



**City of Seattle**  
Edward B. Murray, Mayor

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

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

**Application Number:** 3016095  
**Applicant Name:** Jeremy Schoenfeld, of LMN Architects  
**Address of Proposal:** 1007 Stewart Street

**SUMMARY OF PROPOSAL**

Land Use Application to allow a 21-story structure containing 356,289 sq. ft. of office and 5,669 sq. ft. of commercial. Parking for 309 vehicles to be provided below grade. Existing 5 story storage warehouse of 76,624 sq. ft. to remain; other existing structures to be demolished. Project includes 150,000 cu. yds. of grading. Includes an Addendum to the Downtown Height and Density Changes Environmental Impact Statement (EIS).

Note: Earlier Public Notices stated a shorter office structure with less square feet, however the project was expanded in both site area, height and building square footage at the time of Addendum publishing and Master Use Permit (MUP) application.

The following approvals are required:

**Design Review** pursuant to Chapter 23.41, Seattle Municipal Code, with Departures:

- Development Standard Departure** to reduce the amount of required setback above 45 ft. on a designated Green Street. (SMC 23.49.058.F.2)
- Development Standard Departure** to provide setback, but relocate and expand required Green Street landscaping. (SMC 23.49.056.F.4)
- Development Standard Departure** to increase the maximum unmodulated façade width above 241 ft. height. (SMC 23.49.058.B)
- Development Standard Departure** to reduce the minimum amount of commercial type frontage at street level. (SMC 23.49.009.B.1)

**SEPA** – Environmental Determination – Chapter 25.05, Seattle Municipal Code.

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

\*The January 2005 Downtown Height & Density Changes Final EIS (FEIS) is adopted with an Addendum for the proposed development. The Notice of Availability of the EIS Addendum was published on June 19, 2014.

Site:

Site Zone: DMC 340/290-400

Nearby  
Zones: (North) DMC 340/290-400  
(South) DMC 340/290-400  
(East) DMC 340/290-400  
(West) DMC 340/290-400

Lot Area: 42,331 sq. ft. rectangle; flat



Site Development:

The full project site is a rectangular half block bounded by Howell Street on the south, Terry Avenue on the west, Stewart Street on the north, and an improved public alley on the east. The south quarter block is occupied by a five story storage warehouse which is to remain. The two existing structures on the remaining north portion of the half block are to be demolished, and replaced by the proposed 21 story office structure on a land area of 20,745 sq. ft.

Access:

Pedestrian access is from the 3 surrounding streets. Vehicular access to the site is from the alley adjacent.

Surrounding Development and Neighborhood Character:

The site is bordered by a 37 story residential tower across Terry Avenue to the southwest, and surface parking lots across Stewart to the north, and across Terry Avenue to the southeast. The adjacent half block to the east across the alley is the Hill 7 office/hotel project, an 11 story block under construction (MUP#3013130). Terry Avenue is a designated city Green Street. The vicinity contains a mix of commercial and residential structures of various styles and eras, but they generate a consistently pedestrian friendly public realm. The area to the south and west is characterized by more recent, very high density towers, while to the north and northeast is mostly parking lots and low commercial buildings.

ECA's:

None.

**BACKGROUND**

This project requires Design Review pursuant to SMC 23.41. There was one Early Design Guidance (EDG) meeting before the Downtown Design Review Board (DRB) on November 05, 2013 (notice date: October 17, 2013), and a Final Recommendation DRB meeting on May 06, 2014 (notice: April 17, 2014). The project Master Use Permit (MUP) application was deemed complete on January 24, 2014.

## **I. ANALYSIS – DESIGN REVIEW**

### **EARLY DESIGN GUIDANCE (EDG) MEETING: November 5, 2013 DESIGN PRESENTATION**

The EDG packet includes materials presented at the EDG meeting, and is available online by entering the project number at this website:

[http://www.seattle.gov/dpd/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp).  
or contacting the Public Resource Center at DPD:

**Address: Public Resource Center**  
700 Fifth Ave., Suite 2000  
Seattle, WA 98124

**Email:** [PRC@seattle.gov](mailto:PRC@seattle.gov)

### **PUBLIC COMMENT**

The following comments and concerns were raised at this Early Design Guidance meeting:

- Stated the proposed building design is acceptable, but looks too much like all others in the vicinity.
- Encouraged the design to avoid ugly metal wall finishes similar to the existing building opposite on Terry Avenue.
- Cautioned any above-grade parking to fully screen car noise, headlights and fumes, especially from existing and future residents/guests in adjacent buildings.
- Lamented the loss of affordable, downtown apartments in the existing building to be demolished.

### **FINAL RECOMMENDATION MEETING: May 6, 2014 DESIGN PRESENTATION**

The EDG packet includes materials presented at the EDG meeting, and is available online by entering the project number at this website:

[http://www.seattle.gov/dpd/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp).  
or contacting the Public Resource Center at DPD:

**Address: Public Resource Center**  
700 Fifth Ave., Suite 2000  
Seattle, WA 98124

**Email:** [PRC@seattle.gov](mailto:PRC@seattle.gov)

### **PUBLIC COMMENT**

There were no public comments provided at this Recommendation meeting.

