Park, Convention Center Park and Kobe Terrace Park.

The nearest public open spaces that are proximate to the project site include: McGraw Square (two blocks south), Westlake Park and Plaza (three blocks south), and Denny Park (two blocks north). In addition, the Seattle Department of Parks and Recreation is in the process of acquiring property on Westlake Avenue North, immediately east of the proposed Block 20. Westlake Park and Plaza is the most heavily used of these three open spaces. It and the recently renovated McGraw Square are situated south of the project site, so shadows from the proposed development would not affect either of these public open spaces. At certain times of the day, shadows from the proposed project would shade portions of Denny Park and the proposed new park on Westlake Avenue North.

Factors that influence the extent of shading include: weather (e.g., cloud cover); building height, width and facade orientation; and the proximity of other intervening structures, topographic variations and significant landscaping.

As noted, the project site is part of the Downtown Urban Center and surrounding development includes office buildings, hotels, high-rise residential complexes, retail facilities, and parking structures. Other high-rise buildings within several blocks of the project site that periodically contribute to area shading include: Westin Office Building (33 stories), Westin Hotel (41 stories), Blanchard Plaza (15 stories), the Enso Condominiums (19 stories), and 2201 Westlake (19 stories), and the Denny Building (12 stories).

Analysis contained in the EIS Addendum summarizes shadow impacts for various times of the day on each of the key days of the solar year, which depict worst-case impacts. The City's SEPA policies address shadow impacts with consideration given to the effect "at times when the public most frequently uses that space." The analysis indicates the following:

- At 1 pm, on vernal equinox (approx. March 21<sup>st</sup>), shadows from the project would extend in a northwesterly direction and would contribute to the periodic shading of the proposed new park on Westlake Avenue North. Denny Park would not be affected.
- At 4 pm on vernal equinox, shadows from the project would extend in an easterly direction and would entirely shade the proposed new park on Westlake Avenue North. Denny Park would not be affected.
- At 1 pm on summer solstice (approx. June 21<sup>st</sup>), shadows from the project would extend in a northeasterly direction and would contribute to the periodic, partial shading of the proposed new park on Westlake Avenue North. Denny Park would not be affected.

- At 4 pm on summer solstice, shadows from the project would extend in an easterly direction and would contribute to the periodic, partial shading of the proposed new park on Westlake Avenue North. Denny Park would not be affected.
- At 1 pm on autumnal equinox (approx. September 21<sup>st</sup>), shadows from the project would extend in a northeasterly direction and would contribute to the periodic shading of a small portion of the proposed new park on Westlake Avenue North. Denny Park would not be affected.
- At 4 pm on autumnal equinox, shadows from the project would extend in an easterly direction and would contribute to the periodic shading of the majority of the proposed new park on Westlake Avenue North. Denny Park would not be affected.
- At 10 am on winter solstice (approx. December 21<sup>st</sup>), shadows from the project would extend in a northwesterly direction and would contribute to the shading of Denny Park. The impact is not considered significant because at this time of year, most of Denny Park would be shaded. Shading from the project would not affect the proposed new park on Westlake Avenue North.
- At 1 pm on winter solstice, shadows from the project would extend in a northerly direction and would contribute to the shading of the proposed new park on Westlake Avenue North. Denny Park would not be affected.
- At 4 pm on winter solstice, shadows from the project would extend in an easterly direction and would contribute to the shading of the new park on Westlake Avenue North. Denny Park would not be affected.

Pursuant to the SEPA Shadows on Open Spaces Policy, SMC 25.05.675.Q, no significant adverse impacts are anticipated from the proposal and no mitigation is necessary.

### Wind

The *Downtown* FEIS analyzes the effects that the proposed height and density changes could have on pedestrians in the Downtown area. The FEIS notes that taller buildings notably affect the wind environment for pedestrians by causing downwash on flat sides perpendicular to prevailing winds. New buildings within Downtown could create the potential for wind effects on pedestrians.

A *Pedestrian Wind Assessment* has been prepared for the proposed development by RWDI Consulting Engineers (dated June 29, 2012) and is included in Appendix C of the EIS Addendum. The purpose of the wind assessment is to determine possible wind-related impacts of the proposed development relative to the comfort and safety of pedestrians on or adjacent to the project site.

