City of Seattle
Edward B. Murray, Mayor

Department of Construction and Inspections
Nathan Torgelson, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE SEATTLE DEPARTMENT OF CONSTRUCTION & INSPECTIONS

Application Number: 3016702

Applicant Name: Sean Ludviksen, Hewitt Architects, for MJA Building LLC

Address of Proposal: 1613 2nd Avenue

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 40-story building containing 177 residential units and 2,705 sq. ft. of ground-level retail. Seven levels of below grade and four levels above grade parking will be provided to accommodate a total of 145 vehicles. One existing building (Broadacres) will remain on site; the other (MJA) will be demolished.

The following approvals are required:

SEPA Environmental Determination – Chapter 25.05 SMC.

Design Review – Chapter 23.41 Seattle Municipal Code (SMC)

Design Departures Granted:

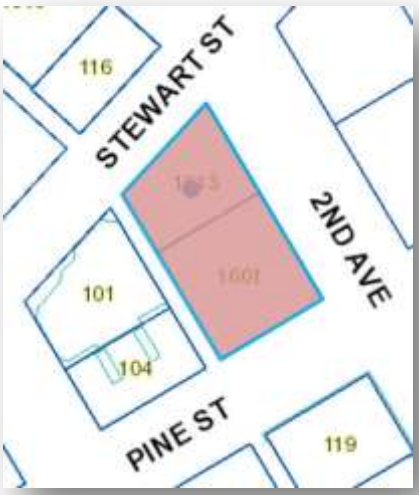
1) SMC 23.49.056.B.1.b.2.b, reduction of maximum setback limits.
2) SMC 23.49.018, non-continuous overhead weather protection where coverage provided by structural building overhang.
3) SMC 23.49.030.E.1, spot reductions in drive aisle widths where not associated with vehicle backing distances

SEPA Determination: [ ] Exempt [ ] DNS [ ] MDNS [ ] EIS

[X] DNS with conditions

[ ] DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND INFORMATION:



The 20,679 square foot Downtown development site is trapezoid-shaped, and is bounded by Stewart Street on the north and an alley to the west, 2nd Avenue on the east and Pine Street to the south. The nine-story Broadacres building at 1601 2nd Avenue and occupying 12,198 square feet of the south of the half block development site will remain. The two-story MJA building at 1613 2nd Avenue will be removed to make room for the proposed 400-foot, 39-story structure. The zoning classification for the site is Downtown Mixed Commercial with mixed height limits of 240-400 feet (DMC 240/290-400). Both Stewart Street and 2nd Avenue are Class 1 Pedestrian streets as well as Principal Transit streets. The site lies within Seattle's downtown retail core. Stewart Street marks the southern boundary of the Belltown downtown neighborhood. Seattle's Pike Place Market lies one block to the west. Parking for the proposed new development will be located both below and above grade and will be accessed from the alley.

Across the alley to the west, the zoning changes to DMC with a height limit of 125 feet, and 1st Avenue marks the eastern boundary of the Pike Market overlay with a height limit of 85'. The proposed site is an irregularly shaped trapezoid located adjacent to Stewart Street which marks a shift in the geometries of the downtown grid. The site is perched next to one of the highest intersections in the downtown area, but is itself relatively flat, sloping approximately ten feet from the northeast to the southwest corner. There are no environmentally critical areas on the site. The area exhibits a variety of older and newer buildings, with both commercial and residential uses dominating the area.

The proposal is for a 400+-foot, forty story, mixed-use structure, with 2,705 square feet of ground-floor retail and approximately 177 residential apartment units. Parking would be located both below and above grade and provide for 145 vehicle stalls. The project would utilize development credits from the adjacent Broadacres building which would remain on the south portion of the site. Development of the site would rely on making voluntary agreements for low and moderate income housing, not to be located on site.

Public Comments

Public comment was invited with notice of the Master Use Permit application, at the two Early Design Guidance public meetings, and at the Design Review Board public Recommendation meeting. Comments from the Design Review meetings are noted within the Design Review process summaries which follow below. Written comments received included expression of the following concerns:

- Too much program was "being squeezed onto too small a site";
- Construction impacts in neighborhood, especially at night and early morning;
- Safety of automobiles and trucks in the alley and entering and leaving the alley;
- Potential conflicts with planned streetcars on Stewart;
- Steepness of interior parking ramp;

- Design Review Board was remiss in not addressing traffic issues within the design review forum.

ANALYSIS – DESIGN REVIEW

Two early deign guidance meetings were held on the application, the first occurring on January 20, 2015, and the second on April 7, 2015. Packets of materials presented at each of the meetings and summary notes of the meetings are available online by entering the project number at this website:
http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The packets are also available to view in the file, by contacting the Public Resource Center at Seattle DCI:

PRC@seattle.gov

Early Design Guidance Meeting, January 20, 2015

Public Comment
Issues and concerns expressed at the meeting:

- This site is a gateway to the Pike Place Market, and as such needs more than token retail presence at the street; would not like to see a departure for less than required retail space;
- The volume of parking not needed at this site, especially as the above-grade parking detracts from ay elegance the building might otherwise manifest;
- A diminution of the quantity of retail space will not help the vagrancy problem in the neighborhood and is viewed as a hostile act toward the neighbors.