## PRIORITIES & BOARD RECOMMENDATIONS

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 (the Board) provided the following siting and design guidance. The Board identified the following Downtown Design Guidelines of **highest priority for this project**.

The Priority Downtown guidelines are summarized below, while all guidelines remain applicable. For the full text of all guidelines please visit the [Design Review website](#).

**All page references below are to the Recommendation booklet dated May 06, 2014.**

### A. Site Planning & Massing

#### *Responding to the Larger Context*

**A-1 Respond to the Physical Environment.** Develop an architectural concept and compose the building's massing in response to geographic conditions and patterns of urban form found beyond the immediate context of the building site.

**At the Early Design Guidance Meeting,** the Board discussed how the ground plan response to this specific corner site and the green street requirement, as shown on pg. 42, was very sound, but the massing and character of the tower above was too generic. The Board suggested more careful analysis of context and environmental cues that could inform the upper tower form (also see B-4).

The Board was generally supportive of a 22 story scheme, if all the guidance herein is followed, but cautioned that 8 more stories creates different proportions (compare pg. 41 and 54). Additional Board feedback at future meetings might be substantial if a taller than 14 story massing emerges. See B-1 for additional comments on tower expression, and departure #1 comments regarding the upper west façade, facing Terry. The essential positive elements on the ground floor are described under B-3.

**At the Final Recommendation Meeting,** the Board supported the 21 story scheme presented, but with refinements to the top described under A-2. The Board supported the 3 façade types shown as a suitable response to context and climate, but with comments about material expression and details of the west curtain wall under C-2. The Board endorsed the proposed refinement of the ground level uses as consistent with previous guidance.

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

**At the Final Recommendation Meeting,** the Board strongly supported the darker alley façade that wraps up and over the roof, and recommended that roof element more gracefully transition into the metal panel roof screening. That screening also should be 6-10 ft. taller on the south, west and north sides to better conceal the elevator over-run box from incidental street and building views in the vicinity. The Board agreed the current elevator over-run is too prominent and appears as a design afterthought (page 32), rather than an integrated building top design.

## **B. Architectural Expression**

### *Relating to the Neighborhood Context*

#### **B-1 Respond to the Neighborhood Context. Develop an architectural concept and compose the major building elements to reinforce desirable urban features existing in the surrounding neighborhood.**

**At the Early Design Guidance Meeting,** the Board agreed the stepped boxes or lower floor ‘drawers’ shown in option C were very promising, as long as the ground floor remains tall and transparent and the multiple exposed soffits receive a distinctive treatment (as shown on pg. 41 and 43) to reinforce the staggered reading. The two levels of amenity deck shown on pg. 44 are also an important activating presence to relieve the lower facades, with distinctive railings and exposed columns. These elements create spatial and sectional interest to both street frontages, which is valuable in a district composed of largely flat, cubic masses.

The Board cautioned the west façade to not reflect glare into residential uses on the opposite side of Terry, and did not support any above grade parking, and none was shown in option C.

**At the Final Recommendation Meeting,** the Board supported the exposed round columns and distinct expression of the floor two ‘drawer’, and considered the new dark stone cladding of the ground floor as a way to set off the highly transparent second floor ‘drawer’ (page 22 and 31). The Board agreed the thin proportion of the dark stone framing is the maximum amount which retains adequate ground floor transparency. The Board agreed the warm, wood tone soffits are a crucial contrasting material, and they should provide texture and scale and be well up-lit, but those soffits do not require a wood grain look.

All detailing of these soffits – highly visible 6<sup>th</sup> elevations – must be superior and not generic/minimal, especially at edges and transitions to other materials. The soffit edges should appear to properly carry the weight of 16-19 floors of precast or curtain wall surface above.

#### **B-3 Reinforce the Positive Urban Form & Architectural Attributes of the Immediate Area. Consider the predominant attributes of the immediate neighborhood and reinforce desirable siting patterns, massing arrangements, and streetscape characteristics of nearby development.**

**At the Early Design Guidance Meeting,** the Board strongly supported the continuous 9 ft. setback along Terry Avenue, and the following specifics:

- \* the largely paved landscape treatment, flush with the sidewalk;
- \* the adjacent activating uses, essentially flush with the sidewalk (eg no steps or moat);
- \* the transparency and operable door/walls, as shown on pg. 43 and 49.

These provide public realm enhancements to the neighborhood and are essential to the departure consideration.

The ground floor commercial uses should fully engage this amenity (and along Stewart) and a restaurant or similar use with café tables is strongly encouraged. The Board supported the bright, glassy expression shown to maximize light reflection to the green street; this facade enjoys good daylight now but the southerly block will get built-out.

**At the Final Recommendation Meeting**, the Board reiterated its support for the continuous 7 foot deep setback/colonnade along Terry Avenue, flush with the sidewalk for maximum flexibility (page 17), and for permeability into the adjacent commercial spaces.

