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 SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS

Application Number: 3018578

Applicant Name: Ian Kell of the Seneca Group for Acorn Development LLC.

Address of Proposal: 2200 7th Ave

SUMMARY OF PROPOSAL

Land Use Application to allow a 24-story tower and an 8-story building containing 853,049 sq. ft. of office space and 23,128 sq. ft. of retail space. Parking for 877 vehicles to be provided below grade. Existing structures to be removed.

An alley vacation was requested and has been granted for this development.

The following approvals are required:

Design Review with Departures - (Seattle Municipal Code 23.41)*

SEPA - Environmental Determination - (Seattle Municipal Code Chapter 25.05)

*Departures are described at the end of the Design Recommendation summary.

SEPA DETERMINATION:

☒ Determination of Significance*

☐ No mitigating conditions of approval are imposed.

☐ Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts.

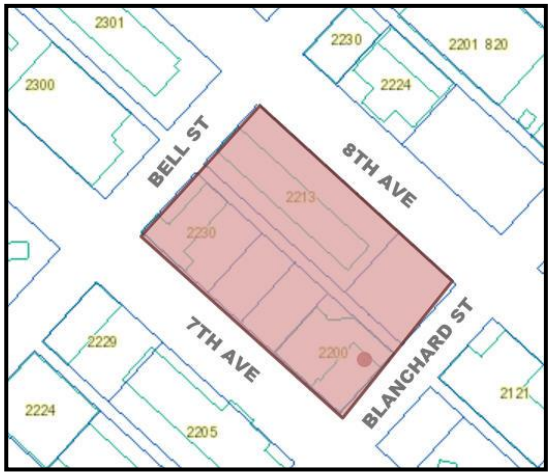
*This project includes an Addendum to the Downtown Height and Density Final EIS, which has been adopted for this proposal.

Site Zone: DMC 340/290-400 (Downtown Mixed Commercial 340/290-400

Nearby Zones: North: DMC 240/290-400
South: DMC 500/300-500
West: DMC 240/290-400
East: DMC 340/290-400

Lot Area: 83,460 square feet

ECAs: None



PUBLIC COMMENT:

The public comment period ended on May 6, 2015. In addition to the comments received through the Design Review process, other comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to shadow impacts and the cumulative impacts of the development to the neighboring area, including traffic and open space, and a request for a full EIS.

I. ANALYSIS – DESIGN REVIEW

CURRENT AND SURROUNDING DEVELOPMENT; NEIGHBORHOOD CHARACTER

The site is located within the Denny Triangle neighborhood of downtown. On the west side of the alley the site is predominately surface parking with two single story structures that were occupied by a car rental company, and a restaurant. On the east side of the alley is a 3 story structure that was built as a hotel and was being used as housing for a college.

The nearby blocks and neighborhood is experiencing rapid transition from a low density, under used area of surface parking and smaller scale retail structures and hotels to a mixture of office and residential high rise towers. New high rise office development has been recently completed with addition development under construction on the blocks directly to the south. A full block of office use is planned for the block across Blanchard St. from the site, under MUP #3013154. Across 7th and 8th Ave residential towers are planned. A couple blocks to the west a full block with two residential towers was recently completed. Across Bell St. is a single story mid-century office building and four story hotel and across 7th Ave is a 4-story hotel, and a single story retail structure.

The site is served by multiple bus lines and is within easy walking distance of Westlake Center and the Westlake Station of the downtown tunnel with metro bus and light rail service. The South Lake Union streetcar runs down Westlake Ave a few blocks to the east. 7th Avenue is a primary bike corridor, with a planned cycle track. Bike traffic crisscrosses the neighborhood on multiple streets, including Bell and Blanchard St.

Recreational opportunities and green space are available with Denny Park to the north and the proposed park at Westlake and 8th Ave.

INITIAL EARLY DESIGN GUIDANCE November 18, 2014

The packet includes materials presented at the meeting, and is available online by entering the project number 3018578 at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

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

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DESIGN DEVELOPMENT

The applicant presented three massing options.

COMMENTS FROM THE DESIGN COMMISSION

The following comments were received from the Design Commission Staff and were read at the meeting by the Seattle DCI Land Use Planner:

The Design Commission had comments related to the following:

- The quality of the pedestrian environment along 8th Ave.
- High quality, functional and usable open space, there is concern that the amount of open space required to meet code may make it difficult to provide adequate public benefits on site.
- They will be interested in seeing more information about the proposed public benefit package and Green St. improvements, including how the proposed Bell St. curb cut will work on a Green street.

PUBLIC COMMENT

Members of the public attended the Initial Early Design Guidance Meeting. The following comments were offered:

- Encouraged the Board to ensure that the public benefits created by the alley vacation are a 'level above' what would normally be provided.
- Encouraged the Board to use their insight when providing guidance relating to the public interest and public spaces on the outside of the building, especially Bell St.

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.

INITIAL EARLY DESIGN GUIDANCE: November 18, 2014

As this project is requesting an alley vacation much of the Board's guidance was about how the proposed on site open space should interface with the streetscape. As the placement of the buildings on the site is what creates the opportunities for successful open space, much of the guidance on the massing was given in this context.