Board Deliberations

The Board thanked members of the public for their comments and noted that the concerns were ones shared by members of the Board. The Board's comments and discussion were focused on three major points: the amount of retail uses proposed at grade, the integration of above-grade parking into the overall functioning and appearance of the building, and the location of the building core and repercussions for the functioning and appearance of the building.

The Board members were in agreement that there was insufficient retail presence proposed at street level in the new structure. One Board member noted that "Alternative 1" was more successful in that regard than was the preferred Alternative 3. The Board members were unanimous in indicating their disapproval of a departure request for less that the Code-required amount of retail space. It was suggested that the design team look into alternatives for locating residential lobby functions to a floor above the ground floor level to accommodate increased retail.

The Board expressed some displeasure with how the above-grade parking seemed to be driving the building's functionality and appearance, noting that they were unaware of an instance in the City where copious amounts of above-grade parking did not substantially compromise a well-integrated design or mar the aesthetic qualities of an otherwise attractive building. There was clearly a challenge for the prospect of a successful outcome in this instance. The Board members also reacted negatively to the expressed/ exposed structural core at the perimeter of the building on 2nd Avenue. The inevitable "blank" expression at the façade as well as the core's ability to gobble up space that could be given to retail uses at the street level made the feature and the move less than welcomed. Finally, it was suggested by members of the Board that the above-grade parking, if adroitly handled, could perhaps be received with a less critical eye if the issues of the peripheral core and quantity of retail space were to be judiciously addressed.

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 provided the following siting and design guidance.

The priority Downtown guidelines identified by the Board as Priority Guidelines are summarized below, while all guidelines remain applicable. For the full text please visit the Design Review website.

SITE PLANNING AND MASSING

A1 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 nearby or beyond the immediate context of the building site.

Each building site lies within a larger physical context having various and distinct features and characteristics to which the building design should respond. Develop an architectural concept and arrange the building mass in response to one or more of the following, if present:

a. a change in street grid alignment that yields a site having nonstandard shape;
b*. a site having dramatic topography or contrasting edge conditions;*
c. patterns of urban form, such as nearby buildings that have employed distinctive and effective massing compositions;
d. access to direct sunlight—seasonally or at particular times of day;
e. views from the site of noteworthy structures or natural features, (i.e.: the Space Needle, Smith Tower, port facilities, Puget Sound, Mount Rainier, the Olympic Mountains);
f. views of the site from other parts of the city or region; and
g. proximity to a regional transportation corridor (the monorail, light rail, freight rail, major arterial, state highway, ferry routes, bicycle trail, etc.).

One Board member stated a preference to have seen alternatives with more variety, noting that the three presented differed from each other only slightly.

A2 Enhance the Skyline: Design the upper portion of the building to promote visual interest and variety in the downtown skyline. Respect existing landmarks while responding to the skyline's present and planned profile.

A2.1. Desired Architectural Treatments: Use one or more of the following architectural treatments to accomplish this goal:

a. sculpt or profile the facades;
b. specify and compose a palette of materials with distinctive texture, pattern, or color;
c. provide or enhance a specific architectural rooftop element.

A2.2. Rooftop Mechanical Equipment: In doing so, enclose and integrate any rooftop mechanical equipment into the design of the building as a whole.

ARCHITECTURAL EXPRESSION

B1 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.

B1.1. Adjacent Features and Networks: Each building site lies within an urban neighborhood context having distinct features and characteristics to which the building design should respond. Arrange the building mass in response to one or more of the following, if present:

a. a surrounding district of distinct and noteworthy character;
b. an adjacent landmark or noteworthy building;
c. a major public amenity or institution nearby;
d. neighboring buildings that have employed distinctive and effective massing compositions;
e. elements of the pedestrian network nearby, (i.e.: green street, hillclimb, mid-block crossing, through-block passageway); and
f. direct access to one or more components of the regional transportation system.

e. height, bulk, and scale relationships resulting from lot orientation (e.g., back lot line to back lot line vs back lot line to side lot line); and
f. type and amount of separation between lots in the different zones (e.g. , separation by only a property line, by an alley or street, or by other physical features such as grade changes); g. street grid or platting orientations.

At least two of the Board members complained of a difficulty in following the continuity of the floor plans (Level 7 was not shown). It would be useful to show, where applicable, the full development site (i.e., the Braodacres site and building) to provide an adequate context.

B3 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.

B3.1. Building Orientation: In general, orient the building entries and open space toward street intersections and toward street fronts with the highest pedestrian activity. Locate parking and vehicle access away from entries, open space, and street intersections considerations.

B3.2. Features to Complement: Reinforce the desirable patterns of massing and facade composition found in the surrounding area. Pay particular attention to designated landmarks and other noteworthy buildings. Consider complementing the existing:

a. massing and setbacks,
b. scale and proportions,
c. expressed structural bays and modulations,
d. fenestration patterns and detailing,
e. exterior finish materials and detailing,
f. architectural styles, and
g. roof forms.