Wind conditions on surrounding streets are expected to be suitable for strolling. Around the smaller office building on Block 20, lower wind speeds, suitable for standing, are anticipated. Lower wind speeds, suitable for standing, are also expected in the plaza on Block 14. However, around the base of the two rectangular towers of Blocks 14 and 19, higher wind speeds are anticipated. Hence, in these areas, wind conditions are expected to be generally conducive to walking. Potentially uncomfortable wind conditions, and perhaps local gusting, could occur around the Block 19 tower, as well as, to the east of Block 14. In these areas, mitigation measures would be needed to ensure comfortable conditions for pedestrians according to the type of activity for which areas are intended to be used. In general, the wind conditions described above for the *Proposed Action* would also closely apply to the *Alternate Development Option*.

To ameliorate potential wind impacts on pedestrians, the EIS Addendum identifies mitigation measures that should be incorporated into the project building and site design as follows:

#### Block 14

##### Westlake Avenue

1. A continuous 10 foot wide canopy will be provided along the Westlake elevation of the building where the greatest downdrafts are anticipated. The canopy will wrap-around the corner at Virginia Street to further reduce wind impacts.
2. Tower downdrafts will also be mitigated by larger planting material, including trees, located near the perimeter of the Fourth Level terrace which borders on both Westlake Avenue and Virginia Street.
3. In addition, a standard SDOT streetcar shelter with an overhead canopy will be provided at the existing streetcar stop between Virginia Street and Seventh Avenue.
4. A transparent windscreen will be provided upwind of the streetcar shelter.

##### Virginia Street

5. An eight foot wide canopy will be provided along the Virginia elevation of the building, which will be interrupted only by a curb cut for the entrance to the loading dock.
6. Tower downdrafts will also be mitigated by larger planting material, including trees, located near the perimeter of the Fourth Level terrace which borders on both Westlake Avenue and Virginia Street.

##### Midblock Pedestrian Connection

7. A glazed overhead trellis will span from the office tower to the roof of the cafeteria atop the Meeting Center. The trellis will cover over half the length of the through-block connection and public plaza. Trees, singly and in small copses, will provide additional wind screening. They will be placed near both ends of the trellis as well as the interior portions of the plaza under the trellis.

#### Block 19

##### Seventh Avenue

8. Continuous eight foot wide canopies will be provided along the Seventh Avenue elevation on the office tower where the greatest downdrafts are anticipated. The canopy will wrap-around the corner at Blanchard Street to further reduce wind impacts.
9. The office building entrance will be inset to provide additional protection from downdraft.

##### Blanchard Street

10. Horizontal wind screens or canopies located on the north elevation above retail space on Ground Level and Level One will deflect tower downdrafts.
11. A 42 inch high parapet/guardrail along the north edge of the Level Four terrace will help alleviate the tower downdraft, as will landscape material located on the terrace. Parapet and planting will wrap around the corner on Seventh Avenue.
12. Tower downdrafts will be further mitigated by larger planting material, including trees, located in the 10 foot wide voluntary building setback.

#### Midblock Pedestrian Connection

13. A combination sun shade and horizontal wind screen located on the southeast elevation above the Commons space on Level One will deflect tower downdrafts.
14. A grove of trees is planned for the western half of the midblock connection which will buffer the dominant SW winds.
15. An additional row of trees planted adjacent to the south east face of the office tower will provide additional wind screening.
16. A continuous overhead canopy will span the gap between buildings along Sixth Avenue.

#### Block 20

##### Westlake Avenue

17. A Continuous eight foot wide canopy will be provided along the Westlake elevation of the building where the greatest downdrafts are anticipated.

##### Midblock Pedestrian Connection

18. Denser landscaping, including trees, will be provided in selected locations where seating and other passive uses are anticipated.
19. A landscape border will be provided between the office tower and pedestrian pathways in the midblock passage. Trees and other plant material in the border will further lessen the impact of tower downdrafts.

With the implementation of the design measures described above, or substantially equivalent measures, no additional mitigation measures are necessary or required.

#### Historic Resources

The *Downtown* FEIS indicates that there were 27 designated City Landmark buildings in the Downtown area that could be affected by the then proposed height and density changes. The FEIS further notes that there are six buildings designated as Landmarks within the Denny Triangle area; none of which are in the immediate vicinity of the project site. Pending designation of historic structures that are proximate to the project include the Seattle Monorail, Windham Apartments, and Cinerama Theater.