To ensure this long-term permeability regardless of tenant variations, the Board recommended at least one, approximately 12 foot wide operable section (either sliding glass walls, folding glass doors, overhead glass doors, or glass windows with a 30” maximum sill) be located in each of the two Terry Avenue bays shown on page 17, as well as the glass double doors shown adjacent to each. All doors/windows should maintain the thin rail/stile dimensions and transparent glass amounts and sidelights as shown on pg. 22 (i.e. the transparency shown should NOT be reduced). The two stone wall panels ‘bookending’ the corner entrance should not increase from that shown on pg. 22 (also see departures).

**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.

**At the Early Design Guidance Meeting**, in addition to comments under A-1 and B-1, the Board discussed how the upper tower expression should distinguish the two or four sides, responding to solar orientations, neighbors and/or program. They suggested the north and south walls have a different facade expression from the east/west, or the facades acknowledge the compressed alley and the adjacent uses under construction 20 ft. away. The proportions, materials and color palette should not echo the treatment of the adjacent half-block, otherwise  $\frac{3}{4}$  of an entire block could appear too uniform. See departure discussion for more comments unique to the west façade.

**At the Final Recommendation Meeting**, the Board supported the 3 façade types shown (page 35-37) and material richness (page 38) as a suitable response to context and climate, but with comments about material expression and details of the west curtain wall (page 37) under C-2.

## C. The Streetscape

### *Creating the Pedestrian Environment*

**C-1 Promote Pedestrian Interaction.** Spaces for street level uses should be designed to engage pedestrians with the activities occurring within them. Sidewalk-related spaces should be open to the general public and appear safe and welcoming.

**At the Early Design Guidance Meeting**, the Board supported the interaction shown on pg. 42-44; also see comments under B-3. The Board also encouraged the lobby to be open and welcoming, and for the spatial design and clear way-finding to encourage visitors up the stair/escalators to the ‘great room’ and terrace above. The applicants described these as semi-public places; they should act as interior extensions of the public realm, even if privately monitored and not accessible at certain times.

**At the Final Recommendation Meeting**, the Board agreed the Terry Avenue /Green Street ground level requires the extra permeability described under B-3 above. The Board strongly supported low iron glass for maximum transparency at all ground and second floor locations, and stated the Stewart Street retail works well with one double glass door. The corner lobby entrance succeeds because of the continuous glass at the vestibule and corner (with only a small stone sill and header) and the stair and escalators are easily visible within. The Board strongly supported the two story volumes, openness and semi-public character of the second floor great rooms, and public access to the Stewart Street terrace; these should not change substantially from what is shown on pages 18 and 22.

- C-2 Design Facades of Many Scales.** Design architectural features, fenestration patterns, and material 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.

**At the Early Design Guidance Meeting**, the Board supported the staggered lower floors and terraces as a key scaling attribute, and encouraged the projecting ‘great room’ to take on an even more distinctive – yet light – character. Whether a glass ‘fishbowl’ or strongly contrasting color/ material, that mid-scale element is crucial to off-setting the tower extrusion above. The Board agreed the expression shown on pg. 41 and 44 has the ‘great room’ too similar to the tower above. The Board also agreed the slight notch in the tower west façade shown in plan and on pg. 41 is a useful scaling device, and similar might occur elsewhere on the large tower walls. Also see B-4 comments.

**At the Final Recommendation Meeting**, the Board supported the staggered and projecting glass fins on the west projection (page 37), as preferable to a notch, and recommended those fins be no shallower than 12 inches, or less frequent than shown on the page 20 elevation; which is the minimum degree of façade articulation. The spandrel panels on that west projection should maintain a darker contrast to break up the tall reflective wall plane (as shown on page 37), and exhibit a green rather than gray cast, per the material sample shown to the Board.

## **D. 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.

**At the Early Design Guidance Meeting**, the Board agreed the lobby and semi-public terraces provide visitor and worker amenities. The Board supported the flexible ‘great room’ as a design element that clearly expresses to the street, and strongly encouraged it be programmed with events/meetings that reach beyond the building tenants. Also see comments under C-1 and D-3.

**At the Final Recommendation Meeting**, the Board reiterated how the second floor should be accessible and welcoming to the public, for functions and programs that expand beyond the building tenants. To support this, the Board cautioned against any inhibiting elements such as security gates or similar in the lobby or second floor.

- 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.

**At the Early Design Guidance Meeting**, the Board agreed the Terry setback provides valuable public space, and encouraged a link between this space and the terraces above along both streets. The terraces should display greenery visible to the street below (per pg. 43), and a strong naturalistic theme might invite and carry through the lobby and up, assisting with way-finding.

**At the Final Recommendation Meeting**, the Board supported the glass guardrails and landscape treatment for the west terrace, and the overall landscape design along the setback. The Board focused on the canopy details shown and recommended the canopy frames and struts be as light profile as possible, the lighting emphasize the warm soffits above, and the canopy glass be reduced under the soffits to maximize pedestrian visibility of the warm soffits above (see page 29, where the glass is too obscuring).

## **E. Vehicular Access & Parking**

### *Minimizing the Adverse Impacts*

- 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 be located away from the street front.

**At the Early Design Guidance Meeting**, the Board agreed the parking, loading and primary service elements appeared to be located in the best location along the alley (pg. 42), but they requested detailed alley elevations at the next meeting, and advised a high quality treatment of the alley composition and materials; the same holds for the south ground floor façade which may be visible for some time.