B3.3. Pedestrian Amenities at the Ground Level: Consider setting the building back slightly to create space adjacent to the sidewalk conducive to pedestrian-oriented activities such as vending, sitting, or dining. Reinforce the desirable streetscape elements found on adjacent blocks. Consider complementing existing:

h. public art installations,
i. street furniture and signage systems,
j. lighting and landscaping, and
k. overhead weather protection.

B4 Design a Well-Proportioned & Unified Building: Compose the massing and organize the 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.

B4.1. Massing: When composing the massing, consider how the following can contribute to create a building that exhibits a coherent architectural concept:

a. setbacks, projections, and open space;
b. relative sizes and shapes of distinct building volumes; and
c. roof heights and forms.

B4.2. Coherent Interior/Exterior Design: When organizing the interior and exterior spaces and developing the architectural elements, consider how the following can contribute to create a building that exhibits a coherent architectural concept:

d. facade modulation and articulation;
e. windows and fenestration patterns;
f. corner features;
g. streetscape and open space fixtures;
h. building and garage entries; and
i. building base and top.

B4.3. Architectural Details: When designing the architectural details, consider how the following can contribute to create a building that exhibits a coherent architectural concept:

j. exterior finish materials;
k. architectural lighting and signage;
l. grilles, railings, and downspouts;
m. window and entry trim and moldings;
n. shadow patterns; and
o. exterior lighting.

This Guideline was stated by the Board as being "super-important." One Board member stated that the tower was "beautiful and unique," and noted that there should not be concerns regarding the modulation above 240 feet, given the slenderness of the tower's overall inherent form.

THE STREETSCAPE

C1 Promote Pedestrian Interaction: Spaces for street level uses should be designed to engage pedestrians with the activities occurring within them. Sidewalk-related spaces should appear safe, welcoming, and open to the general public.

C1.1. Street Level Uses: Provide spaces for street level uses that:

a. reinforce existing retail concentrations;
b. vary in size, width, and depth;
c. enhance main pedestrian links between areas; and
d. establish new pedestrian activity where appropriate to meet area objectives. Design for uses that are accessible to the general public, open during established shopping hours, generate walk-in pedestrian clientele, and contribute to a high level of pedestrian activity.

C1.2. Retail Orientation: Where appropriate, consider configuring retail space to attract tenants with products or services that will "spill-out" onto the sidewalk (up to six feet where sidewalk is sufficiently wide).

C1.3. Street-Level Articulation for Pedestrian Activity: Consider setting portions of the building back slightly to create spaces conducive to pedestrian-oriented activities such as vending, resting, sitting, or dining. Further articulate the street level facade to provide an engaging pedestrian experience via:

e. open facades (i.e., arcades and shop fronts);
f. multiple building entries;
g. windows that encourage pedestrians to look into the building interior;
h. merchandising display windows;
i. street front open space that features art work, street furniture, and landscaping;
j. exterior finish materials having texture, pattern, lending themselves to high quality detailing.

This guideline would be particularly applicable once it has been determined to create a greater amount of space within the structure that would serve to activate the street.

C2 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.

C2.1. Modulation of Facades: Consider modulating the building facades and reinforcing this modulation with the composition of:

a. the fenestration pattern;
b. exterior finish materials;
c. other architectural elements;
d. light fixtures and landscaping elements; and
e. the roofline.

As noted in the Board's discussions, the question of modulation by prescription might not be the critical issue in designing a tall, narrow building on this irregularly shaped site.

C3 Provide Active — Not Blank — Facades: Buildings should not have large blank walls facing the street, especially near sidewalks.

C3.1. Desirable Facade Elements: Facades which for unavoidable programmatic reasons may have few entries or windows should receive special design treatment to increase pedestrian safety, comfort, and interest. Enliven these facades by providing:

a. small retail spaces (as small as 50 square feet) for food bars, newstands, and other specialized retail tenants;
b. visibility into building interiors;
c. limited lengths of blank walls;
d. a landscaped or raised bed planted with vegetation that will grow up a vertical trellis or frame installed to obscure or screen the wall's blank surface;
e. high quality public art in the form of a mosaic, mural, decorative masonry pattern, sculpture, relief, etc., installed over a substantial portion of the blank wall surface;
f. small setbacks, indentations, or other architectural means of breaking up the wall surface;
g. different textures, colors, or materials that break up the wall's surface.
h. special lighting, a canopy, awning, horizontal trellis, or other pedestrian-oriented feature to reduce the expanse of the blank surface and add visual interest;
i. seating ledges or perches (especially on sunny facades and near bus stops);
j. merchandising display windows or regularly changing public information display cases.

The Board noted that the alley façade, because of its visibility, should not suffer neglect and the face put forth at the alley was vital to a successful design. The resolution of the 'blankness" of the core wall co-located with the 2nd Avenue façade, as discussed above, was vital to the success of the project.

C4 Reinforce Building Entries: To promote pedestrian comfort, safety, and orientation, reinforce building entries.