The EIS Addendum notes that there are currently six existing buildings on the site. None are designated Landmarks, but three meet the City's 25-year threshold criterion for historical consideration. As part of the proposal, all existing buildings on the three-block site would be demolished. Although three of the existing buildings are 25 years of age or older, the Department of Neighborhoods determined that no historic resources report (termed *Appendix A*) would be necessary for two of the three buildings (2121 8<sup>th</sup> Avenue and 2000 6<sup>th</sup> Avenue) as both were listed as Category 4 buildings in the downtown survey and were determined to be so altered that they were no longer eligible. An *Appendix A* was submitted for the third building at 2112 6<sup>th</sup> Avenue; the City's Historic Preservation Officer determined the structure does not appear to meet the criteria for landmarks designation due to a loss of integrity.

Pursuant to the SEPA Historic Preservation Policy, SMC 25.05.675.H, no significant adverse impacts are anticipated from the proposal and no mitigation is necessary.

### Transportation - Traffic and Parking

The *Downtown* FEIS identified and evaluated the probable significant environmental impacts that could result from changing the height and density requirements in several Downtown Seattle zoning districts. The FEIS analysis considered direct, indirect and cumulative impacts as they relate to the overall transportation system. The project site is within the area analyzed under the *Preferred Alternative* in the *Downtown* FEIS and within the range of actions and impacts evaluated in the *Downtown* FEIS.

A comprehensive Transportation Technical Report has been prepared for the proposed development and is included in Appendix E of the EIS Addendum (*Transportation Technical Report Rufus 2.0*, Heffron Transportation, Inc., August 9, 2012).

### **Project Trips**

The *Downtown* FEIS used the City of Seattle's travel demand forecasting model and travel mode share information from the Puget Sound Regional Council (PSRC) to estimate future traffic volumes for each of the zoning alternatives evaluated. However, the FEIS did not estimate site-specific trip generation for any of the parcels evaluated in the overall document, as this would be analyzed on a project-by-project basis during plan review of individual developments. Therefore, in order to provide additional detail required for the EIS Addendum and to assess the transportation impacts associated with just the proposed project, detailed trip generation analysis was performed. The proposed project at full build-out is anticipated to generate about 6,600 vehicle trips per day, with about 940 during the AM peak hour, and about 1,140 during the PM peak hour.

### **Traffic Operations Impact**

The Transportation Technical Report documents the project impact to 29 intersections in the morning and evening peak hour periods in the vicinity of the site. This analysis was performed for year 2020 traffic volume both without and with the proposed project. The without-project condition, referred to as "Do Nothing" in the Transportation Technical Report, reflects a situation in which the existing uses on the three project blocks remain unchanged.

The *Downtown* FEIS used the City of Seattle's travel demand forecasting model to estimate growth through the year 2020 at key locations throughout downtown. The forecasts in the EIS reflected 20 years of growth from the year 2000 baseline data, and included development of the three project blocks up to the same density currently proposed. However, there was very little economic growth in the first ten years of that modeled condition, and therefore, the *Downtown* FEIS likely overestimated the 2020 traffic volume forecasts. In addition, those forecasts did not contemplate new zoning that is now proposed for the South Lake Union neighborhood. To account for both of these changes, future volume forecasts prepared for the *South Lake Union Height and Density EIS* (SLU EIS) were used to derive traffic growth rates.

The *Downtown* FEIS concluded that "future development through the year 2020 would generate additional traffic volumes and increase congestion in portions of Downtown, most notably in the Denny Triangle area. Much of this impact would occur with or without zoning changes." Key corridors where congestion was anticipated in the *Downtown* FEIS included Stewart Street, Denny Way, Olive Way and Howell Street. The updated analysis prepared specifically for the

project shows that development of the three blocks would not cause new failures at any intersections that were previously evaluated. Some intersections are expected to operate better than previously predicted.

The Transportation Technical Report evaluated many intersections close to the site that were not evaluated in the *Downtown* FEIS. Six of these intersections could operate at LOS F in the future with the proposed project assuming no changes to signal timing or phasing. Re-timing signals would substantially improve operations at the affected intersections, and all but one intersection would operate at levels of service that are better than the 2020 Do Nothing condition. Retiming signals would result in a small increase in delay at Seventh Avenue/Blanchard Street; this intersection would operate at a worse level of service because of the addition of the cycle track, which will constrain southbound traffic to one travel lane. In the future, changes near the North Portal of the SR 99 Bored Tunnel would provide more travel route options for these left-turning motorists, and they will likely avoid this intersection. Therefore, no mitigation for vehicle movements at this intersection is recommended. If, however, vehicle patterns do not change as expected, traffic operations could be mitigated by removing on-street parking and creating a left turn pocket for southbound-to-eastbound traffic.