1. **Massing at Grade: The Board gave guidance to pursue whatever massing option provides better public open space, but expressed they would support a version of the preferred Option 3 if it is well designed and provides well designed open space. (B3, B4)**
    a. Pursue Option 3 with more transparency at the ground level open space and resolve how the through block connection will work to engage the development with the street. Erode the corner of the tower at Bell St. and 8th Ave. and the three-story plinth. (B4.1&2)
    b. Consider development of Option 2 that incorporates a shifting and narrowing of the lower building to create better open space. (B4.1)
    c. Consider combining Options 1 and 2 to provide an option with all open space accessible at grade. (B4.1)
    d. Consider a development of Option 1 that narrows the building to provide more open space along the two green streets, Bell and Blanchard St. (B4.1)
    e. Consider moving the massing back at grade to provide relief on the green streets, Bell and Blanchard St.(B1.1, B3.3, C1.3)

2. **Upper Massing: The Board gave the following guidance on the development of the upper level massing of the Options. (A2, B4.2, C2)**
    a. Provide significant modulation and strong articulation of the shaft and tower in Option 3.
    b. The Board encouraged the 'gap' between the top of the podium and the tower in Option 3. (A2, B4)
    c. Work with the 'yellow ribbon' concept presented in Option 3, which represents a two to three story 'band' wrapping around and through the site. Consider bringing the ribbon up the tower. (A2, B4)
    d. Redesign the 'odd' proportions of the tower with modulation and façade treatment. (C2.1)
    e. The Board indicated some support for the massing of the tower on Option 2, noting the massing of the preferred option 3 tower was bulky. (B4)

3. **Relationship to the Street: The Board emphasized the importance of how the on-site uses will interface with the street and noted that any benefits need to be for the public. Direct connect to the street is key. (B3, B4, C1, D1.1&2)**
    a. Make the site porous and inviting to pedestrians along 8th Ave. (C1, D1)

b. Pursue an Option 3 design with more transparency at the ground level open space and resolve how the through block connection will work to engage more with the street. (C1.3, C3.1)
c. Consider lowering the through block open space in Option 3 so it accessible at grade on both 7th and 8th Avenues. The open space on the podium along 8th Ave will create a disconnect between the street and the sidewalk. (B3.1)
d. Consider placing uses other than offices at the lower floors that would provide a different design treatment near the street. (C1.3, C3.1)
e. Provide access to the open space at grade as presented in Option 2. (D1)

4. **Open Space: The Board directed the applicant to program the on-site open space to enhance public benefits. (D1.1&2, D2, D3, D5, D6)**
   a. Design the access to all open space to be easily accessible and useable for the public. (D1.1&2)
   b. Consider lowering the through block open space in Option 3 so it accessible at grade on both 7th and 8th Avenues. (B3.1)
   c. Provide easily accessible public space. Program the open space and retail space to complement each other, and relate to the two green streets, Bell and Blanchard St. (B1.1)
   d. Design the scale of the open space so that it will appear inviting when empty. (D2.1, D3, D5, D6)
   e. Resolve the open space of the preferred Option 3 to meet the street, feel comfortable, and be activated. (D1.1&2, D2.1, D3, D5, D6)

SECOND EARLY DESIGN GUIDANCE: January 20, 2015

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DESIGN DEVELOPMENT

The applicant presented a design in response to the guidance given at the Initial EDG.

PUBLIC COMMENT

At the Second EDG Meeting the following public comments were offered:

- Expressed that the project must have elements of public use if the project is getting an alley vacation.
- Expressed that not enough open space was being proposed and that the corners need to be open to the public.
- Expressed that the proposed treatment of Bell St. and Blanchard St. was not sufficient and more open spaces should be provided.
- Encouraged more public benefits on Bell St. and Blanchard St.
- Stated that the proposed massing does not meet Design Guidelines A1 (Respond to the Physical Environment) and B1 (Respond to the Neighborhood Context). As Bell St is the more "sensitive" street, the building mass setback from the street should be increased.
- Stated that the tower is set back 15' but is 215' wide along Bell St. and will appear relentless and overbearing. Noted the design needs to meet the requirements of the design guidelines.
- Stated the 340' height limit of the zone is across Bell St. from a 240' height limit zone. Placing the tower near zone transition is not meeting Guideline B2 (Create a Transition in Bulk and Scale).
- Encouraged the Board to consider how the proposed development will cast shadows on Denny Park. Stated a real shadow study would look at more than 3 days a year.
- Noted that the Land Use Code determines curb cut access to sites and per code requirements, a curb cut on Bell St should not be allowed.
- Noted that Green Streets are meant to reduce traffic.
- Supported the plans for design treatment along 7th and 8th Avenues but not the two Green Streets, Bell and Blanchard. Encourage a design that is more pedestrian friendly and will calm traffic.
- Encouraged a city maintained Green Street along Bell St. from the waterfront to Denny Way.
- Encouraged the applicant to work with the City and community groups.

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.

SECOND EARLY DESIGN GUIDANCE: January 20, 2015

As the project site abuts two Green Streets (Bell St and Blanchard St) and will have open space providing a through block connection from 7th and 8th Ave, most of the Board deliberation was focused on open space and the design along the site edge, especially Bell St.

1. **Tower and Massing: The Board stated that the massing of the tower is going in the right direction and is elegant, but the lower three story 'zone' is protruding above the ground floor in odd places. The applicant, in response to Board questioning, had indicated that at this time there was no program for the shared lower floors beyond**

being designated "office common area". The Board directed the applicant to use this as an opportunity to study how to enhance and promote the Green Streets and let this objective inform the design of this space. (B1.1, B4.1,B4.2)

a. Design and scale back the lower level zone of the building to respect the Green Streets and public space. (B1.1, B4.1, B4.2)

2. **Treatment Along Bell Street: The Board conveyed that the curb cut decision and design should be handled by Seattle DCI and SDOT, and gave the following guidance:**
   a. Design the street-level building facades, open space and landscaping along Bell St. with the same level of thought and detail as has been given to the open space of the through block connection. (C1, C3, D1.1, D2.1.l)
   b. The curb cut on Bell St. should be exit only. (E2.2, E2.1.l)
   c. Design Bell Street to minimize or discourage vehicle use. (C1)

3. **Relationship to the Street: The Board remarked that the accessibility to the site was much improved from the first EDG meeting. However, it appeared the applicant concentrated on the design of the interior site open space at the expense of the site edges and treatment of the two Green Streets.(C1, C3, D1)**
   a. The design of the public edge and central open spaces need to be well executed. (C1, C3, D1)
   b. Design the street-level building facades, open apace and landscaping along the Green Streets with the same level of thought and detail as has been given to the open space of the through block connection. (C1, C3, D1.1)
   c. Design all of the site corners with the same level of attention and detail. (C1, C3, D1, D3.2)
   d. Provide more information about how ADA access at the corner of 7th Ave and Blanchard St. will work. (D1.2.a)
   e. Design all the open spaces and the edge of the right-of-way to be attractive to the public. (C1, C3, D1)

4. **Open Space: The Board gave strong guidance to program and design all open space at the interior and the edge of the right-of-way to be attractive to the public. (C1, D1)**
   a. Both the design of the public edge and the central open spaces need to be well executed. (C1, D1)
   b. Design and program the open space along 7th Ave and Blanchard St. for community public use. (C1, D1)
   c. The open space off 8th Ave and Bell St. under the building has good potential to act as a connection into the site but needs to be programmed and designed to be considerate of public use and space. Scale back the lower zone of the building to respect this public space. (B1.1, B3.3, D1)

RECOMMENDATION MEETING: September 8, 2015

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DESIGN DEVELOPMENT

The applicant presented a design in response to the guidance given at the Second EDG meeting.

