



**City of Seattle**

Edward B. Murray, Mayor

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**Seattle Department of Construction and Inspections**

Nathan Torgelson, Director

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

**Application Number:** 3019290  
**Applicant Name:** Jon O'hare  
**Address of Proposal:** 1608 2<sup>nd</sup> Avenue

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a 16-story hotel with 3,300 square foot restaurant located at ground level.

The following approvals are required:

**Design Review – Board Review - (SMC 23.41).** Departures requested.

1. SMC 23.49.056 B1b – Setbacks.
2. SMC 23.49.056 B2b – Setbacks.

**SEPA - Environmental Determination - (SMC 25.05)**

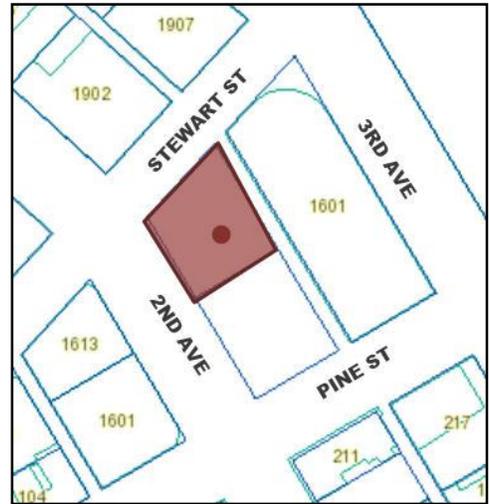
**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS  
 DNS with conditions  
 DNS involving non-exempt grading or demolition, or involving another agency with jurisdiction.

## **BACKGROUND DATA**

### Site Description

The project is located on the southeast corner of 2<sup>nd</sup> Avenue and Stewart Street. The site slopes downhill, north to south.

The subject property is zoned Downtown Mixed Commercial (DMC 240/290-400). A Downtown Residential Commercial (DRC 85-150) zone is to the south. The site is approximately 13,116 square feet and is currently occupied by an underground parking lot which serves the development to the south. Pedestrian access to the site is available from 2<sup>nd</sup> Avenue, Stewart Street, and the alley. There are no Environmentally Critical Areas (ECA) mapped at this site.



### Vicinity Description

The surrounding development is a mix of urban retail centers, a church, residential buildings and parking garages.

### Project description

The proposed development is a 16 story hotel with approximately 230 rooms, guest amenities, and a ground floor restaurant. Service load and unload is proposed off of the alley and guest load and unload is proposed on 2<sup>nd</sup> Avenue outboard of the two-way bicycle lanes.

Project materials 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](http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp). Project materials are also available to view in the file, by contacting the Public Resource Center at Seattle DCI 700 Fifth Ave., Suite 2000 Seattle, WA 98124-4019 or [PRC@seattle.gov](mailto:PRC@seattle.gov).

### Public Comment

No public comment letters were received during the official comment period.

## **ANALYSIS AND DECISION –DESIGN REVIEW**

### EARLY DESIGN GUIDANCE

The design review packet which includes materials presented at the design review meeting is available online by entering the project number (3019290).

## DESIGN DEVELOPMENT

The applicant gave a brief overview of the urban context and transportation planning at the site. He outlined the opportunities and constraints of the site. No parking is proposed. The project is located above an existing garage for the project to the south. An upper level outdoor terrace is proposed. The applicant presented three massing options for the Board's consideration.

The first option accentuates the prominent corner condition with a full height "corner block" bay. The two street facades appear to have two vertical building blocks. An additional six story façade element meets the plinth level of the neighboring building to carry the six story scale over to the main building entry. Some overhead weather protection is proposed.

The second option is a study in using the change in direction of the street grid at this corner to shape the building forms. The building façade on 2<sup>nd</sup> Avenue has a crease or intersection of building planes to express the juncture of the grid lines. Lower level forms are similar to Option One in that there is a six story façade "extension" of the neighboring building plinth which embraces the building entry. Some overhead weather protection is proposed.

The third option is a further articulated façade where the grid shift is exhibited and repeated in the building façade from the third story to the top. Off-set façade modulation creates shallow wings or jogs in the 2<sup>nd</sup> Avenue and Stewart Street facades. A six-story form at the property line adjoining the neighboring building to the south references the plinth again. The building entry remains in the same location.