**At the Final Recommendation Meeting**, the Board supported the alley design composition and the textured CIP concrete on the south wall and the southeast corner at the alley.

## DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departure(s) will be 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). The Board's recommendation will be reserved until the final Board meeting.

At the time of the Final Recommendation meeting, the following departures were requested:

1. **Upper Level Green Street Setback (SMC 23.49.058.F.2):** In brief, the Code requires the entire façade fronting on a designated green street, above 45 ft. high to be setback 15 ft. minimum. The applicant proposes the façade along the Terry Ave Green Street to be set back 15 ft. x 20 -29 ft. at the two corners, but the 124 ft. long middle portion to be occupied floorplates to the property line (approximately 1800 sf/ floor in the setback zone). The 16 floors of volume above 45 ft., constitute 413,096 cubic feet or a 63% encroachment into the total setback zone volume.

This departure would provide a west facade with corner modulations and materials differentiation, in support of design guidelines B-3 and B-4, as well as creating a 2 story step at the top of the façade which furthers A-2, enhancing the skyline. The upper level setback in this location is not influencing street end views; the decreased setback on the northeast side of a Green Street will not overly shadow the linear park of the green street; and the volumetric impact on the green street is negligible, when viewed from each block end.

**The Board unanimously recommended that DPD grant this departure.**

2. **Terry and 9<sup>th</sup> Avenues Green Street Setback (SMC 23.49.056.F.4):** In brief, the Code requires a 2 foot wide setback from the green street property line, and that 50% of that area be landscaped. The applicant proposes a 9 foot wide setback at the building, 100% paved to maximize permeability to the proposed commercial ground floor uses, and also proposes to construct full green street improvements on both street sides between Howell Street and Stewart Street (as depicted on pg. 39, including the exact number and extent of green planters, trees, seating, etc.), except the portion already complete. (This construction should be integrated into the project SIP submittal and be fully coordinated with SDOT and all its technical specifications).

This departure would provide a fully permeable building to sidewalk edge, and a 7 foot wider than code-required sidewalk, both promoting design guidelines C-1 and C-4; and the green street improvements would complete a full block length with planters, seating areas, streetscape amenities and street trees, all of which promote guidelines D-1, D-3 and more pervious surfaces in a dense, urban context.

**The Board unanimously recommended that DPD grant this departure.**

- 3. Façade Modulation (SMC 23.49.058.B):** In brief, the Code requires a 100ft maximum length of unmodulated façade above 241 foot height and within 15 feet of the street property line. The applicant proposes a 124 foot façade length along Terry Avenue for the two floors that are within the 15 feet and pop above 241 feet, and proposes a 102 foot facade length for the entire Stewart Street face, rather than a 5 foot notch in the top four floors to be code compliant.

This departure maintains the rectangular forms and coherent composition of the west projection and Stewart facades, and increases the usable area of the terrace on level 20, thus supporting guidelines B-4 and D-1. The proposed 12 inch deep fins on the west elevation provide critical secondary modulation with respect to this departure.

**The Board unanimously recommended that DPD grant this departure.**

- 4. Street Level Use Requirements (SMC 23.49.009.B.1):** In brief, the Code requires a minimum of 75% of each street level frontage to be occupied by certain ‘commercial-type’ uses listed in subsection A (office lobby is not on the list). The applicant proposes about 73% of the façade along Terry, and 70% of the façade along Stewart to comply.

Granting this departure helps identify the corner lobby entrance, and ensures that space is generous and welcoming for semi-public functions within, thus supporting guidelines C-4 and D-1.

**The Board unanimously recommended that DPD grant this departure.**

## **BOARD RECOMMENDATION**

**The recommendation summarized below was based on the design review packet dated May 06, 2014, and the materials shown and verbally described by the applicant at the May 06, 2014 Design Recommendation meeting (unless a condition below, the design should not change, especially aspects explicitly noted in the above narrative, which the applicant should carefully read through). After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the three Design Review Board members recommended APPROVAL of the subject design and the requested departures from the requirements of the Land Use Code (listed above). The Board recommends the following Conditions (Authority Guidelines referenced in letter and number in parenthesis):**

- 1) Roof Screen:** Transition the alley fold-over roof element more gracefully into the metal panel roof screening, and add 6-10 ft. on the south, west and north sides to better conceal the elevator over-run box from incidental street and building views in the vicinity (see A-2).

- 2) **Terry Avenue Ground Floor Permeability:** Maintain at least one, approximately 12 foot wide operable section (either sliding glass walls, folding glass doors, overhead glass doors, or glass windows with a 30” maximum sill) be located in each of the two Terry Avenue bays shown on page 17, plus the glass double doors shown adjacent to each (see B-3).
- 3) **Reduce Canopy Glass and study Canopy Framing:** Revise the canopy frames and struts to be as light profile as possible, ensure the lighting emphasize the warm soffits above, and reduce the canopy glass depth to maximize pedestrian visibility of the warm soffits above (see page 29, where the glass is too obscuring) (see D-3).