PUBLIC COMMENT

Members of the public were present at the Recommendation meeting and offered the following comments.

- Appreciated and encouraged the Bell St. design with its greenery, seating and relationship to the abutting retail uses.
- Appreciated and supported the elimination of the podium overhang and hopes it sets a precedent for other projects.
- Supported the wider sidewalk at 8th Ave.
- Supported the cycle track on 7th Ave.

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.

RECOMMENDATION MEETING: September 8, 2015

The Board expressed their appreciation of the packet and project design.

1. **Tower and Bridge: The Board was pleased with the tower design and noted that the elimination of the podium level 'ribbon' from the design shown at the Second EDG meeting had created a tower with better proportions. The Board commented that the bridge between the tower and midrise structure should not be viewed as a vestige of the 'ribbon' concept of the earlier design and its visual impact should be minimized. (B4) The follow condition was recommended;**
    a. Remove the yellow frame at the connection bridge. The yellow color should only be used on the soffit where the bridge intersects with the structures. (B4.3)

2. **Commercial Street Frontage Design: The Board expressed that the stepping of the slab for commercial space on the green streets is fantastic. The Board supported and encouraged the "box" framing around the commercial spaces on the Green Streets as it will provide identity for each space. They noted that the combination of the frames and the building recess above, created a strong design statement, separate from the structure above. (B4.2, C1, C2) The following conditions were recommended;**
    a. Provide the "box" framing element at all the street level commercial spaces. Design the framing to give clarity and strength to the street frontages without being identical. (B4.2, B4.3, C1, C2)
    b. Canopies at the commercial spaces should be glass so that they are visually secondary to the framing element. (C5.1.a & b)

3. **7th Ave Design: The Board asked the applicant to consider using grass instead of a synthetic material on the 7th Ave. plaza as building maintenance would be able to maintain the upkeep of the grass. (D2) The following conditions were recommended;**
    a. Design the access to the plaza at the corner of 7th Ave and Blanchard St without stairs, to be accessible. (C1, D1)
    b. Determine which material, grass or a synthetic material, is appropriate for the 7th Ave plaza. (D2)

4. **8th Ave Design: The Board supported the wide sidewalk and the added commercial space. They remarked that the small commercial space between the loading dock entry and building lobby can work as there is only one space that size, but expressed concern that the display window to the north would be successful. The Board appreciated the tower relationship to the 8th Ave plaza and hillclimb and that the corner tower column had been moved inside the structure. (B3.3, C3.1.a) The following condition was recommended;**
    a. Design the display space to be accessible and an active element along the streetscape. (C3.1)

5. **Bell St Design: The Board expressed support for the proposed Bell St Improvements and design which is using the Bell Street park language, and the commercial entries and setbacks. (D1, D2.1.l)**

6. **Lighting: The Board noted that the taller lighting fixtures at the plaza between the tower and midrise were appropriate. (B4.3.o, D5) The Board recommended the following condition:**
    a. Down light the trees; up lighting is not supported. (D5.1.c)

DESIGN REVIEW GUIDELINES

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.

A1.1. Response to Context: 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.).

A1.2. Response to Planning Efforts: Some areas downtown are transitional environments, where existing development patterns are likely to change. In these areas, respond to the urban form goals of current planning efforts, being cognizant that new development will establish the context to which future development will respond.

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.

B1.2. Land Uses: Also, consider the design implications of the predominant land uses in the area surrounding the site.

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.

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.

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.

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.

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.

PUBLIC AMENITIES

D1 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.

D1.1. Pedestrian Enhancements: Where a commercial or mixed-use building is set back from the sidewalk, pedestrian enhancements should be considered in the resulting street frontage. Downtown the primary function of any open space between commercial buildings and the

sidewalk is to provide access into the building and opportunities for outdoor activities such as vending, resting, sitting, or dining.

a. All open space elements should enhance a pedestrian oriented, urban environment that has the appearance of stability, quality, and safety.
b. Preferable open space locations are to the south and west of tower development, or where the siting of the open space would improve solar access to the sidewalk.
c. Orient public open space to receive the maximum direct sunlight possible, using trees, overhangs, and umbrellas to provide shade in the warmest months. Design such spaces to take advantage of views and solar access when available from the site.
d. The design of planters, landscaping, walls, and other street elements should allow visibility into and out of the open space.

D1.2. Open Space Features: Open spaces can feature art work, street furniture, and landscaping that invite customers or enhance the building's setting. Examples of desirable features to include are:

a. visual and pedestrian access (including barrier- free access) into the site from the public sidewalk;
b. walking surfaces of attractive pavers;
c. pedestrian-scaled site lighting;
d. retail spaces designed for uses that will comfortably "spill out" and enliven the open space;
e. areas for vendors in commercial areas;
f. landscaping that enhances the space and architecture;
g. pedestrian-scaled signage that identifies uses and shops; and
h. site furniture, art work, or amenities such as fountains, seating, and kiosks. residential open space

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.

D3 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.