## PUBLIC COMMENT

Members of the public were present at the meeting. One member spoke as a representative of the Cascade Bicycle Club. His comments included the following:

- Slowing bicycle traffic is key to bicycle safety, thus a raised walkway between vehicle loading and the sidewalk could be beneficial to slow bicycles.
- Paving materials should not be too rough for bicycle safety.
- Planters between the drop off and bicycle two-way route should be curved and low.
- Use APBP (Association of Pedestrian and Bicycle Professionals) standards for bicycle racks.
- Provide bicycle parking in the hotel at a convenient location.

## 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.

## DESIGN REVIEW GUIDELINES

The priority Citywide and Neighborhood 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.

**The Board directed the applicants to respond more fully and meaningfully to the Josephinum Apartments and ground floor Christ Our Hope Catholic Church building across Stewart Street. Project response may take the form of transparency to view the interesting façade decoration, church windows and building composition as a whole. Massing relationships for this project should use the street and sidewalk geometries as a starting point for building siting and form. Reflection of the geometries, end points of geometries, intersections or origins should be evident in the design in a simple and recognizable fashion. Alternate Number One should be explored in a clear urban idiom to fit and reflect the unique geometry, urban context, and proposed building uses. Design response to the intersection of horizontal geometries should also capture, in form, views to the west.**

## 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.

**B2 Create a Transition in Bulk and Scale: Compose the massing of the building to create a transition to the height, bulk, and scale of development in nearby less-intensive zones.**

**B2.1. Analyzing Height, Bulk, and Scale:** Factors to consider in analyzing potential height, bulk, and scale impacts include:

- a. topographic relationships;
- b. distance from a less intensive zone edge;
- c. differences in development standards between abutting zones (allowable building height, width, lot coverage, etc.);
- d. effect of site size and shape;
- 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.

**B2.2. Compatibility with Nearby Buildings:** In some cases, careful siting and design treatment may be sufficient to achieve reasonable transition and mitigation of height, bulk, and scale impacts. Some techniques for achieving compatibility are as follows:

- h. use of architectural style, details (such as roof lines, beltcourses, cornices, or fenestration), color, or materials that derive from the less intensive zone.
- i. architectural massing of building components; and
- j. responding to topographic conditions in ways that minimize impacts on neighboring development, such as by stepping a project down the hillside.

**B2.3. Reduction of Bulk:** In some cases, reductions in the actual bulk and scale of the proposed structure may be necessary in order to mitigate adverse impacts and achieve an acceptable level of compatibility. Some techniques which can be used in these cases include:

- k. articulating the building's facades vertically or horizontally in intervals that reflect to existing structures or platting pattern;

- l. increasing building setbacks from the zone edge at ground level;
- m. reducing the bulk of the building's upper floors; and
- n. limiting the length of, or otherwise modifying, facade

**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 Board directed the applicant to relate the building façade to the Josephinum via calming expressions rich in materiality, and via play between opaqueness and transparency. Retain and enhance ground floor transparency and carry transparency around to Stewart Street to blur the line and physical access of building to sidewalk. As a whole, the Board directed the applicant to display building morphological restraint by simplifying architectural lines, forms, color, and volumes. Create a regular geometric reflection without the repeating angles. Simplify the ground floor architectural expression and relate any abridged expression to the upper floors. Create design concept order and unity. The Board felt that currently the design appears too arbitrary in expression. Create a regularized state of equalized building form that is calmer. The Board directed the applicant to use the shift of street geometrics to inform a unified proportionality.**

## 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.

**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.

**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.

**C6.2. Alley Parking Access:** Enhance the facades and surfaces in and adjacent to the alley to create parking access that is visible, safe, and welcoming for drivers and pedestrians. Consider

- d. locating the alley parking garage entry and/ or exit near the entrance to the alley;
- e. installing highly visible signage indicating parking rates and availability on the building facade adjacent to the alley; and
- f. chamfering the building corners to enhance pedestrian visibility and safety where alley is regularly used by vehicles accessing parking and loading.

**The Board directed the applicant to fully design the streetscape on Stewart Street. Elements expected at the next meeting include adding outdoor seating related to the proposed restaurant with porous doors for patrons and the restaurant use to move indoors and outdoors. Overhead weather protection must continue all the way around the building for pedestrian and patron comfort. The Board reminded the applicant of transparency requirements of the Land Use Code. The Board directed the applicant to exhibit a welcoming deportment to bicyclists by providing identifiable and easily usable bicycle**

parking, dry off space, access etc. The Board will be looking for a variety of “spill-out” spaces on Stewart from the interior. The empty triangles of some of the present alternatives do not appear to be needed and should be omitted. The Board directed the applicant to consider the alley “streetscape” as a viable right of way for pedestrians, access, loading and drop off. Design should offer lighting and façade design to create a fully articulated building face.