Response to Recommended Design Review Conditions:

- 1) The applicant redesigned the roof screen to be more integrated and conceal the elevator over-run. The proposal meets recommended condition #1.
- 2) The applicant added the two operable window sections at the specified locations. The proposal meets recommended condition #2.
- 3) The applicant reduced the obscuring canopy glass and redesigned the canopy structure to be lighter profiles. The proposal meets recommended condition #3.

**DECISION – DESIGN REVIEW**

The proposed design and Development Standard Departures are **CONDITIONALLY GRANTED** subject to the conditions listed below.

**II. ANALYSIS - SEPA**

Environmental review is required pursuant to the Washington Administrative Code 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05). The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, “Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation” subject to some limitations. Under such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

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

The subject site is within the geographic area that was analyzed in the FEIS and is within the range of actions and impacts that were evaluated in the various alternatives. The proposed development lies within the DMC 340'/290'-400' zoning district and the environmental impacts of a height of the proposed 321 feet at the project site were addressed as part of the non-project FEIS. DPD determined that it is appropriate to adopt the FEIS and prepare an EIS Addendum to add more detailed, project-specific information related to the proposed development.

DPD has identified and adopts the FEIS prepared for and in conjunction with amendments to the Land Use Code, Seattle Municipal Code section 23.49, concerning Downtown Seattle. DPD relies on SMC 25.05.600, allowing the use of existing environmental documents as part of its SEPA responsibilities with this project. DPD has determined that the proposed impacts for this Master Use Permit are identified and analyzed in the referenced FEIS; however additional analysis is warranted as permitted pursuant to SMC 25.05.625-630, through an Addendum to the FEIS.

The EIS Addendum dated June 16, 2014, and related documents addressed the following areas of environmental impact:

- Land Use
- Environmental Health
- Greenhouse Gas Emissions
- Aesthetics / Urban Design - Height/Bulk/Scale
- Light and Glare
- Public View Protection – Viewshed
- Housing
- Historic Preservation – Resources
- Transportation and Parking
- Construction

An Addendum analyzing these areas of environmental impact was prepared and the Notice of Adoption and Availability of Addendum (“Addendum to the Final EIS for the Downtown Height and Density Changes, Prepared for 1007 Stewart Street Development, June 16, 2014”) was published in the City’s Land Use Information Bulletin on June 19, 2014. A copy of the Addendum was sent to parties of record that commented on the EIS for the downtown code amendments. In addition, a copy of the notice was sent to parties of record for this project.

**PUBLIC COMMENTS:**

The Notice of MUP application was published on January 30, 2014. The Notice of Availability of the EIS Addendum was published on June 15, 2014 and a clarifying Re-notice was published on June 19, 2014. The SEPA public comment period ended on July 03, 2014; several SEPA comments were received.

**ENVIRONMENTAL IMPACTS**

The following is a discussion of the impacts identified in each element of the environment, along with any required mitigation for the impacts disclosed. The impacts detailed below were identified and analyzed in the FEIS with more specific project-related discussion in the 2014 Addendum and related documents.

SMC 25.05.600.D allows for existing environmental documents to be used. As stated above, this project includes the adoption of the FEIS along with the development of an Addendum to analyze and - if relevant – mitigate project specific impacts not itemized in the FEIS. An additional area of short term impact that was not discussed in the FEIS – Construction – is analyzed with the Addendum and related documents for this project. The authority to allow for additional analysis is in SMC 25.05.600.D.3, as long as the analyses and information does not substantially change the analysis of significant impacts or alternatives in the existing environmental document, that being the FEIS.

A. Short Term Impacts Not Identified in the FEIS

Construction

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

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. The Building Code provides for construction measures in general. Potential construction-related noise impacts can be found in the “Noise” policy discussion below.

Construction Noise

Demolition of existing buildings and excavation will be required to prepare the building sites and foundations for the new building. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the surrounding uses.

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits specific and controlled increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 10:00 PM on non-holiday weekdays, and 9:00 AM and 10:00 PM on Saturdays and legal holidays. Some of the surrounding properties are developed with housing and will be impacted by construction noise.

The Addendum includes a series of general and specific measures to mitigate construction noise, vibration, air quality and traffic impacts associated with work in the downtown area. These include limiting hours of activity based on noise generation. However, given the proximity of residences, this limitation may not be sufficient to adequately mitigate noise impacts to surrounding uses.

Therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM, unless modified through a Construction Noise Management Plan (CNMP), to be approved by DPD prior to issuance of a building permit. This CNMP is outlined in SEPA Condition #6 on the last pages of this document.

### Construction Traffic

The project site has adjacent existing construction and reasonably continuous pedestrian circulation must be maintained during construction, especially regarding the Green Street improvements on the full block length of Terry Avenue. Traffic management measures to mitigate impacts on the vehicular and pedestrian networks during construction are included in Appendix E of the Addendum and related documents. Mitigation measures will be added as conditions below and include:

- 1) Per Condition # 4, the applicant or their contractor will provide a Construction Traffic Management Plan to DPD and SDOT, for SDOT approval. The plan shall identify construction haul routes for truck trips to minimize disruption to traffic flow on adjacent streets and roadways, and shall identify any necessary signage and flaggers.
- 2) Per Condition #5, the applicant or their contractor will provide a Construction Worker Parking Plan to DPD, for DPD approval. Construction workers would be allowed to park on site when the parking garage is usable.
- 3) Per Condition # 9, the applicant or their contractor will ensure that open, continuous, well-signed and safe pedestrian routes adjacent to the site are maintained in a manner approved by SDOT. An SDOT determination that this requirement is not feasible during a period or periods of construction will temporarily override this Condition.