D3.1. Public Space Features and Amenities: Incorporate one or more of the following a appropriate:

a. public art;
b. street furniture, such as seating, newspaper boxes, and information kiosks;
c. distinctive landscaping, such as specimen trees and water features;
d. retail kiosks;
e. public restroom facilities with directional signs in a location easily accessible to all;
f. public seating areas in the form of ledges, broad stairs, planters and the like, especially near public open spaces, bus stops, vending areas, on sunny facades, and other places where people are likely to want to pause or wait.

D3.2. Intersection Focus: Enliven intersections by treating the corner of the building or sidewalk with public art and other elements that promote interaction (entry, tree, seating, etc.) and reinforce the distinctive character of the surrounding area.

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

E1 Minimize Curb Cut Impacts: Minimize adverse impacts of curb cuts on the safety and comfort of pedestrians.

E1.1. Vehicle Access Considerations: Where street access is deemed appropriate, one or more of the following design approaches should be considered for the safety and comfort of pedestrians.

a. minimize the number of curb cuts and locate them away from street intersections;
b. minimize the width of the curb cut, driveway, and garage opening;
c. provide specialty paving where the driveway crosses the sidewalk;
d. share the driveway with an adjacent property owner;
e. locate the driveway to be visually less dominant;
f. enhance the garage opening with specialty lighting, artwork, or materials having distinctive texture, pattern, or color
g. provide sufficient queueing space on site.

E1.2. Vehicle Access Location: Where possible, consider locating the driveway and garage entrance to take advantage of topography in a manner that does not reduce pedestrian safety nor place the pedestrian entrance in a subordinate role.

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.

E2.2. Parking Structure Entrances: Design vehicular entries to parking structure so that they do not dominate the street frontage of a building. Subordinate the garage entrance to the pedestrian entrance in terms of size, prominence on the street-scape, location, and design emphasis. Consider one or more of the following design strategies:

i. Enhance the pedestrian entry to reduce the relative importance of the garage entry.
j. Recess the garage entry portion of the facade or extend portions of the structure over the garage entry to help conceal it.
k. Emphasize other facade elements to reduce the visual prominence of the garage entry.
l. Use landscaping or artwork to soften the appearance of the garage entry from the street.
m. Locate the garage entry where the topography of the site can help conceal it.

E3 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.

E3.1. Methods of Integrating Service Areas: Consider incorporating one or more of the following to help minimize these impacts:

a. Plan service areas for less visible locations on the site, such as off the alley.
b. Screen service areas to be less visible.
c. Use durable screening materials that complement the building.
d. Incorporate landscaping to make the screen more effective.

e. Locate the opening to the service area away from the sidewalk.

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 Recommendation Meeting the following departures were requested.

1. **Facade Setback Limits** (**SMC23.49.056.A.1):** The Code requires a minimum height of 25' on designated green streets**.** Along Bell St. at the corner of 7th Ave the applicant is proposing a section of the façade that is 16'-4" in width to be below the minimum 25' height.

   This departure would provide an overall design that would better meet the intent of Design Guideline **C2 Design Facades of Many Scales,** by lowering the scale of the facade at the corner, as a transition to the 7th Ave pedestrian plaza.

The Board voted, unanimously to recommend this departure.

2. **Facade Setback Limits** (**SMC23.049.056.B.2.b):** The Code requires on streets not requiring property line facades, that the maximum area of all setbacks between the street lot line and facade along each street frontage of a lot shall not exceed the area derived by multiplying the averaging factor by the width of the street frontage of the structure along that street. The averaging factor is ten on designated green streets. Along Bell St. the applicant is proposing a setback that varies from 10' to 15' along a distance of 201'-9". The maximum allowed setback area is 2,018'; the applicant is proposing an area that is 2,313 sq. ft.

   This departure would provide an overall design that would better meet the intent of Design Guideline **B3.3 Pedestrian Amenities at the Ground Level, C1.1. Street Level Uses, C1.2 Retail Orientation and D2.1.l Landscape Enhancements on Green Streets.** The setback along Bell St is in keeping with the concept of providing generous open space along designated green streets, area for pedestrian amenities and area for usable space adjacent to commercial space.

   The Board voted, unanimously to recommend this departure.

3. **Facade Setback Limits** (**SMC23.049.056.B.2.b):** The Code requires on streets not requiring property line facades, that the maximum area of all setbacks between the street lot line and facade along each street frontage of a lot shall not exceed the area derived by multiplying the averaging factor by the width of the street frontage of the structure along that street. The averaging factor is ten on designated green streets. Along Blanchard St. the applicant is proposing a setback that varies from 9'-9"to 36'-4"along a distance of 189'. The maximum allowed setback area is 1,890 sq. ft.; the applicant is proposing an area that is 3,043 sq. ft.

   This departure would provide an overall design that would better meet the intent of Design Guideline **C1.1. Street Level Uses, C1.2 Retail Orientation and D2.1.l Landscape Enhancements on Green Streets.** The setback along Blanchard St is in keeping with the concept of providing generous open space along designated Green Streets, area for pedestrian amenities and area for usable space adjacent to commercial space.

The Board voted, unanimously to recommend this departure.

4. **Facade Setback Limits** (**SMC23.049.056.B.2.b):** The Code requires on streets not requiring property line facades, that the maximum area of all setbacks between the street lot line and facade along each street frontage of a lot shall not exceed the area derived by multiplying the averaging factor by the width of the street frontage of the structure along that street. The averaging factor is ten on Class II streets. Along 8th Ave the applicant is proposing a setback that varies from 1'-6" to 57'-8" along a distance of 340'. The maximum allowed setback area is 3,400 sq. ft.; the applicant is proposing an area 6,995 sq. ft.

   This departure would provide an overall design that would better meet the intent of Design Guideline **D1.1 & 2 Provide Inviting & Usable Open Space.** The setback along 8th Ave will allow area for the public hillclimb off the corner of 8th Ave and Bell St. This area is part of the public benefit for the proposed alley vacation.

   The Board voted, unanimously to recommend this departure.