C4.1. Entry Treatments: Reinforce the building's entry with one or more of the following architectural treatments:

a. extra-height lobby space;
b. distinctive doorways;
c. decorative lighting;
d. distinctive entry canopy;
e. projected or recessed entry bay;
f. building name and address integrated into the facade or sidewalk;
g. artwork integrated into the facade or sidewalk;
h. a change in paving material, texture, or color;
i. distinctive landscaping, including plants, water features and seating
j. ornamental glazing, railings, and balustrades.

C4.2. Residential Entries: To make a residential building more approachable and to create a sense of association among neighbors, entries should be clearly identifiable and visible from the street and easily accessible and inviting to pedestrians. The space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors. Provide convenient and attractive access to the building's entry. To ensure comfort and security, entry areas and adjacent open space should be sufficiently lighted and protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

C5 Encourage Overhead Weather Protection: Project applicants are encouraged to provide continuous, well-lit, overhead weather protection to improve pedestrian comfort and safety along major pedestrian routes.

C5.1. Overhead Weather Protection Design Elements: Overhead weather protection should be designed with consideration given to:

a. the overall architectural concept of the building
b. uses occurring within the building (such as entries and retail spaces) or in the adjacent streetscape environment (such as bus stops and intersections);
c. minimizing gaps in coverage;
d. a drainage strategy that keeps rain water off the street-level facade and sidewalk;
e. continuity with weather protection provided on nearby buildings;
f. relationship to architectural features and elements on adjacent development, especially if abutting a building of historic or noteworthy character;
g. the scale of the space defined by the height and depth of the weather protection;
h. use of translucent or transparent covering material to maintain a pleasant sidewalk environment with plenty of natural light; and
i. when opaque material is used, the illumination of light-colored undersides to increase security after dark.

The Board members did not provide comments regarding the overhead weather protection that was shown in the presentation materials

C6 Develop the Alley Façade: To increase pedestrian safety, comfort, and interest, develop portions of the alley facade in response to the unique conditions of the site or project.

C6.1. Alley Activation: Consider enlivening and enhancing the alley entrance by:

a. extending retail space fenestration into the alley one bay;
b. providing a niche for recycling and waste receptacles to be shared with nearby, older buildings lacking such facilities; and
c. adding effective lighting to enhance visibility and safety.

PUBLIC AMENITIES

D2 Enhance the Building with Landscaping: Enhance the building and site with generous landscaping— which includes special pavements, trellises, screen walls, planters, and site furniture, as well as living plant material.

D2.1. Landscape Enhancements: Landscape enhancement of the site may include some of the approaches or features listed below:

a. emphasize entries with special planting in conjunction with decorative paving and/or lighting;
b. include a special feature such as a courtyard, fountain, or pool;
c. incorporate a planter guard or low planter wall as part of the architecture;
d. distinctively landscape open areas created by building modulation;
e. soften the building by screening blank walls, terracing retaining walls, etc;
f. increase privacy and security through screening and/or shading;
g. provide a framework such as a trellis or arbor for plants to grow on;
h. incorporate upper story planter boxes or roof planters;
i. provide identity and reinforce a desired feeling of intimacy and quiet;
j. provide brackets for hanging planters;

k. consider how the space will be viewed from the upper floors of nearby buildings as well as from the sidewalk; and

l. if on a designated Green Street, coordinate improvements with the local Green Street plan.

D2.2. Consider Nearby Landscaping: Reinforce the desirable pattern of landscaping found on adjacent block faces.

m. plant street trees that match the existing planting pattern or species;

n. use similar landscape materials; and

o. extend a low wall, use paving similar to that found nearby, or employ similar stairway construction methods.

D5 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, in landscaped areas, and on signage.

D5.1. Lighting Strategies: Consider employing one or more of the following lighting strategies as appropriate.

a. Illuminate distinctive features of the building, including entries, signage, canopies, and areas of architectural detail and interest.

b. Install lighting in display windows that spills onto and illuminates the sidewalk.

c. Orient outside lighting to minimize glare within the public right-of-way.

D6 Design for Personal Safety & Security: Design the building and site to promote the feeling of personal safety and security in the immediate area.

D6.1. Safety in Design Features: To help promote safety for the residents, workers, shoppers, and visitors who enter the area:

a. provide adequate lighting;

b. retain clear lines of sight into and out of entries and open spaces;

c. use semi-transparent security screening, rather than opaque walls, where appropriate;

d. avoid blank and windowless walls that attract graffiti and that do not permit residents or workers to observe the street;

e. use landscaping that maintains visibility, such as short shrubs and/or trees pruned so that all branches are above head height;

f. use ornamental grille as fencing or over ground-floor windows in some locations;

g. avoid architectural features that provide hiding places for criminal activity;

h. design parking areas to allow natural surveillance by maintaining clear lines of sight for those who park there, for pedestrians passing by, and for occupants of nearby buildings;

i. install clear directional signage;

j. encourage "eyes on the street" through the placement of windows, balconies, and street-level uses; and

k. ensure natural surveillance of children's play areas.

VEHICULAR ACCESS AND PARKING

E2 Integrate Parking Facilities: Minimize the visual impact of parking by integrating parking facilities with surrounding development. Incorporate architectural treatments or suitable landscaping to provide for the safety and comfort of people using the facility as well as those walking by.