### B. Long Term Impacts Identified in the FEIS

SMC 25.05.600.D allows for existing environmental documents to be used. As stated above, this project includes the adoption of the FEIS along with the development of an Addendum to analyze and mitigate site specific impacts not disclosed in the FEIS.

The following is a discussion of the impacts identified in each element of the environment, along with indication of any required mitigation for the impacts disclosed. The impacts detailed below were identified and analyzed in the FEIS with more specific project-related discussion in the 2014 Addendum and related documents.

### Land Use

SMC 25.05.675.J establishes policies to ensure that proposed uses in development projects are reasonably compatible with surrounding uses and are consistent with applicable City land use regulations and the goals and policies set forth in the land use element of the City of Seattle Comprehensive Plan (Comp Plan). Subject to the Overview Policy set forth in SMC Section 25.05.665, the decision maker may condition or deny any project to mitigate adverse land use impacts resulting from a proposed project.

The Addendum analyzed the relationship of the proposed project to plans, policies and regulations, including applicable elements in the Comp Plan, and the zoning for the site and the surrounding area. The site is within the Comp Plan “Downtown Urban Center”, with a designation of “mixed residential and employment”. The proposal is consistent with these use categories with 356,289 sq. ft. of office space and 5,669 sq. ft. of ground level retail/commercial. The proposed uses are compatible with surrounding existing and zoned uses. The site zone is Downtown Mixed Commercial up to a base height maximum of 340 ft., and maximum FAR of 10. The proposal is 321 ft., and FAR 9.98 (for entire half block), and so accomplishes but does not exceed the density contemplated for the zone and Downtown Urban Center.

The proposed project would replace lower density existing uses and establish sizable new office space and retail/restaurant uses, and also be consistent with the transit oriented, pedestrian friendly policies of the Denny Neighborhood Plan. Therefore, the department concludes the proposal is consistent with Land Use policies and codes, and that no adverse land use impacts will occur as a result of the proposal.

### Environmental Health

A Phase II Environmental Site Assessment (ESA) for the site was prepared in 2013, and identified potential areas of contamination exist on site, from historic dry cleaning operations. Contamination above Model Toxic Control Act (MTCA) cleanup levels was found at soil depths that would be excavated during the proposed project development.

The applicant submitted information that described existing concentrations of soil contaminants on site that exceed regulatory cleanup levels. If not properly handled, existing soil contamination could have an adverse impact on environmental health.

Mitigation of soil contamination and remediation is in the jurisdiction of Washington State Department of Ecology (“Ecology”), consistent with the City’s SEPA relationship to Federal, State and Regional regulations described in SMC 25.05.665.E. This State agency Program functions to mitigate risks associated with removal and transport of hazardous and toxic materials, and the agency’s regulations provide sufficient impact mitigation for these materials. The City considers Ecology’s jurisdiction and requirements for soil remediation will mitigate impacts associated with any contamination.

Per SMC 25.05.675.F, Ecology’s review of the proposed cleanup activities at this site are assumed to be sufficient impact mitigation. SEPA condition #7, at the end of this document, therefore requires the applicant to demonstrate that Washington State Department of Ecology has accepted an application for the site into the Voluntary Cleanup Program, prior to any excavation.

### Aesthetics / Urban Design – Height/Bulk/Scale

The Design Review process conducted in conjunction with the proposed development is intended to mitigate adverse impacts for height, bulk and scale. The architecture and urban design features of the proposed structure are described in the aforementioned Design Review portion of this report and are summarized in the Addendum.

Pursuant to SEPA Policy 25.05.675.G.2.c: Height, Bulk and Scale, “the Citywide Design Guidelines (and any Council-approved, neighborhood Design Guidelines) are intended to mitigate the same adverse height, bulk and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review process is presumed to comply with the height, bulk and scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decisionmaker pursuant to these height, bulk and scale policies that have undergone design review shall comply with the design guidelines applicable to the project.”

Design Review Conditions #1, and 2 at the end of this document assures that the proposed development will be consistent with the height, bulk, and scale reviewed in the design review process. A key component of the Design Review and Departures is the implementation of Green Street landscape treatments along 3 segments of Terry Street, per approved drawings, and this is enforced through the Design Review Condition #3 at the end of this document. The height, bulk, and scale impacts have been adequately addressed through the Design Review process, and additional SEPA Mitigation of height, bulk and scale is not warranted.

#### Light and Glare

The Addendum included analysis of potential light and glare impacts in the vicinity based on the building shape and location. The building exterior wall materials were finalized through the design review process, and consist of a roughly 50/50 mix non-glare precast concrete and low-reflectivity glass. While one-way traffic on Howell and Stewart Streets could occasionally experience reflected solar glare from portions of the proposed building facades, the glare would be fragmented by the mixed materials, and the duration of such impact would be brief (1-2 seconds).