5. **Facade Setback Limits** (**SMC23.049.056.B.2.c):** The Code requires on streets not requiring property line facades, that the maximum width, measured along the street lot line, of any setback area exceeding a depth of 15 feet from the street lot line shall not exceed 80 feet, or 30 percent of the lot frontage on that street, whichever is less. Along 8th Ave the applicant is proposing a setback that exceeds 15' for a section of facade 104'-8" in length which is greater than 80'.

   This departure would provide an overall design that would better meet the intent of Design Guideline **D1.1 & 2 Provide Inviting & Usable Open Space.** The setback along 8th Ave will allow area for the public hillclimb off the corner of 8th Ave and Bell St. This area is part of the public benefit for the proposed alley vacation.

   The Board voted, unanimously to recommend this departure.

6. **Facade Setback Limits** (**SMC23.49.056.B.2.d):** The Code requires, on streets not requiring property line facades, that the maximum setback of the facade from the street lot lines at intersections is 10 feet. The minimum distance the facade must conform to this limit is 20 feet along each street. The applicant proposes a greater setback at the corner of 8th Ave and Blanchard St with a 40' setback from 8th Ave and a 36'-6" from Blanchard St.

   This departure would provide an overall design that would better meet the intent of Design Guideline **C1.1. Street Level Uses and C1.2 Retail Orientation.** The setback at the corner of 8th Ave and Blanchard St will provide area for pedestrian amenities and area for usable space adjacent to commercial space.

   The Board voted, unanimously to recommend this departure.

7. **Facade Setback Limits** (**SMC23.49.056.B.2.d):** The Code requires, on streets not requiring property line facades, that the maximum setback of the facade from the street lot lines at intersections is 10 feet. The minimum distance the facade must conform to this limit is 20 feet along each street. The applicant proposes a greater setback at the corner of 8th Ave and Bell St. with a setback of 27'-6" from 8th Ave.
   This departure would provide an overall design that would better meet the intent of Design Guideline **D1.1 & 2 Provide Inviting & Usable Open Space.** The setback along 8th Ave

will allow area for the public hillclimb off the corner of 8th Ave and Bell St. This area is part of the public benefit for the proposed alley vacation.

The Board voted, unanimously to recommend this departure.

8. **Facade Setback Limits (SMC23.49.056.B.2.d):** The Code requires, on streets not requiring property line facades, that the maximum setback of the facade from the street lot lines at intersections is 10 feet. The minimum distance the facade must conform to this limit is 20 feet along each street. The applicant proposes a greater setback at the corner of 7th Ave and Bell St., with a setback of 15' from Bell St.

   This departure would provide an overall design that would better meet the intent of Design Guideline **B3.3 Pedestrian Amenities at the Ground Level, C1.1. Street Level Uses, C1.2 Retail Orientation and D2.1.l Landscape Enhancements on Green Streets.** The setback along Bell St is in keeping with the concept of providing generous open space along designated Green Streets, area for pedestrian amenities and area for usable space adjacent to commercial space.

   The Board voted, unanimously to recommend this departure.

9. **Blank Facade Limits** (**SMC23.049.056.D.2.a):** The Code requires on designated green streets, that blank facades shall be no more than 15 feet wide. The applicant is proposing a blank façade area with a width of 68'-7" on Blanchard St.

   This departure would provide an overall design that would better meet the intent of Design Guideline **C1.1. Street Level Uses and C1.2 Retail Orientation.** A good part of the blank façade area is the 'supporting' wall for a plaza area adjacent to commercial space, caused by the slope along Blanchard St. Allowing for this portion of blank façade will provide area for pedestrian amenities and area for usable space adjacent to commercial space.

   The Board voted, unanimously to recommend this departure.

10. **Blank Facade Limits** (**SMC23.049.056.D.2.c):** The Code requires on designated green streets that the total width of all blank facade segments, including garage doors, shall not exceed 40 percent of the street-facing facade of the structure on each street frontage. The applicant is proposing a blank façade area of 40.9% on Blanchard St.

    This departure would provide an overall design that would better meet the intent of Design Guideline **C1.1. Street Level Uses and C1.2 Retail Orientation.** A good part blank of the blank façade area is the 'supporting' wall for a plaza area adjacent to commercial space, caused by the slope along Blanchard St. Allowing for this portion of blank façade will provide area for pedestrian amenities and area for usable space adjacent to commercial space.

    The Board voted, unanimously to recommend this departure.

11. **Facade Setback Limits** (**SMC23.049.056.D.3.a):** The Code requires on class II pedestrian streets that blank façade segments shall be no more than 30 feet wide, except for garage doors, which may exceed 30 feet. The applicant is proposing a blank façade segment with a width of 107'-5" on 8th Ave.

    This departure would provide an overall design that would better meet the intent of Design Guideline **D1.1 & 2 Provide Inviting & Usable Open Space.** The blank façade along 8th is

below the public hillclimb as it rises off the corner of 8th Ave and Bell St. The hillclimb is a public amenity and part of the public benefit from the proposed alley vacation.
The Board voted, unanimously to recommend this departure.

12. **Loading Berth Standards** (**SMC23.054.035.C.1.a):** The Code requires that each loading berth shall be not less than 10' in width and shall provide not less than 14' vertical clearance and that each loading berth for low- and medium-demand uses, shall be a minimum of 35' in length unless reduced by determination of the Director. The applicant is proposing that four of the required 9 loading berths be 10' by 20' van berths instead, as it is expected that a high percentage of deliveries will be by smaller vans.

    This departure would provide an overall design that would better meet the intent of Design Guideline **C1.1. Street Level Uses** by allowing for more area for commercial use.

    The Board voted, unanimously to recommend this departure.