Levels of service at the site access driveways were evaluated for the 2020 condition with the project. Most of the driveways would operate at acceptable levels of service with stop sign control. Two driveways are projected to operate at LOS F in the future during the evening peak hour. Utilizing police-officer control at the Lenora and Blanchard driveways is forecast to improve driveway operations to LOS C.

### **Safety Impacts**

The *Downtown* FEIS did not evaluate potential safety impacts. The increase in traffic associated with the project could increase the potential for collisions in the study area. However, none of the intersections in the study area was determined to have unusual traffic safety conditions. New conflict points would be created at the driveways. The project would be designed to maximize sight lines at site access driveways. Therefore, the project is not expected to result in a significant adverse impact to safety conditions.

### **Transit Impacts**

The project is not expected to adversely affect transit in the site area. There is adequate existing service for the project's transit riders, and service will increase in the future with the addition of RapidRide to Ballard and North Seattle and the extension of Link Light Rail to Northgate and the Eastside. The number of transit riders is consistent with what was predicted in the *Downtown* FEIS and no additional adverse impacts are expected. No transit mitigation would be required to accommodate the proposed project.

As part of its public benefit packages, the project will implement several transit improvements including improving the streetcar stop adjacent to the site and helping to fund additional streetcar service. These were described earlier under "Analysis – Planned Community Development."

## Non-motorized Facility Impacts

Primary pedestrian flows generated by the project would occur between the site, the retail core, major transit locations near Westlake Center, and among other buildings occupied by the applicant in the Denny Triangle and South Lake Union neighborhoods. Pedestrians also would walk to transit stops along the Third Avenue transit corridor, where stops are located near Virginia Street (northbound buses only) and Bell Street. The highest pedestrian volumes are expected along Westlake Avenue north of Lenora Street and Seventh Avenue south of Lenora Street.

The project would improve the pedestrian experience at the street level by rebuilding sidewalks, creating plaza areas, and providing through-block pedestrian connections on each block. These improvements were previously described under “Analysis – Planned Community Development.” Site driveways are proposed in locations that avoid crossing the main pedestrian flow patterns. To improve Seventh Avenue’s function as a bicycle and pedestrian corridor, all existing driveways serving the project site blocks would be eliminated and no new driveways are proposed on Seventh Avenue. The project is proposing major pedestrian and bicycle improvements along its Seventh Avenue frontages, which include creating a bicycle path, known as a “cycle track,” that is separated from both the on-street parking and sidewalk by landscape and hardscape features. Other pedestrian enhancements include curb bulbs at key intersections, improvements along the Blanchard Street Green Street, and a “shared street” on Lenora Street between Westlake Avenue and Seventh Avenue. All of these measures would improve the bicycle and pedestrian experience compared to existing conditions, and no additional mitigation would be needed.

## Loading and Parking Impacts

Analysis contained in the EIS Addendum found that the proposed number of loading docks would be adequate to meet the expected peak demand. Departures were requested and the DRB recommended approval that several of the loading docks berths could be reduced in required length. The request to provide shorter loading berths is reasonable given that data from similar downtown Seattle office buildings show over 80% of the vehicles that use loading docks are small vehicles less than 25-feet long. The departure is approved as discussed in the Design Review section.

The *Downtown* FEIS identifies displacement of parking due to redevelopment; most of this would be from lost surface parking lots. The project proposes to provide one parking space per 1,000 sq. ft. of building space. This supply would accommodate approximately 25% of the employees who drive or carpool to work, and is consistent with the mode-of-travel assumptions used for the traffic analysis. Although employees could use other parking in the neighborhood, all parking in the site vicinity, both on public streets and in private lots, is pay parking. On-street parking also is restricted with two-hour limits. The cost and time restrictions are expected to help discourage off-site parking by employees.

The project would increase the curb space available for on-street parking adjacent to the site by removing many existing driveway curb cuts. Other than a Transportation Management Plan per City of Seattle Director’s Rule (DPD Director’s Rule 9-2010), discussed below, no mitigation for parking would be required to accommodate the proposed project.