It is anticipated that the proposed project will not create significant light or glare impacts, and no additional mitigation beyond the approved design review materials is required.

#### Public View Protection- Viewshed

SMC 25.05.675.P requires that the Director assess the extent of adverse impacts on public views and if mitigation is warranted. The Addendum provides an analysis of view impacts from relevant city-designated viewpoints and Scenic Routes to certain designated landmarks, public places, mountain and skyline views as a result of the proposed development. Specifically, the Addendum analyzed views of the proposed structure from three viable viewpoints on the nearby designated Scenic Route of I-5, and from the one relevant public viewpoint at Plymouth Pillars Park.

The proposed structure is not anticipated to affect views of the mountains, downtown skyline or designated landmarks from any designated public viewpoints, including Plymouth Pillars Park, the closest viewpoint that could potentially be affected. The proposed building is also not anticipated to block public views of identified historic landmarks from designated locations. Finally, the proposed structure is not anticipated to affect views of the Space Needle from the Viaduct, Interstate 5, the downtown skyline or any other designated viewpoint location. The proposed action would affect views from residential dwellings and office buildings located proximate to the subject site, however private views are not protected by City regulations.

It is anticipated that the proposed project will not adversely impact designated public views, and no mitigation is required.

### Historic Preservation - Resources

In the 2007 Downtown Historic Resources Survey and Inventory, the existing Williamsburg Court Apartments (proposed to be demolished) were designated a category 1 building, thus considered eligible for historic designation. On May 5, 2010 the Landmarks Preservation Board reviewed the existing structure on site and denied the designation of the building as an historic landmark (LPB letter 143/10, dated May 6, 2010, in Appendix D of the Addendum). There are no historic landmarks adjacent to or across the street from this site. Accordingly, no mitigation of impacts is warranted pursuant to the applicable SEPA policies.

### Housing

The proposed project would eliminate 49 units of market-rate, non-subsized housing. The zoning does not require new housing as part of a proposal, but the proposed FAR includes a city incentive program that requires the applicant make a monetary contribution to the City's Low Income Housing Fund, and that fund is used to develop subsidized housing units throughout the city. The project will comply with the City's Tenant Relocation Assistance Ordinance (SMC 22.210) including payment of \$3,188 assistance to income eligible tenants and 90 day's notice to vacate the existing building.

In addition, the proposal does not affect the possibility that a 270 unit residential project could be built on the southern portion of the site, replacing the existing storage structure, per approved Master Use Permit (MUP) # 3003465.

The FEIS identified that demolition of existing housing could occur in downtown, and that zoning provisions allow for housing capacity to be maintained or increased by the concurrent development of new housing units in downtown. With a contribution to the Low Income Housing Fund and compliance with adopted city ordinances, the loss of existing housing units is not an adverse impact and no additional conditions are warranted.

### Transportation and Parking

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

The transportation analysis associated with the proposed development ("Transportation Technical Report, June 02, 2014"; Appendix E of the Addendum) found that the proposed office and retail uses are estimated to generate approximately 840 net new daily trips, 140 net new trips during the AM peak hour and 123 net new trips during the weekday PM peak hour. The study examined nine intersections in the project vicinity (and the alley operations on Howell Street and Stewart Street) and found that during the peak hours, all of the signalized study intersections are anticipated to operate at the same Level of Service (LOS) by 2020 either with or without the project, except for 2 in the AM peak, which change from LOS E to F and A to B, and one intersection in the PM peak, which changes from LOS C to D.

The proposed development will provide below grade parking for 309 vehicles, accessed from a ramp off the alley. Also, 60 bicycle parking spaces and showers and lockers would be provided in the parking garage.

Peak parking demand analysis was included in the Appendix E of the Addendum. Using rates in the 2010 edition of ITE Parking Generation, and assuming 31% of employee trips will be by vehicle, the estimated peak parking demand would be 318 vehicles. The proposed number of 309 parking spaces is sufficiently meeting estimated demand. It is anticipated that the 9 vehicle difference between parking demand and supply will not adversely impact parking within the site vicinity to a significant degree.

DPD's Transportation Planner has reviewed the Traffic and Parking Analysis and determined that the additional peak hour trips do not contribute new significant adverse impacts not previously disclosed in the FEIS.

The project proposes to mitigate traffic impacts by implementing a Transportation Management Plan (TMP) consistent with DPD Director's Rule 9-2010 prior to issuance of any certificate of occupancy for the project; this is reflected in Condition # 10 at the end of this document. The goal of the TMP would be to reduce single-occupant vehicle trips to 25 percent of all trips at the site. Key elements of the TMP would include, but not be limited to:

- \* Provide a transportation coordinator to manage and promote the TMP.
- \* Install commuter information center in appropriate location.
- \* Unbundle parking charges from the tenant leases.
- \* Require tenant participation in the TMP.
- \* Conduct biennial surveys of TMP effectiveness and submit regular reports about TMP elements as required by the City of Seattle.
- \* Provide ride-match information.
- \* Provide reserved parking spaces for vanpools.
- \* Provide shower and locker facilities for commuters who walk or bike to work.
- \* Provide bike storage in an easily-accessible bicycle corral in a covered location with good lighting.