BOARD RECOMMENDATIONS

The recommendation summarized below was based on the design review packet dated September 8th, 2015, and the materials shown and verbally described by the applicant at the September 8th, 2015 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, four Design Review Board members recommended **APPROVAL** of the subject design and of the requested departures with the following conditions:

1. Remove the yellow frame at the connection bridge. The yellow color should only be used on the soffit where the bridge intersects with the structures. (B4.3)
2. Provide the "box" framing element at all the street level commercial spaces. Design the framing to give clarity and strength to the street frontages without being identical. (B4.2, B4.3, C1, C2)
3. Canopies at the commercial spaces should be glass so that they are visually secondary to the framing element. (C5.1.a & b)
4. Design access to the plaza at the corner of 7th Ave and Blanchard St without stairs, to be accessible. (C1, D1)
5. Study which material, grass or a synthetic material, is appropriate for the 7th Ave plaza. Determine the expected use and maintenance impacts of providing grass verses a synthetic material. (D2)
6. Design the display space on 8th Ave to be accessible and an active element along the streetscape. (C3.1)
7. Down light the trees; up lighting is not supported. (D5.1.c)

ANALYSIS & DECISION – DESIGN REVIEW

Directors Analysis

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

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

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

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

At the conclusion of the Recommendation meeting held on September 8, 2015, the Board recommended approval of the project with the condition described in the summary of the Recommendation meeting above.

Three members of the Downtown Design Review Board and one member of the East Board as a substitute, were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3).

The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

Following the Recommendation meeting, Seattle DCI staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board.

1. The applicant responded in the MUP plan set by changing the design so that the yellow frame at the connection bridge has been removed, therefore satisfying condition #1.
2. The applicant responded in the MUP plan set by changing the design so that the street facing retail spaces have framing elements that are similar but not identical, therefore satisfying condition #2.
3. This condition has not been fully met in the MUP plan set and will be a condition of the building permit (see conditions at the end of the decision).
4. The applicant responded in the MUP plan set by changing the plaza design so that access to the plaza at the corner of 7th Ave and Blanchard St is accessible without the use of stairs, therefore meeting condition #4.
5. This condition has not been fully met in the MUP plan set and will be a condition of the building permit (see conditions at the end of the decision).
6. The applicant responded in the MUP plan set by changing the design so that the "display" space on 8th Ave is now accessible and a small retail space, therefore satisfying condition #6.
7. This condition has not been fully met in the MUP plan set and will be a condition of the building permit (see conditions at the end of the decision).

The applicant shall be responsible for ensuring that all construction documents, details, and specifications are shown and constructed consistent with the approved MUP drawings.

The Director of Seattle DCI has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines. The Director is satisfied that recommendations 1, 2, 4 and 6 of the recommendations imposed by the Design Review Board have been met and conditions 3, 5 and 7 shall be required.

DIRECTOR'S DECISION

The Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departure with the conditions summarized at the end of this Decision.

II. ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA) WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code (SMC) Chapter 25.05).

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and 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 (referred to as the "*Downtown* FEIS"). The FEIS identified, evaluated, and compared the probable significant environmental impacts that could result from changing the height and density requirements in several Downtown Seattle zoning districts. Analysis contained in the *Downtown* FEIS evaluates the direct, indirect, and cumulative impacts of a *Preferred Alternative*, as well as four additional alternatives.

The subject site is within the geographic area that was analyzed in the Downtown FEIS and the proposed development is within the range of actions and impacts that were evaluated in the various alternatives. Seattle DCI 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.

Seattle DCI adopted the FEIS. Seattle DCI relies on SMC 25.05.600, allowing the use of existing environmental documents as part of its SEPA responsibilities with this project. Seattle DCI has determined that the proposed impacts for this Master Use Permit are identified and analyzed in the referenced EIS; however additional analysis is warranted as permitted pursuant to SMC 25.05.625-630, through an Addendum to the EIS.

The EIS Addendum and related documents addressed the following areas of environmental impact:

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

An Addendum analyzing these areas of environmental impact was prepared and the Notice of Adoption and Availability of Addendum ("Addendum to the Downtown Final EIS for the Height and Density Alternatives") was published in the City's Land Use Information Bulletin on November 5, 2015. A notice of the Addendum was sent to parties of record that commented on the EIS. In addition, a copy of the notice was sent to parties of record for this project.

ENVIRONMENTAL IMPACTS

The following is a discussion of the impacts identified in the above element of the environment, along with indication of any required mitigation for the impacts disclosed. The impacts detailed below were identified and analyzed in the Downtown EIS with more specific project-related discussion in the 2015 Addendum and related documents, or were addressed in the project specific EIS Addendum.

Short Term Impacts

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. The Addendum identified potential mitigation related to Greenhouse Gas emissions.

While these impacts are adverse, they are not expected to be significant. No further mitigation is warranted pursuant to SMC 25.05.675.F.

Construction Impacts - Parking and Traffic

SMC 25.05.675.B provides policies to minimize or prevent temporary adverse impacts associated with construction activities. The EIS identified potential construction impacts from

new construction in the Downtown area. The Addendum identified potential mitigation related to Construction impacts, including a Construction Management Plan for noise, air quality, lighting, and public right of way permitting requirements.

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted and a Construction Management Plan is required, which will be reviewed by Seattle Department of Transportation (SDOT). The requirements for a Construction Management Plan include a Haul Route and a Construction Parking Plan. The submittal information and review process for Construction Management Plans are described on the SDOT website at: http://www.seattle.gov/transportation/cmp.htm.

Construction: Noise

SMC 25.05.675.B provides policies to minimize or prevent temporary adverse impacts associated with construction activities. The EIS identified potential noise impacts from new construction in the Downtown area. The Addendum identified potential mitigation related to Construction impacts, including a Construction Management Plan for noise, air quality, lighting, and public right of way permitting requirements.

A Construction Management Plan will be required prior to issuance of the first building permit, including contact information in the event of complaints about construction noise, and measures to reduce or prevent noise impacts. The submittal information and review process for Construction Management Plans are described on the SDOT website at: http://www.seattle.gov/transportation/cmp.htm. The limitations stipulated in the Noise Ordinance and the CMP are sufficient to mitigate noise impacts; therefore no additional SEPA conditioning is necessary to mitigation noise impacts per SMC 25.05.675.B.

Environmental Health

The applicant submitted studies regarding potential existing contamination on site; Phase II Environmental Site Assessment, Block 21, Denny Triangle prepared for Acorn Development dated November 12, 2012 by GeoEngineers.