## PUBLIC AMENITIES

**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.

**The Board directed the design team to offer public amenities that include bicycle parking and outdoor seating, weather protection and landscaping. Alley design should include more alley space and design efforts to signal an alley pedestrian zone.**

## **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 Early Design Guidance no departures were requested.

## **BOARD DIRECTION**

At the conclusion of the Early Design Guidance meeting, the Board recommended moving forward to MUP application.

## **RECOMMENDATION**

The applicant presented the proposed design and reviewed the opportunities and constraints of the site, pedestrian environments, and façade and materials development. The Board clarified a few questions on materials, facade design, ground level uses, roof forms and form-giving elements. Members of the public had the following comments:

## **PUBLIC COMMENT**

Public comments included the following:

- The project would be strong if some affordable housing was included in the program.
- Dedicated parking for low wage employees would be a good idea.
- Retaining three loading berths would be the best solution.

Board deliberations centered on appropriateness of the building massing, the streetscape, ground floor uses, façade design, and requested departures.

The Board thought the overall proposal was good site planning and massing and presented a solid scheme of urban form with an expressive corner response to Stewart Street and 2<sup>nd</sup> Avenue. The grid shift is reasonable, but some of the façade proportions need more thought and resolution.

The Board approved of the metal frame "wrap" but thought some architectural expression changes could make it a stronger form. The Board discussed some of the articulating features of the design and liked the facade glass variable shards and colors and directed the applicant to redesign the façade metal fin to be more proud of the background façade with more refinement in its application and purpose. The Board discussed the two different façade window designs and thought that the north façade needed to be less 50/50 in the façade treatment split. It should be a 60/40 material split at least. The base of the north façade must be as transparent as possible. Avoid the fritted glass "columns" unless they are very transparent and if they are omitted the Board would be supportive. The applicant was considering a different color block in their suite of

colored glass façade. The Board thought that the alternative might be appropriate and directed the applicant to review it further with the planner. The landscaping at the base is well defined and should be retained.

The Board discussed the west façade at length and directed the applicant to work with the planner to omit/redesign the smaller raised frame façade element at the southwest corner of the site. They approved the general façade materials on the west façade. At the ground level the Board thought the choice of stone was a good reference to historic materials, but when the stone rises above the base it loses much of its design strength. The Board directed the applicant to do without the frame and if a raised façade area was warranted to work with the planner to refine the design. The Board thought the feature wall should be simplified to be clad with the same quality base stone for a strong exterior alcove material. The Board rejected the interior materials and design concept spilling out onto the entry and preferred using the exterior materials and design language.

The Board agreed that the applicant responded to all early design guidance and was supportive of the materials proposed for the building. The Board discussed reduced loading docks and supported the Director’s decision to reduce the loading docks to one. The architect explained SDOT’s request for overhead weather protection to be cut back at street tree locations. The Board declined to accept the departure request and directed the applicant to retain consistent depth of overhead weather protection. If the protection was reduced somewhat in depth the Board would be favorable, but notching the canopy was not acceptable. The applicant also asked the Board if breaking the overhead weather protection at the hotel entry would be supported by them. The Board rejected the notion and required full overhead weather protection the length of the 2<sup>nd</sup> Avenue façade. The Board discussed the façade blank wall departure and found the façade treatments to be artistic and architectural. (The planner reviewed the request and notes that with architectural treatment the departure is not needed.)

**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). All members of the Design Board recommended approval of the following departure request.

**SUMMARY OF REQUESTED DEPARTURES**

	<b>Standard Requirement</b>	<b>Required</b>	<b>Request</b>	<b>Rationale for Departure</b>	<b>Board Direction</b>
1	SMC 23.49.056B1b Setback	The Code allows a 2 foot maximum setback for a maximum 10 linear feet	2 foot setback for 39 linear feet and on 2 <sup>nd</sup> Avenue	To provide response to context, reduction in bulk, pedestrian amenities A1.1, B1, B2.3, B3.3, C1.3	Recommend Approval

2	SMC 23.49.056B2b Setback	The Code allows a 2 foot maximum setback for a maximum 10 linear feet	10 foot setback for 26.5 linear feet on 2 <sup>nd</sup> Avenue	To provide response to context, reduction in bulk, pedestrian amenities A1.1, B1, B2.3, B3.3, C1.3	Recommend Approval
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Board Recommendation:

The recommendation summarized above was based on the design recommendation packet dated February 2, 2016 and the materials shown and described by the applicant at the Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the Design Review Board members recommended APPROVAL of the subject design. In addition, the three (3) member Board supported the departure request and **recommended approval with conditions** of the design to the Director. The conditions are as follows:

1. Work with the planner to redesign the building to omit the stone façade “bump out” at the southwest corner and create a simpler raised façade without the stone or omit the feature altogether.
2. Create a better 60/40, or greater, façade material and treatment percentage.
3. Use stone on the base and at the entry façade wall instead of light feature wall.
4. Omit the columns of fritted glass unless they are very transparent.
5. Work with the planner on the glass façade color final choices.