E2.1. Parking Structures: Minimize the visibility of at-grade parking structures or accessory parking garages. The parking portion of a structure should be architecturally compatible with the rest of the building and streetscape. Where appropriate consider incorporating one or more of the following treatments:

a. Incorporate pedestrian-oriented uses at street level to reduce the visual impact of parking structures. A depth of only 10 feet along the front of the building is sufficient to provide space for newsstands, ticket booths, flower shops, and other viable uses.
b. Use the site topography to help reduce the visibility of the parking facility.
c. Set the parking facility back from the sidewalk and install dense landscaping.
d. Incorporate any of the blank wall treatments listed in Guideline C-3.
e. Visually integrate the parking structure with building volumes above, below, and adjacent.
f. Incorporate artwork into the facades.
g. Provide a frieze, cornice, canopy, overhang, trellis or other device at the top of the parking level.
h. Use a portion of the top of the parking level as an outdoor deck, patio, or garden with a rail, bench, or other guard device around the perimeter.

In selecting this Guideline, the Board referred to their discussion regarding the critical challenge of integrating the parking portion of the structure with the rest of the building.

Development Standard Departures

The Board's recommendation on the requested departure(s) will be based on the departure's potential to help the project better meet these design guidelines priorities and achieve a better overall project 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 First Early Design Guidance , the following departures were requested:

1. ***(****SMC 23.49.009.B.1): The Code requires a minimum of 75% of each street frontage at street level to be occupied by approved street level uses. The applicant proposes 42% compliance on Stewart Street, and 57% on 2nd Avenue (two departures required).*

The Board indicated an unwillingness to grant the departures**.**

2. ***(SMC 23.49.058.B): The Code requires facade modulation above 85 feet for any portion of a structure located within 15 feet of a street property line. The applicant proposes no modulation on the upper façade along Stewart Street where the setback from the property line is less than 15 feet.***

The Board did not offer a formal response to the proposed departure from modulation requirements

Board's Directions

At the conclusion of the First Early Design Guidance meeting, the Board recommended the project return for another meeting in response to the guidance provided.

Second Early Design Guidance Meeting, April 7, 2015

Applicant's Presentation

Among the major elements of the first EDG meeting addressed by the applicant team were: increase in the amount of ground floor retail space provided and the re-location of the tower core. There also was a significant change in the ratio of underground to above grade parking, the project now proposing 7 stories of below grade and 4 above. As earlier, the development site was to be shared with the 9-story Broadacres Building which will continue to occupy 59 percent of the half-block site at grade.

Two new alternative designs were introduced to stand in contrast to the preferred alternative presented at the first EDG meeting. The earlier alternative had an off-set core located along the exterior of the 2nd Avenue façade, and only 500 square feet of retail space at the base. Parking was distributed between 4 stories of below-grade and 4 stories of above-grade spaces. Each of the two new alternatives was arranged around a central building core which allowed for more than 2,600 square feet of ground floor retail space. The parking distribution of each of the two new alternatives allowed for a ratio of below grade to above grade parking at 67 percent. While not quite at iceberg buoyancy proportions, this was an improvement over the 57 percent ratio of the preferred alternative from the earlier EDG presentation.

Public Comment

Among the public comments elicited before and at the meeting were the following:

- some concerns regarding the overall massing and height of the building;
- concerns regarding vehicular traffic entering and exiting the building from the alley, especially as these were thought to require difficult maneuvering skills;
- A spokesperson for the Broadacres Building noted that the owners of that building were generally satisfied with how the proposed lower plane of the new structure interfaced with the lower levels of their building.

Departure Requests

The preferred alternative would need a departure from SMC 23.49.019.B.1.a(2), which requires that parking above the third story of a structure be separated from the street by another use for a minimum of 30 percent of each frontage and at the corner. The preferred alternative would provide 12% on the third and fourth parking levels along 2nd Ave, while on Stewart Street the separation would be 64 %.

SMC 23.49.058.B requires façade modulation above a height of 85 feet above the sidewalk for portions of a structure not set back 15 feet or more from the property line. Above 240 feet the Stewart Street setback is less than 15 feet.

SMC 23.49.030.E.1 provides a minimum aisle width for two-way parking of 20 feet or better.

The applicant requests aisle widths of less than 20 feet at spot locations. (See the Early Design Guidance #2 packet, pp.50.-52, for complete descriptions, diagrams and rationales for the requested departures.

Board's Deliberations

The Board members agreed that the design development had made great progress since the Early Design Guidance meeting by shifting the position of the building core and reconfiguring the parking to allow for substantially more retail space along each street front. They also agreed that the project should proceed to MUP application and return after design development for a Recommendation Meeting.

There was a good deal of discussion, however, and differences in feelings expressed, regarding preferences between the two new alternatives. While alternative two was thought to be a simpler, more perceptibly slender, calmer, and elegant design, one of the Board members responded more favorably to the shift and cant that occurred at the 17th floor of alternative #1. It was thought that alternative #1 deserved further study and exploration as a viable alternative, and the design team was encouraged to do that as the proposal progressed.