### **Transportation Concurrency**

The City of Seattle developed a Transportation Concurrency policy as part of its *Comprehensive Plan*, which was updated with the more recent *Director's Rule 5-2009*. The detailed transportation concurrency analysis is presented in the Transportation Technical Report that is contained in Appendix E of the EIS Addendum. Transportation concurrency would be met for this project.

### **Alley Vacation Impacts**

The project proposes to vacate the alleys that bisect all three of the blocks to improve building massing and provide open space. As discussed in the Addendum, the vacation of the alleys would not create any additional building space; therefore, the project's trip generation and transportation impacts would be the same with or without the alley vacations.

### **Transportation Mitigation**

The SEPA Policy for Traffic and Transportation, SMC 25.50.675.R, provides that mitigation of traffic and transportation impacts of a project may be imposed whether or not the project meets the criteria of the Overview Policy, SMC 25.50.665. As discussed above, the following mitigation shall be required.

- A Transportation Management Plan (TMP) shall be implemented consistent with the City of Seattle's Director's Rule (DPD Director's Rule 10-2012) before a building permit for each tower on each block is approved. The TMP goal will be that a maximum of 21% of all trips during the peak commute period will occur by single-occupant vehicles.
- Signals in the downtown area are timed as a system, and therefore, it is likely that any local signal timing changes would require a comprehensive review of the entire subarea. Signal timing optimization was recommended as a mitigation measure in the *Downtown* FEIS. Therefore, the following is recommended:
  1. The project shall contribute its pro-rata share toward the Denny Way Adaptive Control Project (signal timing modifications) up to \$50,000 per block. Should the signal timing modification project not be completed within 6 years of payment, the funds shall be returned to the applicant.

The project will make substantial improvements to pedestrian, bicycle and transit facilities as part of its public benefit packages for the PDC and alley vacations, and were described earlier. No additional transportation mitigation measures are needed.

### **DECISION - STATE ENVIRONMENTAL POLICY ACT**

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

### **CONDITIONS OF APPROVAL**

### **CONDITIONS – DESIGN REVIEW**

Prior to MUP Issuance

1. On Block 14, the tower color and materials palette should be simplified and strive to achieve the clarity and strength of 6<sup>th</sup> Avenue elevation on the 7<sup>th</sup> Ave elevation.
2. On Block 19, the treatment of the soffits throughout both buildings should be consistent to better knit the two buildings on this block together. This includes the overhangs and canopies of both the tower and podium buildings.
3. On Block 20, the entry and retail base of the tower felt unresolved and was too diminutive in relation to the tower and should read as more proportional to the tower with a bolder statement, similar to the massing shown on Blocks 14 and 19.
4. On the Block 20 tower, the Board recommended breaking down the volumes and improving the relationship or transition between the tower and the base.
5. On Block 20, the Board recommended overhead weather protection be added to the garage/loading dock entrance facing 8<sup>th</sup> Avenue in an effort to soften and screen this use, while providing benefit to the pedestrian. The Board also recommended overhead canopies above the retail entrances.

Prior to Certificate of Occupancy for Each Phase

6. 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.

**CONDITIONS – PCD**

Prior to MUP Issuance

7. PCD – MUP Life:  
Expiration of the Master Use Permit for Phase Two and Phase Three shall be set at the time of MUP issuance and shall be consistent with the 12 years of this PCD approval.
8. PCD – Design Guidelines:  
The Design Guidelines shall be finalized and respond to the following DRB recommendations:
  - a. Deletion of the words “exterior skin” from Section III, Guideline C-2 (subsection 3), so that the sentence reads “Compose the building as a series of intersecting volumes.”
  - b. Updating the graphics to reflect the recommendations.

Prior to Issuance of Building Permit for Each Phase

9. PCD – Design Guidelines:

Prior to the first building permit issuance after shoring and excavation for each phase, MUP plans will be updated to demonstrate compliance with all development standards to which the project has vested per 23.76.026 in effect on the date of this decision and to demonstrate compliance with implementation of the design guidelines for Blocks 19 and 20. The Design Guidelines for Blocks 19 and 20 shall be referenced in a note incorporated into the Master Use Permit plans for each block, and also in a note incorporated into the Building Permit Plans for each block, in order to facilitate subsequent review of compliance with Design Review and future revisions.

Master Use Permit revisions shall be verified and approved by a Land Use Planner for conformance with the issued MUP. The Land Use Planner shall determine whether any revision is a major or minor revision consistent with Client Assistance Memo 224B. Design changes for Blocks 19 and 20 consistent with the Design Guidelines shall not require a MUP revision.