The applicant updated the design to meet the conditions listed above.

**ANALYSIS AND DECISION –DESIGN REVIEW**

The Director of Seattle DCI has reviewed the design and finds that it is consistent with the *Seattle Design Review Guidelines*.

The project applicant has worked with the Design Review Board to create a new hotel at 2<sup>nd</sup> Avenue and Stewart Street. The project makes use of the site geometry and responds to the site context as a starting point for the building massing by responding to the unique street grid at this corner (A1.1). The proposed design strengthens the street pattern by presenting a strong façade along each street and the corner and a visible entry on 2<sup>nd</sup> Avenue.

The main entry responds to the urban site context with defensible space and a welcoming composition of building setback elements to enhance the façade and reduce overbearing bulk on 2<sup>nd</sup> Avenue. (B1.1, B2.2, B2.3)

The building base has substantial glazing to create a strong connection to the street and public realm from interior street level uses. The building design and location of uses reinforce the urban form and reinforce siting patterns and streetscape characteristics of the area (B3).

The building is well-proportioned and presents a unified building façade. The design massing is a coherent ensemble of background materials and shape with feature architectural elements to break up the mass presenting a pleasing form from various viewpoints. (B3.3, B4.1, B4.2, B4.3)

The proposal is transparent at the base with active ground floor uses and an open and visible main entry for hotel guests. (C1.3)

Departures are requested for structure setbacks from the property lines. The departures support the design intent to create interesting building elements along 2<sup>nd</sup> Avenue near the entry. The setback departure requests are for longer than the code allowed setbacks of 10 feet. The Board approved of the departures to allow the design intent to be more fully expressed. (A1.1, B1, B2.3, B3.3, C1.3) The Board had several design requests for the applicant to complete, and thus imposed several conditions on the project enumerated at the end of this document.

The Director determines that the project has satisfactorily responded to the early design guidance given by the Review Board and accompanying conditions. The Director approves the proposed project and grants the requested departures with conditions as outlined by the Board.

## **SUMMARY OF REQUESTED DEPARTURES**

	<b>Standard Requirement</b>	<b>Required</b>	<b>Request</b>	<b>Rationale for Departure</b>	<b>Director's Decision</b>
1	SMC 23.49.056B1b Setback	The Code allows a 2 foot maximum setback for a maximum 10 linear feet	2 foot setback for 39 linear feet and on 2 <sup>nd</sup> Avenue	To provide response to context, reduction in bulk, pedestrian amenities A1.1, B1, B2.3, B3.3, C1.3	Approval
2	SMC 23.49.056B2b Setback	The Code allows a 2 foot maximum setback for a maximum 10 linear feet	10 foot setback for 26.5 linear feet on 2 <sup>nd</sup> Avenue	To provide response to context, reduction in bulk, pedestrian amenities A1.1, B1, B2.3, B3.3, C1.3	Approval

## **DECISION – Design Review**

The application is **GRANTED with conditions.**

## **ANALYSIS - SEPA**

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated September 17, 2015 and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC25.05.665) mitigation can be considered. Thus a more detailed discussion of some of the impacts is appropriate.

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 policies 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. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

### **Short-term Impacts**

Temporary or construction-related impacts are expected. Demolition and construction activities could result in the following adverse impacts; construction dust and storm water runoff, temporary soil erosion, emissions from construction machinery and vehicles, increased particulate levels during excavation and construction, increased noise level, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers' vehicles. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

City codes and/or ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Code, Grading Code, the Street Use Ordinance, and the Building Code. The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Seattle Department of Transportation (SDOT). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts.

The other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g., increased traffic during construction, additional parking demand generated by construction personnel and equipment, increased use of energy and natural resources, increased greenhouse gas emissions) are not sufficiently adverse to warrant further mitigation or discussion.

#### 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. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

#### Grading

Excavation to construct the structure will not be necessary because it is proposed to be built over an existing parking garage. No conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

#### Noise

The proposed development includes regular construction methods and activities which will result in noise from equipment and truck trips. Surrounding properties such as the Josephinum are developed with housing and will be impacted by construction noise. The site is located in an SDPT Construction Hub. Construction Hubs are areas of the City experiencing prolonged periods of construction from successive and numerous development activities. The combined impacts and duration of construction noise in this area warrants additional mitigation to reduce the impacts of construction noise on nearby residents.