At the second EDG meeting the Board gave the following directives for achieving a successful overall design:

- There was a positive response to the unusual rooftop configuration, but the Board would like to see further details, and from a variety of perspectives, how it caps the building.
- The raised outdoor platform area accessed by stairs from Stewart Street and providing accessory space for the adjacent retail was not universally acclaimed by the Board who desired to see further demonstration of actual views down the street toward the water and demonstration of how it would be protected from wind and weather and operate as a successful outdoor retail space. The applicants were asked to provide vignettes of the platform's relationship to the sidewalk and to show how the outdoor space would work.
- Demonstrate to the Board how the turning radii in and out of the parking openings would work safely and effectively.
- Moving the leasing space up to a mezzanine level was acknowledged as a good move by the Board, but members also thought that the external expression of this and related spaces at the northwest lower corner, the junction of the alley and Stewart Street, as portrayed in both alternative one and two, needed to be revisited. It was suggested that the creation of a dynamic corner was a good idea, but perhaps the present rendering exhibited too many acute angles. As expressed by one of the Board members, the treatment of the lower corner should be as elegant as the treatment of the rest of the building.

Recommendation Meeting, September 29, 2015

Design Development

While the proposed building remained at 400 feet in height, with 40 floors, the residential apartment units was reduced from 230 to 177, ground level retail space was expanded (from 1,000 sf to 2,500 sf. The number of parking places was slightly increased to a total of 145. The massing had been canted to reflect the change in the street grid as had been discussed by the Board. The mix of below grade with the above grade parking which was co-mingled with corner

residential units as shown at the second EDG meeting was retained and refined. Two interior rooftop spaces along with outdoor spaces provided amenity areas for residents and gave angular expression to the irregular street geometry below. Moving the leasing office up to level 7, along with other reconfigurations, allowed for nearly a tripling of the street-level retail space. That same level, set back at the 2nd Avenue corner and along Stewart Street with an outdoor terrace, formed a kind of gasket between the parking levels and the residential floors above. The floor was otherwise dedicated to tenants' common spaces, which include fitness and yoga rooms, sauna, steam room, dog run and dog wash among other amenities.

One of the more striking developments was the response to the Board's apprehension regarding the raised outdoor platform area located at the northwest corner of the building at the alley and accessed by stairs from Stewart Street. The outdoor stair and raised ledge had been eliminated and redesigned as a dramatic stair behind a simplified storefront façade. The retail spaces along Stewart Street had been arranged as three different stepped levels connecting to the upper level residential lounge, providing for activation of the entire length of Stewart Street. A striking feature of the newly designed northwest corner, one heartily endorsed by the Board, was the exterior gold wrap which continued interiorly as the wrap of the parking ramp, highly visible from the street on both the Stewart and 2nd Avenue sides.

Public Comment

Public comment included the following:

- Concern that the vehicle access diagrams were inaccurate or incomplete;
- A questioning of safety provisions for entering or leaving alley and parking ramps;
- The retail space was said to look like one continuous lobby space;
- The Scale of the Pike Place market was not reflected in the over-scale, double-height ground floor space.

Departures

Three departures from development standards were requested from the Board (see pages 45-49 of the applicants' September 29, 2015 packet for specifics of their requests and justifications, as well as the Code requirements in each instance).

1. At points on both 2nd Avenue and Stewart Street (see packet, p.46), a departure was sought from the setback requirements of SMC 23.49.056.B.1.b.2.b, which limits both the width and depth of allowable setbacks. **(Departure Granted)**

2. A second, two part, departure request was from SMC 23.49.0018, which calls for continuous weather protection along the entire street frontage. The applicant requested gaps in the continuity of the overhead weather protect at the residential entry on 2nd Avenue, where the gap would signal the residential entry already protected by the overhead structural building overhang (Departure 2,A). **(Departure not granted. The Board wanted a continuity of overhead weather protection along the plane established by the other proposed weather protection on 2nd Avenue)**.

   The other departure request from the requirement for continuous weather protection was at the northwest corner just before the intersection with the alley. This area would benefit from some overhead weather protection due to the structural building overhang above.

Stopping short of the alley, the termination of the overhead weather protection would provide greater architectural clarity to the residential "lantern" wrapping the corner at the alley (Departure 2B). **(Departure Granted, but conditioned to require continuous overhead weather protection at the large structural columns along Stewart Street.)**

3. The applicants further requested a departure from SMC 23.49.030.E.1, which would require minimum parking aisles of 20 feet width. Corner mirrors, traffic signaling, and high visibility markings of the reduced areas would ensure safety and promote the functionality of the resident-only parking. **(Departure Granted, with the proviso that the design team (and building management) would continue to refine safeguards and mechanisms to guarantee a safe and smooth operation of the parking component.)**

Board Direction

The Board congratulated the design team on significant improvements to the project. The shaft of the building was deemed elegant and smart. The simplification of the base form and the re-articulation of the northwest corner were acknowledged as deft moves, as was the continuation of the golden Swisspearl cladding from the outside to the inside in order to encapsulate the parking ramp structure as it protruded into the double-height interior retail and lobby space.

