



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

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

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

**Application Number:** 3020902  
**Applicant Name:** Jodi Patterson O’Hare for Schnitzer West  
**Address of Proposal:** 501 Fairview Ave N

**SUMMARY OF PROPOSED ACTION**

Land Use Application for a major revision to MUP 3015947 to remove MUP condition restricting upper level signage.

The following Master Use Permit components are required:

**Design Review - (Seattle Municipal Code 23.41)\***

\*Design Review Departures and SEPA Environmental Determination conducted under MUP 3015947 remain unchanged with this revision

Site:

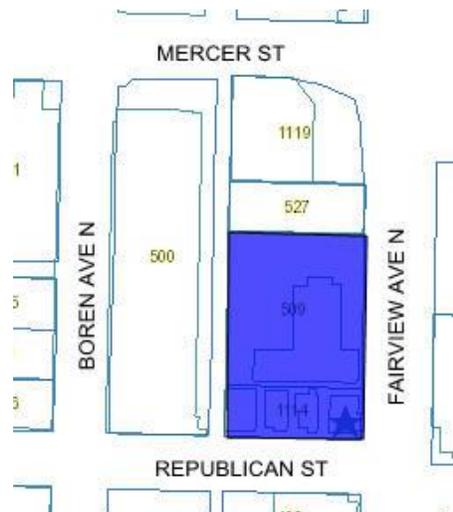
Site Zone: SM 160/85-240

Nearby Zones: (North) SM 160/85-240  
(South) SM 160/85-240  
(East) SM 160/85-240  
(West) SM 160/85-240

Lot Area: 38,425 square feet

Current Development:

The site is currently under construction for a 160’ tall office and retail building, permitted under MUP #3015947.



Surrounding Development and Neighborhood Character:

The surrounding development is a mix of uses and age of structures. Nearby development includes older 1-2 story commercial office and retail structures and newer 5-6 story residential and retail mixed-use structures. Additional nearby sites are proposed for commercial and residential development that ranges from 5-16 stories tall. Several historic landmarks are located nearby.

Recreational opportunities include Lake Union two blocks to the north and Cascade Playground two block to the southeast.

The area offers frequent transit service, including the South Lake Union Streetcar two blocks to the west and several nearby bus routes. Fairview Ave N is a busier vehicular arterial.

**I. ANALYSIS - DESIGN REVIEW**

Early Design Guidance, review of design review departures, and recommendations were previously conducted under MUP #3015947.

**FINAL RECOMMENDATION MEETING: September 16, 2015**  
**DESIGN DEVELOPMENT**

The applicant noted that the proposal is a major MUP revision to change a previously recommended Board condition restricting signage to the lower levels of the building, recommended with the review of MUP 3015947.

The Board's review of MUP 3015947 as related to signage included the following recommendations:

“The Board discussed the signage program shown in the Recommendation packet. They expressed concern about the possibility of signage on the upper levels of the building in areas where the signage could interfere with the design concept and appear unrelated to the pedestrian focus of the area. The Board noted that plenty of opportunity for signage exists at transition points in the building, such as the street level or the transition between the 2<sup>nd</sup> and 3<sup>rd</sup> floors.

- a. The Board recommended a condition that signage should be placed on the building to relate to the pedestrian environment rather than vehicles, signage should be placed in areas of architectural transition, such as between the 2<sup>nd</sup> and 3<sup>rd</sup> floors, and no signage should be placed on the artistic entry design element (shown as the blue cube in the Recommendation packet.) (C-2, D-9)”

**PUBLIC COMMENT**

No public comment was offered at the Recommendation meeting.

<b>PRIORITIES &amp; BOARD RECOMMENDATIONS</b>
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After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the

following siting and design guidance. The Board identified the Citywide Design Guidelines of highest priority for this project.

