



City of Seattle  
Edward B. Murray, Mayor

Department of Construction and Inspections  
Nathan Torgelson, Director

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

**Application Number:** 3022652  
**Applicant Name:** John Thomas, NBBJ, for BCSP Maritime Building LLC  
**Address of Proposal:** 911 Western Ave

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a 3-story addition consisting of 48,350 sq. ft. of office to an existing landmark structure (Maritime Building). Parking for 85 vehicles to be provided within the structure. Project includes interior renovation of the existing five stories.\*

The following approvals are required:

**Design Review** – Seattle Municipal Code (SMC) Chapter 23.41

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

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

[X] DNS with conditions

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

\*Although originally thought to require a Shoreline Substantial Development Permit (per SMC 23.60A) and noticed as such, subsequent investigation has confirmed that the site is situated totally outside the Shoreline Environment.

**BACKGROUND INFORMATION:**

The site is occupied by a five-story commercial building built in 1910, bounded on the east by Western Avenue, on the west by Alaskan Way (formerly Railroad Avenue S.), on the north by Madison Street and on the south by Marion Street.

Located adjacent to the elevated Alaskan Way viaduct (scheduled for demolition once the waterfront traffic tunnel (SR99) is completed), the Maritime Building is set back 16 feet from its western boundary along the right-of-way of Alaska Way. It sits almost directly across from Colman Dock, the Seattle Ferry Terminal that provides the major transportation link across Puget Sound. The Old Federal Office Building and Courthouse, a designated Landmark building, currently used for federal offices and as a facility for the US Postal Service, lies directly across Western Avenue and fills the entire block east of the subject site.

The neighborhood boasts a number of other substantial structures near the Maritime Building. A considerable amount of new development, including residential apartments, is underway or in the planning stages for enhancing the area. Across Madison Street to the north is Waterfront Place, a thirteen-story condominium and office building, with retail at ground level and three stories of enclosed parking. It was constructed in 1983. Across the Madison and Western Avenue intersection to the northeast is the six-story National Building (1905), like the Maritime Building designed as a substantial warehouse building to serve the hub of produce dealers in what was historically known as the “Commission District.”

Pedestrian access is possible from each of the adjacent streets. Vehicular access to underground parking at the eastern edge of the site is available at grade from a curb-cut on Western Avenue which will remain to service underground parking. On-street loading for the building will be available from Madison Street at the building’s north side.

The site is zoned Downtown Mixed Commercial-160 (DMC-160) with a 160 ft. height limit. The Property is designated “Downtown” in Seattle’s Comprehensive Plan and is located in Commercial Core Urban Center.

At the time of the Early Design Guidance meeting, the Maritime Building was not a designated Landmark, but was designated as such on January 6, 2016. Since the site now includes a designated City of Seattle historic landmark, modification to controlled features of this landmark structure requires a Certificate of Approval from the Landmarks Preservation Board prior to issuance of a building permit.

#### Proposal Description

The applicant is proposing an adaptive reuse of the existing 5-story reinforced concrete and heavy timber structure. The mixed-use development would consist of 48,350 sq. ft. additional square feet of office space in two and a half new stories added to the existing 185,000 square feet of office space on floors two through five. Approximately 23,000 square feet of retail space would be provided at street level. The project would also provide a rooftop amenity pavilion, terraces on the top floor and at the sixth level, with parking for approximately 85 vehicles in the existing basement.

### **ANALYSIS – DESIGN REVIEW**

#### **EARLY DESIGN GUIDANCE: JANUARY 5, 2016**

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 PRESENTATION**

The design team proposes to preserve and expand a significant waterfront building dating from 1910, a time when Seattle was primarily conceived as an *entrepot* and trans-shipping center, defined by the water and the rails at this building’s doorstep. The development team intends to undertake an adaptive re-use and substantial augmentation of this historic structure which, as a vital piece of the West Edge Neighborhood, will face primarily to the west and to the water and to the developing vision of a grand public promenade and open space. A lobby for the buildings expanded commercial space will be located on the new Alaskan Way and together with retail spaces will overlook the new waterfront.

At the time of the EDG meeting, the design team proposed up to a 6-story addition of residential uses above the currently-proposed new office floors. Ev Ruffcorn of NBBJ made the presentation to the Design Review Board on behalf of the development and design team. The first concept presented positioned the additional mass of the office floors and residential tower along the west, waterfront-facing façade. A second concept positioned the mass of the additional two floors of office and the residential tower so as to acknowledge existing topography and terrace the building back from the waterfront. The third, preferred concept, cantilevered the two new office floors beyond the west façade of the existing structure and shifted the residential tower to the east, placing the existing structure and two new massing portions in different planes, while creating a substantial outdoor deck area above the office block. The second and third concepts would require departures from development standards (see pages 70 and 71 of the packet prepared for the EDG meeting).

### Public Comments

Several members of the public attended the Early Design Guidance Review meeting on January 5, 2016. The following comments, issues and concerns were raised:

- Preserve the existing loading dock as proposed, as a terrace in front of retail uses;
- Don't let the addition creep over the side of the existing building—"a terrible idea";
- The proposal suggests a "bunch of boxes thrown around";
- Be careful what you plant, beware of the roguish behaviors of a large dog population in the area when executing landscape plans;
- Account for ferry traffic; street front development should take cognizance of Amazon shuttle buses loading and unloading;
- Adaptive re-use "a fine job on first pass";
- Keep the residential floors from creeping to the west;
- Additions should embrace some form of reiteration of the pleasant window forms in the existing structure;
- The preferred option is an "over-reach," it "goes too far"; would not support cantilevers beyond existing facades;
- Supports project which indicates a remarkable plan for revitalizing the existing building with modern amenities.