Mitigation of 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 acknowledges that Ecology's jurisdiction and requirements for remediation will mitigate impacts associated with contamination.

The reports indicate that the results of the soil and groundwater samples showed either no detection of contaminants or detection of levels that did not exceed MTCA (Model Toxic Substance Control Act) levels. Therefore, no further mitigation is warranted for impacts to environmental health per SMC 25.05.675.F.

Hazardous building materials requiring abatement were identified in all three buildings on site to be demolished.

Asbestos identified on the site must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. The City acknowledges PSCAA's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination. No further mitigation under SEPA Policies 25.05.675.F is warranted for asbestos impacts.

Should lead be identified on the site, there is a potential for impacts to environmental health. Lead is a pollutant regulated by laws administered by the U. S. Environmental Protection Agency (EPA), including the Toxic Substances Control Act (TSCA), Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X), Clean Air Act (CAA), Clean Water Act (CWA), Safe Drinking Water Act (SDWA), Resource Conservation and Recovery Act (RCRA), and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) among others. The EPA further authorized the Washington State Department of Commerce to administer two regulatory programs in Washington State: the Renovation, Repair and Painting Program (RRP) and the Lead-Based Paint Activities Program (Abatement). These regulations protect the public from hazards of improperly conducted lead-based paint activities and renovations. No further mitigation under SEPA Policies 25.05.675.F is warranted for lead impacts.

Long Term Impacts

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 EIS with more specific project-related discussion in the 2016 Addendum and related documents.

Land Use

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

The proposal also involves vacation of the mid-block alley that is located within the block. Vacation of the alley would not affect access to any other properties since the project would redevelop the entire block. The applicant developed an access plan with City staff to provide access to the proposed below-grade parking garage, and loading functions, while minimizing the number of curbcuts. Vacating the alley would provide the best opportunity to locate these access points where they would have the least impact to traffic operations, pedestrian facilities, and bicycle travel. The alley vacation was reviewed and approved by the City Council on January 11, 2016 and is recorded under Clerk File 314278.

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

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction 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 Downtown EIS and the 2015 Addendum identified potential mitigation related to Greenhouse Gas emissions. Many of the mitigation items have been integrated into the Land Use Code requirements for this zone.

While these impacts are adverse, they are not expected to be significant. Therefore no further mitigation is warranted pursuant to SMC 25.05.675.F.

Height, Bulk, and Scale

The Downtown EIS recommended specific strategies to mitigate the impacts of additional height, bulk, and scale for new development that conforms to the new zoning designations. Many of these strategies were integrated into the development standards for the applicable zones in the Land Use Code. The Addendum listed potential mitigation for aesthetics, including light and glare, public views of the proposed design, and shadows on privately owned open spaces. These strategies are implemented through the Design Review process, as required by SMC 23.41.

Section 25.05.675.G.2.c of the Seattle SEPA Ordinance provides the following: "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 shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project."

The height, bulk and scale of the proposed development and relationship to nearby context have been addressed during the Design Review process for any new project proposed on the site. Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to height bulk and scale are presumed to be sufficient, and additional mitigation is not warranted under SMC 25.05.675.G.

Historic Preservation

SMC 25.05.675.H provides policies to minimize impacts to designated historic landmarks, as well as historic districts and sites of archaeological significance.

The *Downtown* FEIS indicates that there were 27 designated City Landmark buildings in the Downtown area that could be affected by the then proposed height and density changes. The FEIS further notes that there are six buildings designated as Landmarks within the Denny Triangle area; none of which are in the immediate vicinity of the project site.

There are three existing structures on site more than 50 years old that are proposed to be demolished. The Department of Neighborhoods determined that no historic resources reports (termed *Appendix A*) would be necessary for the three buildings as they were all listed as Category 4 buildings in the downtown survey and were determined to be so altered that they were no longer eligible for Landmark status.

Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and no further conditioning is warranted per SMC 25.05.675.H.

Public Views

SMC 25.05.675.P provides policies to minimize impacts to designated public views listed in this section. The Downtown Plan EIS notes that there are possible impacts to the Harborview Viewpoint, Plymouth Pillars Park, views towards various landmarks, public places, skyline views and scenic routes as a result of the proposed increase in building height and density in Downtown. The Downtown Plan EIS also notes that views would be altered in the sense that the number of buildings and arrangement of buildings that compose the Downtown skyline would be different as buildings are developed under the subject proposal. This type of change is not considered a significant impact.

The EIS Addendum included view studies showing that the proposal would not result in blockage of public views of mountains, water, or the Space Needle from Bhy Kracke, Plymouth Pillars and Volunteer Parks. While the proposed development would be visible from each of these locations, in most cases the proposed buildings blend into the existing Downtown building massing that occurs adjacent to the project site.

Additional mitigation and conditioning are not warranted per SMC 25.05.675.P.

Light and Glare

The Downtown EIS did not specifically address light and glare-related issues.

While vehicle headlights, glazing and/or specular surfaces on vehicles occasionally create glare, the principal source of glare associated with most development projects is sunlight reflected from specular surfaces on building facades.

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

The proposal will result in an increased number of vehicles entering and exiting the project site, with the potential for localized increases in light and glare resulting from vehicle headlights and building lighting (interior and low-level exterior) in the immediate area of the site. However, no significant light and glare-related impacts associated these activities are anticipated.

The analysis indicates that Denny Way could occasionally experience reflected solar glare. While noticeable the glare would be outside the cone-of-influence and would not be expected to cause problems for motorists.

Glare impacts to nearby residential uses from reflective solar glare could be noticeable to residents in nearby buildings. While noticeable no significant long term impact is anticipated.

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

Shadows on Open Spaces

SMC 25.05.675.Q provides policies to minimize shadow impacts to designated public open spaces listed in this section. The EIS included consideration of shadow impacts to public spaces, including Denny Park, which is located to the northwest of the subject property.