Prior to Issuance of a Certificate of Occupancy for Phase One

10. PCD – Street Car Subsidy :

The applicant will provide a letter and security acceptable to the Director of SDOT committing to fund the operation of a third streetcar. The operating subsidy shall be for 10 years and shall begin upon occupancy of Block 14, or earlier, as mutually agreed between SDOT and the applicant. Payment of the subsidy shall be annually and from an invoice prepared by SDOT.

**CONDITIONS – SEPA**

Prior to Issuance of Master Use Permit for Each Phase

11. All of the conditions listed at the end of this decision must be shown on the cover sheet for the MUP permit and for all subsequent permits, including updated MUP plans, and all building permit drawings.

Prior to Issuance of Building Permit for Each Phase

12. Compliance with all applicable conditions must be verified and approved by the DPD Land Use Planner (Lisa Rutzick) 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.

Prior to Issuance of Building Permit for Each Phase

13. SEPA – Construction Management Plan:

Prior to the shoring and excavation permit for each phase, the applicant shall submit for review and approval a Construction Management Plan approved by the Seattle Department of

Transportation (SDOT) in consultation with DPD. The plan shall document the following measures (a through j):

- a) truck haul routes to and from the site;
- b) peak hour restrictions for construction truck traffic and how those restrictions would be communicated and enforced;
- c) truck staging areas;
- d) measures to reduce construction worker trips;
- e) secure 100 off-street parking spaces through lease or other arrangement as designated construction parking. The price construction workers are charged for this parking shall be set below the neighborhood's average daily parking rate to prevent workers from parking in other off-site lots at a lower rate. After the building's parking garage can be certified for occupancy and construction workers can park on-site, the contractor can eliminate this requirement to provide off-site parking. Peak construction worker capacity will occur after the garage can be occupied;
- f) lane, sidewalk, or bike lane closures that may be needed during utility, street, or building construction;
- g) a plan detailing temporary traffic control, channelization, and signage during potential lane, sidewalk, or bike lane closures;
- h) work with Metro to arrange temporary stop closures or temporary layover areas during construction or staging needs that impact King County Metro transit stops, the streetcar line and station, or bus layover areas adjacent to the site;
- i) a public information strategy identifying how the community will be notified of proposed lane, sidewalk, or bike lane closures, temporary traffic control measures, relocation of King County Metro transit stops, and other potential construction impacts within the right-of-way; and
- j) other elements necessary to satisfy the street use permit requirements of the City of Seattle.

14. SEPA – Wind:

Prior to the first building permit after shoring and excavation, the applicant shall incorporate into the project building and site design the wind mitigation measures identified in the EIS Addendum, pp 111-116, or substantially equivalent measures, as repeated in this Decision.

Prior to Issuance of Building Permit Following the Foundation Permit for Each Phase

15. Downtown Amenity Standards:

Prior to issuance of the building permit after the foundation permit for each block, a Final Artwork Plan, to the extent required for areas bonused under the Downtown Amenity Standards, shall be submitted by the applicant to the DPD planner. The Final Artwork Plan shall be a refinement of the Preliminary Artwork Plan, and include the following elements:

- Selected artist(s);
- Drawings indicating location, size, and placement of artwork;
- Technical documents outlining in detail the materials and method of attachment of the proposed art;
- Maintenance, safety, and security considerations;
- Final schedule for installations.

Prior to Issuance of a Building Permit for Phase Three

16. Prior to the first building permit issuance after shoring and excavation, plans shall be submitted demonstrating compliance with all development standards to which the project is vested per SMC 23.76.026 and implementation of design guidelines as indicated on sheet 20 G1-20.5 through 20 G1-20.7 of the MUP plan set.

During Construction for Each Phase

17. SEPA – General Noise Mitigation Measures:

Construction activities are subject to the limitations of the Seattle Noise Ordinance.

Construction-related activities shall be limited to standard construction hours between 7 am and 10 pm on weekdays and between 9 am and 7 pm on Saturdays. Use of impact-type equipment (such as pavement breakers, pile drivers, jackhammers, sand blasting tools, and other impulse noise sources) shall be limited to 8 am and 5 pm on weekdays. During some stages of the project, it is expected that a smaller second shift may work until midnight on weekdays, although work would be limited to activities that generate little noise (such as daily cleanup) and are within the 60 dBA limit of the Noise Ordinance.