## RECOMMENDATION September 16, 2015

### 1. Signage.

- a. Board members who were present at the recommendation meeting for MUP 3015947 recalled that the discussion around signage was based on Board concerns about possible signage that was intended to be legible from the freeway. The proposal doesn't include any changes to the proposed building design, so it was difficult for the Board to see a rationale to change the previously recommended condition.
- b. The Board also struggled with the request, given the lack of a conceptual signage plan showing possible materials, lighting, and size of tenant signage, especially at the top levels of the building.
- c. The Board observed that the examples of upper level signage in the packet of nearby buildings all show buildings that are considerably shorter than the one under construction at this site. Most of the examples also show signage located at clear architectural transitions, unlike the building at this site.
- d. After some discussion, the Board recommended a revised condition related to signage. The Board also noted that it may be possible for a specific signage design to return to the Board for further review, if it did not meet this condition. That review would require another major revision and the applicant would need to demonstrate how the signage meets the applicable Design Guidelines. Lacking a signage plan with the same level of detail normally shown at Recommendation meetings, the Board recommended a condition that upper level signage near the parapet shall be limited to one sign at this site, composed of channel cut letters no taller than 24", in colors that minimally contrast with the material palette of the building. (DC4-B)
- e. The Board noted that either illuminated or non-illuminated signage is acceptable.
- f. The Board also noted that no changes were proposed to the lower level signage.

## DESIGN REVIEW GUIDELINES

The priority Citywide and Neighborhood guidelines are summarized below. For the full text please visit the [Design Review website](#).

<b>CONTEXT &amp; SITE</b>
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**DC4 Exterior Elements and Finishes: Use appropriate and high quality elements and finishes for the building and its open spaces.**

**DC4-B Signage**

**DC4-B-2. Coordination with Project Design:** Develop a signage plan within the context of architectural and open space concepts, and coordinate the details with façade design, lighting, and other project features to complement the project as a whole, in addition to the surrounding context.

## DEVELOPMENT STANDARD DEPARTURES

No departures were requested at the Final Recommendation meeting.

## RECOMMENDATION

The recommendation summarized above was based on the design review packet dated September 16, 2015, and the materials shown and verbally described by the applicant at the September 16, 2015 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended **APPROVAL** of the subject design with the following condition:

1. **Upper level signage near the parapet shall be limited to one sign at this site, composed of channel cut letters no taller than 24", in colors that minimally contrast with the material palette of the building. (DC4-B)**

## ANALYSIS & DECISION – DESIGN REVIEW

### Director's Analysis

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

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

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

Subject to the following condition, 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 16, 2015, the Board recommended approval of the project with the following condition:

1. Upper level signage near the parapet shall be limited to one sign at this site, composed of channel cut letters no taller than 24", in colors that minimally contrast with the material palette of the building. (DC4-B)

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

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

### **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.

### **CONDITIONS – Design Review**

#### For the Life of the Project

1. Upper level signage near the parapet shall be limited to one sign at this site, composed of channel cut letters no taller than 24", in colors that minimally contrast with the material palette of the building.

*CONDITIONS OF APPROVAL (conditions related to environmental review and design recommendations conducted under MUP 3015947 that remain applicable to the proposed development; copied for reference only)*

### **DESIGN REVIEW - CONDITIONS OF APPROVAL**

#### Prior to Issuance of a Construction Permit

2. The final design of the southeast entry (materials, colors, and lighting) will be subject to approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

#### Certificate of Occupancy

3. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).
4. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Shelley Bolser (206) 733-9067 or shelley.bolser@seattle.gov).

#### For the Life of the Project

5. 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 (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

## SEPA - CONDITIONS OF APPROVAL

### Prior to Issuance of a Construction Permit

6. The applicant shall record the signed City-approved Transportation Management Program (TMP) with King County Records and Elections Division, and submit a copy of the recorded TMP to DPD (John.Shaw@seattle.gov) and SDOT.
7. The applicant shall make a pro rata mitigation contribution pursuant to TIP 243 in the amount of \$193,559 to the City of Seattle.
8. The applicant shall provide a copy of a construction contingency plan that is consistent with the Phase II report, to the Land Use Planner ([Shelley.bolser@seattle.gov](mailto:Shelley.bolser@seattle.gov)).

### During Construction

9. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall: Stop work immediately and notify DPD (Shelley Bolser 206-733-9067 or [shelley.bolser@seattle.gov](mailto:shelley.bolser@seattle.gov)) and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAHP). The procedures outlined in Appendix A of Director's Rule 2-98 for assessment and/or protection of potentially significant archeological resources shall be followed.
10. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall: Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.

Signature: Denise R. Minnerly for Date: October 26, 2015  
Shelley Bolser, AICP, LEED AP  
Land Use Planning Supervisor  
Department of Planning and Development

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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 DPD 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.