With implementation of the TMP, the project parking garage is expected to be sufficient to contain the peak parking demand for the project with little or no spillover parking.

The project will also mitigate traffic impacts by participating in the City of Seattle SDOT Active Traffic Management project for the Denny Way corridor, as described in Client Assistance Memo (TIP) 243. Pursuant to that mitigation payment system, the project proposes to pay a pro rata contribution of \$8,606 in order to help reduce project transportation impacts. Per Condition # 8, this fee shall be paid prior to building permit issuance, consistent with DPD business rules.

With those mitigation measures, the project is not anticipated to cause significant adverse impacts to parking or traffic.

Greenhouse Gas Emissions

Decreased air quality is anticipated due to the following: operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. The anticipated emissions from the completed project have been disclosed in a greenhouse gas worksheet (Appendix C of the Addendum). While these impacts are adverse, they are not expected to be significant.

**DECISION - STATE ENVIRONMENTAL POLICY ACT**

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

**DESIGN REVIEW - CONDITIONS OF APPROVAL**

For the Life of the Project

1. Materials and colors shall be consistent with those presented at the design recommendation meeting and the Master Use Plan sets. Any change to materials or colors **shall require prior approval by the Land Use Planner** (Garry Papers 206-684-0916 or [garry.papers@seattle.gov](mailto:garry.papers@seattle.gov)).

Prior to Certificate of Occupancy

2. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the Master Use Plan sets. Any change to the proposed design, materials, or colors **shall require prior approval by the Land Use Planner** (Garry Papers 206-684-0916 or [garry.papers@seattle.gov](mailto:garry.papers@seattle.gov)).
3. The applicant shall provide a Landscape Checklist from Director's Rule 6-2009 indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit **shall be approved by the Land Use Planner prior to landscape installation** (Garry Papers 206-684-0916 or [garry.papers@seattle.gov](mailto:garry.papers@seattle.gov)).

**SEPA - CONDITIONS OF APPROVAL**

Prior to Issuance of a Demolition, Grading/Excavation or Building Permit

4. The applicant shall provide DPD with a copy of a **Construction Traffic Management Plan, including Construction Haul Routes, both aspects approved by Seattle Department of Transportation,** including minimizing of large truck use of the alley, plus prohibition on trucks queueing on streets under windows of nearby residential buildings, and time limits on large (greater than two-axle) trucks.

5. The applicant shall provide DPD with a **Construction Worker Parking Plan**, including: identified off-street parking lots in the vicinity, with daily spaces available; instructions to not disrupt on-street parking or operations; transit route and schedule information and encouragement to use transit whenever possible. This shall be provided to the Land Use Planner for review and approval (Garry Papers, (206) 684-0916, [garry.papers@seattle.gov](mailto:garry.papers@seattle.gov)).
6. If the applicant intends to work outside of the limits of non-holiday weekdays between 7am and 6pm, a **Construction Noise Mitigation Plan (CNMP)** shall be required and approved by DPD, prior to issuance of a demolition, grading, or building permit, whichever is issued first. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:
  - i. Non-holiday weekdays between 7:00 A.M. and 6:00 P.M.
  - ii. Non-holiday weekdays between 6:00 P.M. and 8:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
  - iii. Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

#### Prior to Issuance of a Grading/Excavation or Building Permit Permit

7. The applicant shall provide DPD with authentic documentation (for example, a site specific Department of Ecology letter) that the site has been accepted into the Voluntary Cleanup Program of the Washington State Department of Ecology, under the Model Toxics Control Act.

#### Prior to Issuance of a Building Permit

8. The applicant shall make a pro rata mitigation payment pursuant to TIP 243 in the amount of \$8,060 to the City of Seattle.

#### During Construction

9. The applicant or their contractor will ensure that open, continuous, well-signed and safe pedestrian routes adjacent to the site are maintained in a manner approved by SDOT. An SDOT determination that this requirement is not feasible during a period or periods of construction will temporarily override this Condition.

Prior to Issuance of Certificate of Occupancy

10. The applicant shall provide a **Transportation Management Plan (TMP)** consistent with DPD Director's Rule 9-2010, to DPD with sufficient advance time for DPD review and approval. The goal of the TMP would be to reduce single-occupant vehicle trips to 25 percent of all trips at the site. Key elements of the TMP should include, but not be limited to the following:

- Provide a transportation coordinator to manage and promote the TMP.
- Install the Commuter Information Center in the designated location, and maintain it.
- Unbundle parking charges/space reservations from the tenant leases.
- Require tenant participation in the TMP.
- Conduct biennial surveys of TMP effectiveness and submit regular reports about TMP elements as required by the City of Seattle.
- Offer subsidized transit passes for employees who commute by transit.
- Provide ride-match information.
- Provide reserved parking spaces for vanpools, at priority convenient locations.
- Provide shower and locker facilities for commuters who walk or bike to work.
- Provide secure bike storage in an easily-accessible bicycle corral in a covered location with good lighting.

Signature: \_\_\_\_\_ (signature on file)      Date: July 31, 2014  
Garry Papers, Senior Land Use Planner  
Department of Planning and Development

GP:drm

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