Throughout construction, the following measures shall be taken, whenever appropriate: substitute hydraulic impact tools with electric models; limit loud talking and music; provide properly sized and maintained mufflers and engine intake silences; provide engine enclosures on operating equipment when necessary; and turn off idling equipment. Truck haul routes shall be jointly developed by the applicant, SDOT, and DPD; SDOT will approve the routes established.

18. SEPA – Specific Noise Mitigation Measures:

During demolition, earthwork, and shoring, deploy portable sound barriers around generators, compressors, and tieback drill rigs. As necessary, also construct temporary barriers of materials at least as dense as one-half inch thick plywood with sound-dampening insulation.

During concrete construction, take the following measures when possible: stage concrete trucks at a location outside the Downtown area; pre-fabricate core-wall formwork at the contractor's off-site facility; pre-fabricate reinforcing steel for the concrete core-wall curtains off-site; locate the concrete pumping station and associated trucks to minimize impacts to residents in nearby buildings and other sensitive land use projects near the site; and use hydraulic jacks to lift the core-wall formwork.

During interior construction, pre-fabricate the large duct risers and long interior runs and hoist them into place. Also, screen the building perimeter during steel fireproofing activities.

19. SEPA – Transportation:

All construction related truck trips shall cease between 7:00 AM and 9:00 AM and between 3:30 PM and 6:00 PM.

20. SEPA – Construction Management Plan:

The applicant shall adhere to the Construction Management Plan required prior to issuance of the first building permit for each phase.

21. SEPA – Environmental Health:

All construction activities are required to conduct potential site cleanup in accordance with applicable Model Toxic Control Act requirements. Any site remediation activities shall be documented in a manner sufficient to obtain property-specific No Further Action determinations from the Washington State Department of Ecology, as applicable.

In the event that contaminated soils are encountered during redevelopment of the site, proper precautions, including the following, shall be taken: a) require contractors present during excavation to have health and safety plans in place that address the risks associated with contaminated soils; b) require excavation contractors to have 40-hour HAZWOPER trained individuals available, if necessary, to excavate contaminated soils; c) have an environmental consulting firm on retainer to oversee any work that becomes necessary in response to contaminated soils; and d) comply with all applicable laws and regulations in the handling, removal, transport, and disposal of any contaminated soils.

22. SEPA – Air Quality:

All construction activities are subject to the Puget Sound Clean Air Agency's regulations regarding demolition activity and fugitive dust emission. These regulations require the following activities, as necessary: sprinkle debris and exposed areas to control dust; cover or wet transported earth material; provide quarry spall areas on-site prior to trucks exiting the site; wash truck tires and undercarriages prior to trucks traveling on City streets; sweep earth tracked or spilled onto City streets; use well-maintained construction equipment and vehicles; avoid prolonged periods of vehicle idling; and schedule the delivery and removal of construction materials and heavy equipment to minimize congestion during peak travel times associated with adjacent streets.

Prior to Issuance of a Certificate of Occupancy for Each Phase

23. SEPA – Transportation:

The project shall contribute its pro-rata share toward the Denny Way Adaptive Control Project (signal timing modifications) up to \$50,000 per block. Should the signal timing modification project not be completed within 6 years of payment, the funds shall be returned to the applicant.

24. SEPA – Transportation:

The proposed project shall implement a Transportation Management Plan (TMP) to reduce commute trips associated with the proposed use on the site. A TMP shall be enacted consistent with the City of Seattle's Director's Rule (DPD Director's Rule 10-2012) before the building permit is approved and recorded with King County prior to issuance of a Certificate of Occupancy. The TMP goal will be that a maximum of 21% of all trips during the peak commute period will occur by single-occupant vehicles.

25. Downtown Amenity Standards:

All artwork subject of the Final Artwork Plan, required herein for areas bonused under the Downtown Amenity Standards, shall be complete and installed.

A document summarizing applicable conditions related to each amenity feature, including but not limited to time commitment, maintenance, public access, and hours of operation, shall be signed by the applicant and recorded with the King County Recorder by DPD. This condition applies to the Urban Plaza on Block 14; the Urban Plaza and Commercial Parcel Park on Block 19, and the Urban Plaza and Commercial Parcel Park on Block 20.

Signature: \_\_\_\_\_ (signature on file) Date: November 29, 2012  
Lisa Rutzick, Land Use Planner  
Land Use Division  
Department of Planning and Development

LCR:drm

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