The limitation stipulated in the Noise Ordinance are therefore not sufficient to mitigate noise impacts at this particular site; therefore, pursuant to SMC 25.05.675.B, the applicant shall be required to limit periods of noise generating construction activities to non-holiday weekdays from 7:00 AM to 6:00 PM, unless modified through a Construction Noise Management Plan, to be determined by Seattle DCI prior to issuance of a demolition, grading, or building permit, whichever is issued first.

A Construction Management Plan (CMP) will be required, including contact information in the event of complaints about construction noise and, measure to reduce or prevent noise impacts. The submittal information and review process for Construction Management Plans are described on the SCOT website at: <http://www.seattle.gov/transportation/cmp.htm>. A Construction Noise Management Plan with specific mitigation for work beyond non-holiday weekdays from 7:00 AM to 6:00 PM is required to be incorporated into the Construction Management Plan.

### Traffic and Parking

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and construction materials transport. There will be no excavation and fill activity which typically produces the most truck trips. No Conditioning of the traffic and parking construction element of the project is warranted pursuant to SEPA policies. A Construction Management Plan (CMP) will be prepared by the applicant and approved by SDOT and Seattle DCI.

### Earth

The applicant will submit a geotechnical engineering study to address soil foundation support considerations, site preparation, grading erosion control and drainage recommendations as part of the building permit. Erosion control measures and BMP's as required by the City of Seattle will be incorporated into the project's erosion control and development plans to protect off-site properties and to manage stormwater during construction. Review of the submitted report and approval of the resultant plans and construction methods will be subject to the standards of the Stormwater and Grading Codes. No further mitigation for the purposes of SEPA compliance is warranted.

### Long-term Impacts

Long-term or use-related impacts are anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

### Transportation and Parking

The project is located on a corner site bounded by 2<sup>nd</sup> Avenue, Stewart Street and a platted alley. The proposed development is projected to generate approximately 1,140 daily vehicle trips, 74 during the AM peak hours and 82 during the PM peak hour. The traffic will impact the surrounding street network, but is not determined to be significant enough to require mitigation. Parking will be managed by valet-only parking at an off-site valet parking location. The hotel loading area on 2<sup>nd</sup> Avenue can accommodate three passenger vehicles and any additional demand is expected to resolve quickly due to the valet parking service. The project is not expected to adversely affect intersection operations. No mitigation pursuant to SMC 25.05.675 R is warranted.

### Greenhouse gas emissions

Operational activities, primarily vehicular trips associated with the project and the projects' 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. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Other long-term impacts are typical of development and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater and Grading Codes (stormwater runoff from additional site coverage by impervious surface); Design Review Program (height; setbacks; access to parking); and the Seattle Energy Code (long-term energy consumption); and the Environmentally Critical Area Regulations.

## **DECISION - 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 and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- 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 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW [43.21C.030](#) (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request and in the public electronic file.

This DNS is issued after using the optional DNS process in WAC [197-11-355](#) and early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

## **CONDITIONS – Design Review**

### *Prior to Land Use Permit Issuance*

1. Work with the planner to redesign the building to omit the stone façade “bump out” at the southwest corner and create a simpler raised façade without the stone or omit the feature altogether.
2. Create a better 60/40, or greater, façade proportion on Stewart Street.
3. Use stone on the base and at the entry façade wall instead of light feature wall.
4. Omit the columns of fritted glass unless they are very, very transparent.
5. Work with the planner on the glass façade color final choices.

## **CONDITIONS – SEPA**

### *Prior to Land Use Permit Issuance*

6. Submit a Construction Management Plan (CMP) to Seattle Department of Transportation at [SDOTPermits@seattle.gov](mailto:SDOTPermits@seattle.gov) for review and approval prior to issuance of this permit. For the CMP Standard Element Guide see <http://www.seattle.gov/transportation/CMP.htm> Please submit the SDOT approved CMP to Seattle DCI in accordance with How to Respond to a Seattle DCI Correction Notice. A Construction Noise Management Plan with specific mitigation for work beyond non-holiday weekdays from 7:00 AM to 6:00 PM is required to be incorporated into the Construction Management Plan.

Holly J. Godard, Senior Land Use Planner Date: May 19, 2016  
Seattle Department of Construction and Inspections

HJG:bg

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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](mailto:prc@seattle.gov) or to our message line at 206-684-8467.