The Addendum to the EIS included shadow studies that indicated shadows will be cast on the Park from the proposed development during the Vernal and Autumnal Equinoxes and the Winter Solstice. The greatest impact will occur during winter when approximately 45% of the park will be impacted. During the winter when the weather is more likely to be cloudy and cold, the park use would be expected to be low. During the summer when the park has greatest use no shadow impacts are anticipated. Therefore, mitigation is not warranted per SMC 25.05.675.Q.

Wind

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

A wind study was prepared for the proposed development by CPP, wind engineers and air quality consultants (dated May 13, 2015). The study found sidewalk areas along Bell St and 7th Ave, and the inner courtyard would have windy conditions on occasion with more severe conditions a few times a year. Canopies and dense landscaping will help mitigate the wind effects. No further mitigation measures are necessary or required.

Parking

The EIS analysis considered the direct, indirect and cumulative impacts of the EIS alternatives as they relate to the overall transportation system and parking demand. 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. No potential parking mitigation was identified in the 2015 Addendum.

Traffic and parking analyses associated with the proposed development were reviewed by Seattle DCI, as described in the Addendum (Transportation Technical Report by Heffron Transportation, dated September 2015).

The project includes 877 parking spaces which relates to a ratio of about 1 parking spaces per 1,000 sq. ft. of building space. The projects total gross floor area is 879,177 sq. ft. The study did not identify any spillover parking impacts to on-street parking. All parking in the area is either pay parking on private lots or street parking spaces that are metered and restricted to two-hour limits. The cost and time limits of available parking would help discourage off-site parking by employees.

It is anticipated that the frontage improvements will provide approx. 20 parking spaces that should be metered to serve the proposed commercial uses at the street level.

The number of proposed parking spaces accommodates all of the anticipated parking demand, therefore no adverse impact is anticipated.

Traffic

The EIS analysis considered the direct, indirect and cumulative impacts of the EIS alternatives as they relate to the overall transportation system and parking demand. 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 2015 Addendum listed a Transportation Management Plan (TMP) and Transportation Mitigation Payment as potential project mitigation for traffic impacts. The Addendum also described a Seattle Department of Transportation Denny Way corridor improvement plan that is in process.

Traffic analyses associated with the proposed development were reviewed by Seattle DCI, as described in the Addendum (Transportation Technical Report by Heffron Transportation, dated September 2015). The square footage used to calculate vehicle trips was 834,600 sq. ft. of office use, 20,700 sq. ft. of restaurant use and 2,300 sq. ft. of retail use. These numbers are less than the final project numbers of 853,049 sq. ft. of office use and 23,128 sq. ft. of retail use as indicated on the MUP plan set. The small increase in project traffic that would be generated by this slightly larger structure would not produce appreciably different impacts than those disclosed in the Addendum. Using the numbers of the report the proposed development is anticipated to result in approximately 1,930 new daily trips. This includes 253 new AM peak hour trips and 256 new PM peak hour trips.

The Downtown EIS did not evaluate the near-site intersections except for those located along Denny Way. It forecast that all but one of the signalized intersections on Denny Way between 6th Ave and Stewart St. would operate at LOS Fin the future during both the AM and PM peak hours. Therefore, traffic operational impacts of this proposal are consistent with those in the EIS. The traffic study for the Addendum also mentioned traffic operations at additional intersections in the vicinity of the project site.

To reduce transportation impacts, a Transportation Management Plan (TMP) will be required by the City of Seattle's Directors Rule (27-2015 or its successor) before Seattle DCI will issue a building permit. The goal of this TMP should be to reduce single-occupant vehicles trips during peak commute period to 21% of all trips.

The additional trips would have an impact on the transportation system in the vicinity of the project. In order to mitigate these impacts, the project will be required to participate in the City of Seattle transportation mitigation program for South Lake Union. Pursuant to that mitigation payment system, the project proposes to pay a pro rata contribution of $13,782.00 in order to help reduce the project's transportation impacts. This fee shall be paid prior to building permit issuance, consistent with Seattle DCI business rules, and as conditioned with this decision.

The project shall also contribute its pro-rata share toward the Next Generation Center City ITS Implementation plan to upgrade traffic signals along the Denny Way corridor. The pro-rata share

is estimated at $12,610.00. This fee shall be paid prior to building permit issuance, consistent with Seattle DCI business rules, and as conditioned with this decision.

The requirement for a TMP and the condition to pay a pro rata contribution of $13,782.00 and $12,610.00 are expected to adequately mitigate the adverse impacts from the proposed development, consistent with per SMC 25.05.675.R.

DECISION – SEPA

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

CONDITIONS – DESIGN REVIEW

Prior to Issuance of a Building Permit

1. The plans shall show the canopies at the street facing commercial spaces as glass so that they are visually secondary to the framing element.

2. The plans shall show either grass or a synthetic material for the 7th Ave plaza after determining what the best material is, considering the expected use and maintenance.

3. The plans shall show down lighting of the trees as uplighting is not supported.

For the Life of the Project

4. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Beth Hartwick 206 684-0814 or beth.hartwick@seattle.gov) or a Seattle DCI assigned Land Use Planner.

CONDITIONS – SEPA

Prior to Issuance of the Master Use Permit

5. The applicant shall record an Acknowledgement Letter of the TMP condition (#9, below) substantially consistent with Attachment A in Director's Rule 27-2015.

Prior to Issuance of Demolition, Excavation/Shoring, or Construction Permit

6. Provide a Construction Management Plan that has been approved by SDOT. The submittal information and review process for Construction Management Plans are described on the SDOT website at: http://www.seattle.gov/transportation/cmp.htm.

Prior to Issuance of a Construction Permit

7. The applicant shall make a pro rata contribution pursuant to CAM 243 in the amount of $13,782.00 to the City of Seattle.

8. The applicant shall make a pro rata contribution pursuant to the Next Generation Center City ITS Implementation plan in the amount of $12,610.00 to the City of Seattle.

9. The applicant shall provide a signed and recorded copy of a Transportation Management Program.

Beth Hartwick, Senior Land Use Planner
Seattle Department of Construction and Inspections

Date: August 18, 2016

BH: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.