As noted above, the Board approved three of the four total requested departures by a vote of 3-0. The overall design of the building and landscaping was approved by a vote of 3-0, with the following guidance and directives:

- The Board encouraged further study and refinement of the rooftop design;
- The Board recommended that the design team work further with neighbors in the alley to further refine and to address vehicular safety concerns;
- The Board encouraged the design team to continue an exploration of whether the overall design might not be strengthened without the introduction of new materials and color for the proposed screening/cladding of the above grade parking along 2nd Avenue.

Recommended Condition of Approval

Overhead weather protection should be continuous and include the widths of the three easternmost large structural columns along Stewart Street.

DECISION – DESIGN REVIEW

After considering the proposed design and design solutions presented in relation to previously prioritized design guidelines and after having heard public comments on the project's design, the three Design Review Board members present unanimously **recommended approval** of the subject design and unanimously **recommended approval** of the requested development standard departures from the requirements of the Land Use Code (listed above), with the above stated condition.

The Director of Seattle DCI has reviewed the recommendations of the three Design Board members present at the final Design Review recommendation meeting and finds that the Board acted within its authority and the Board's recommendations are consistent with the ***City of***

Seattle Design Review: Guidelines for Downtown Development and do not conflict with regulatory requirements.

Therefore, the proposed design and departures are **APPROVED** as presented at the September 29, 2015, Design Review Board meeting.

ANALYSIS – SEPA

This analysis relies on the ***Environmental (SEPA) Checklist*** for the proposed development submitted by the applicant on May 13, 2015, which discloses the potential impacts from this project. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The 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 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 a significant impact and the decision maker is required to consider the applicable requirement(s) and their effect on the impacts of the proposal.

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.

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

Short-Term Impacts—Construction Related Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.
Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of

construction. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

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

Air Quality

The applicant will take the following precautions to reduce or control emissions or other air impacts during construction:

- *Prior to demolition of the existing MJA building (constructed in 1914, certified monitoring of hazardous materials abatement in accord with PSCAA regulations will have been completed..*
- *During demolition, excavation and construction, debris and exposed areas will be sprinkled as necessary to control dust and truck loads and routes will be monitored to minimize dust-related impacts. Due to the small size of the site, an on-site truck wash and quarry spall may not be necessary or appropriate as the applicant may use "scoop and dump" excavation. This would entail using an excavator tractor to move excavated material to trucks queued along the street. If scoop and dump excavation is used, then a truck wash and quarry spall will not be required.*
- *Using well-maintained equipment and avoiding prolonged periods of vehicle idling will reduce emissions from construction equipment and construction-related trucks.*
- *Using electrically operated small tools in place of gas powered small tools wherever feasible.*
- *Trucking building materials to and from the project site will be scheduled and coordinated to minimize congestion during peak travel times associated with adjacent roadways.*

These and other construction and noise management techniques shall be included in the Construction Impact/ Noise Impact Management Plan to be submitted for approval prior to issuance of construction permits.

Noise

The project is expected to generate loud noise during demolition, grading and construction. Compliance with the Noise Ordinance (SMC 25.08) is required and will limit the use of loud equipment registering 60 dBA (not including construction equipment exceptions in SMC 25.08.425) or more at the receiving property line or 50 feet to the hours between 7:00 a.m. and 10:00 p.m. on weekdays, and between 9:00 a.m. and 10:00 p.m. on weekends and holidays. This condition may be modified by Seattle DCI to allow work of an emergency nature or allow low noise interior work after the exterior of the structure is enclosed. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from Seattle DCI. Construction noise is within the parameters of SMC 25.05.675.L, which states that

the Noise Ordinance provides sufficient mitigation for most noise impacts. Any need to address specific additional noise restrictions because of particularly sensitive sites nearby will be addressed in the Construction Impact/Noise Impact Management Plan to be approved by Seattle DCI and SDOT prior to issuance of any construction permits.

Traffic and Circulation

Site preparation would involve removal of the existing MJA building and excavation for the foundation of the proposed building and below grade parking garage. Material excavated and removed from the site must meet existing City code. Regulating the Kind and Classes of Traffic on Certain Streets (SMC 11.62) designates major truck streets which must be used for hauling and otherwise regulates truck traffic in the city. The proposal site has relatively direct access to both Highway 99 and Interstate 5 and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC 11.62 and prior approval of haul-routes by SDOT. This decision will be conditioned accordingly.

Traffic control during construction would be regulated through the City's street use permit system, and a requirement for the contractor to meet all City regulations pertaining to the same. Temporary sidewalk or lane closures may be required during construction and temporary closures of sidewalks may require the diversion of pedestrians to other sidewalks. The timing and duration of these closures would be coordinated with SDOT to ensure minimal disruptions of traffic and established pedestrian pathways.

Compliance with Seattle's Street Use Ordinance administered by Seattle Department of Transportation (SDOT) is expected to mitigate any adverse impacts to traffic which would be generated during construction of this proposal and no further conditioning is necessary.

Long-Term Impacts – Use-Related Impacts

Traffic and Transportation

The revised Environmental Checklist includes a Transportation Impact Analysis (TIA) prepared by the Transpo Group. The *2nd & Stewart Residential Transportation Impact Analysis*, dated November 2015, was prepared and submitted in support of the project. This report evaluates existing traffic conditions in the study area, estimates the total amount of new traffic to be generated by this project, and evaluates the impact of these new trips on the level-of-service of intersections in the study area.

In project year 2019, the project is expected to generate 251 (or 175 total net new) vehicle trips to the surrounding street system per day, with 14 net new vehicle trips during the AM peak hour and 17 net new vehicle trips during the PM peak hour. As demonstrated in the traffic impact analysis, off-site traffic operations would be essentially unaffected by the proposed project. There would be, however, with the additional on-site parking, a focus of peak hour project-generated traffic at the intersection of the alley and both Stewart Street and Pine Street. The Transportation Impact Analysis shows, however, that all movements to and from the alley would still operate at LOS (Level-of-Service) "C" or better. According to the TRANSPO study, the project is not expected to result in any adverse impacts to site access nor to local area traffic operations. As such, no traffic mitigation under SEPA is warranted or required.

Transportation Concurrency Analysis

The City of Seattle has implemented a Transportation Concurrency System to comply with one of the requirements of the Washington State Growth Management Act (GMA). The system, described in the Seattle DCI *Director's Rule 5-2009 and the City's Land Use and Zoning Code,* is designed to provide a mechanism of applicable "screenlines" that would determine whether adequate transportation would be available "concurrent" with proposed development projects. The transportation concurrency analysis in the TRANSPO *TIA* indicates that with traffic generated by the proposal at the three applicable screenlines would have volume/capacity (v/c) ratios that are less that the City v/c threshold, and thus the project would meet the City's concurrency requirements.

Parking

Parking for the proposed project would be provided by both above grade and below grade garages with a total of 145 stalls, or approximately 0.7 spaces per residential unit. Access to each would be provided via the alley accessed off Stewart Street on the north and Pine Street on the south. The peak parking demand is expected to be below national averages due to the project's relative location in downtown Seattle and its proximity to transit service. A bus stop approximately at the mid-point of the development site along 2nd Avenue serves 16 local and regional routes for both King County Metro and Sound Transit. The Seattle Land Use Code does not require the residential uses in the project to provide any parking; retail uses under 7,500 sq. ft. are similarly not required to provide parking.

According to the TRANSPO analysis, the proposed parking supply of 145 spaces is expected to adequately accommodate demand from residents. Localized peak parking demand, including residential, residential visitor and retail customer generated by the proposal is estimated to be a total of 98 vehicles. Some parking demand generated by the retail portion of the site or by visitors to local residents would likely occur at metered on-street spaces or in nearby pay lots. The project is not expected to result in significant adverse impacts to the local parking supply.

SMC 23.49.019, Table A, outlines the City's bicycle siting and quantity requirements. The proposal would be required to supply 70 bicycle parking spaces. The project is supplying a total of 74 spaces, which exceeds the required bicycle parking supply.

Height, Bulk, and Scale

The Downtown design guidelines are intended to mitigate height, bulk and scale impacts under SEPA. A project that is approved pursuant to the design review process is presumed to comply with the City's SEPA policies regarding height, bulk, and scale. Through the design and environmental review process, Seattle DCI has found no evidence that height, bulk or scale were not adequately addressed through the design review process and compliance with the design guidelines. As such, no additional mitigation regarding height, bulk and scale is warranted or required.

DECISION – STATE ENVIRONMENTAL POLICY ACT (SEPA)

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

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

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(c).

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

CONDITIONS – SEPA

Prior to Issuance of any Demolition, Construction, Shoring or Grading Permits

1. The applicant shall submit for review and approval a Construction Impact/ Noise Impact Management Plan, as referenced in the decision above, to the Seattle Department of Transportation Planning and Development and Seattle DCI. The plan shall identify approved haul routes, including those for demolition debris and excavation materials, as well as details for the management of construction activities and noise, including construction hours and worker parking arrangements. The plan shall also include contractor contact information, and anticipated street, alley and sidewalk closures.

During Excavation, Demolition, and Construction

2. Debris and exposed areas shall be sprinkled as necessary to control dust; a truck wash and quarry spall areas shall be provided on-site prior to the construction vehicles exiting the site if scoop and dump excavation is not used; and truck loads and routes shall be monitored to minimize dust-related impacts. *Due to the small size of the site, an on-site truck wash and quarry spall may not be necessary or appropriate as the applicant may use "scoop and dump" excavation. This would entail using an excavator tractor to move excavated material to trucks queued along the street. If scoop and dump excavation is used, then a truck wash and quarry spall shall not be required.*

CONDITIONS DESIGN REVIEW

3. The overhead weather protection shall be continuous and include the widths of the three easternmost large structural columns along Stewart Street.

Michael Dorcy, Senior Land Use Planner Date: February 4, 2016
Seattle Department of Construction and Inspections

MD:drm

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered "approved for issuance". (If your decision is appealed, your permit will be considered "approved for issuance" on the fourth day following the City Hearing Examiner's decision.) Projects requiring a Council land use action shall be considered "approved for issuance" following the Council's decision.

The "approved for issuance" date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by Seattle DCI within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.