### 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.**

**A1.2. 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.

**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, facades.

**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.**

**B3.2. 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.

**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.

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

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

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

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

**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.

**D1.3. Residential Open Space:** Residential buildings should be sited to maximize opportunities for creating usable, attractive, well-integrated open space. In addition, the following should be considered:

- i. courtyards that organize architectural elements while providing a common garden;
- j. entry enhancements such as landscaping along a common pathway;
- k. decks, balconies and upper level terraces;
- l. play areas for children;
- m. individual gardens; and
- n. location of outdoor spaces to take advantage of sunlight.

**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 as 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; and
- 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.

**D4 Provide Appropriate Signage: Design signage appropriate for the scale and character of the project and immediate neighborhood. All signs should be oriented to pedestrians and/or persons in vehicles on streets within the immediate neighborhood.**

**D4.1. Desired Signage Elements:** Signage should be designed to:

- a. facilitate rapid orientation
- b. add interest to the street level environment
- c. reduce visual clutter
- d. unify the project as a whole
- e. enhance the appearance and safety of the downtown 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.

## RECOMMENDATIONS

Two of the Board members expressed strong reservations regarding approval of the additional office floors overhanging the cornice of the existing Maritime Building’s west façade. Maintaining clear legibility at the geometric break between the old and the new was of particular importance.

All three of the Board members attending the meeting agreed on the following:

- The applicant’s preferred scheme showed promise, although the stepping back up the topographic slope conveyed in the second conceptual scheme was not without its appeal;
- The raised dining terrace and circulation space along the ground floor of the waterfront façade was conceptually strong;
- The north and south facades of the additional structure need not be symmetrical; support was shown for exploring more extensive opportunities for balconies as part of the composition of the residential floors;
- Relocating the loading area for the structure to Madison Street was a good move;
- There was support for the location and configurations of the two proposed lobbies;
- Continue to develop a landscape plan for all four sides of the structure that would take into account the volumes of people (and dogs) utilizing the areas for a variety of purposes;
- Maintain the existing scale along Western Avenue.

## BOARD DIRECTION

At the conclusion of the EARLY DESIGN GUIDANCE meeting, the Board recommended moving forward to MUP application.

At the time the project would return to the Board for further approvals, in addition to addressing the concerns stated above, the Board members stated that they would like to see explorations of asymmetrical upper facades, optional alternatives to the overhanging cantilevered office space, and a clear demonstration of the superiority of specific ways the upper and lower structures might otherwise interlock at the Maritime Building’s cornice line.

## RECOMMENDATION MEETING: JUNE 21, 2016

The design packet includes materials presented at the meeting, and is available online by entering the project number (3022652) at this website:

<http://www.seattle.gov/DPD/aboutus/news/events/DesignReview/SearchPastReviews/default.aspx>

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

**Mailing Address:**           **Public Resource Center**  
700 Fifth Ave., Suite 2000  
P.O. Box 34019  
Seattle, WA 98124-4019

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

## DESIGN DEVELOPMENT

At a public meeting held on January 6, 2016, the day after the Design Review Board Early Design Guidance Meeting for this proposal, the City of Seattle Landmarks Preservation Board voted to approve designation of the Maritime Building at 911 Western Avenue as a Seattle Landmark. While the three conceptual massing models originally shown to the Design Review Board had envisioned two additional office floors topped with six residential floors, with the entire addition set back from the north and south edges of the existing building because of view corridor requirements, the Architectural Review Committee of the Landmarks Board, meeting after Landmarks designation, expressed concerns about the residential tower portion of the project and the “wedding cake” effect of the office floor massing that was required by view corridor requirements of the Land Use Code, SMC 23.49.024. Directed to maintain the horizontality of the Landmarked structure, the proposal was pared back to embrace two-and-a-half new floors of office space, more or less aligned with the west, north and south edges of the existing form, and with no residential units.

The Maritime Building is proposed by its developers as promising to become a centerpiece of the reclaimed waterfront. A lobby for the building’s expanded office space will be centrally located along the newly configured Alaskan Way. Together with retail spaces that will overlook the new waterfront from the repurposed elevated railroad and truck loading dock, the structure will figuratively reposition itself as a dominant presence along the shoreline promenade.

## PUBLIC COMMENT

Two individuals signed in to become parties of record at the meeting. One individual, speaking on behalf of the Friends of the Waterfront District, addressed the Board during the public comment period, and indicated support for the proposal.

## BOARD RECOMMENDATIONS

The recommendation summarized below was based on the design review packet dated June 21, 2016, and the materials shown and verbally described by the applicant at the June 21, 2016 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, three of the five Design Review Board members recommended **APPROVAL** of the proposed subject design with the following conditions:

- The applicant’s preferred new scheme showed promise; the wedding cake effect of the original massing studies were generally inferior to the present massing and design; the Board was in general agreement with the sentiments of the Architectural Review Committee of the Landmarks Board, namely that it was important to maintain the basic horizontal feeling of the structure; while the proposed addition should not imitate the original building, it should nonetheless be carefully designed in deference to the existing structure;
- Further detailing of the north and south upper facades should embrace a concept of knitting together the east and west facades, but they need not be identical, one to the other;
- The raised dining terrace and circulation space along the ground floor of the waterfront façade was conceptually strong and needed to keep its industrial feel and look as a loading dock in the detailing of awnings, railings, windows, etc.;

- The masonry band above the first floor must remain fully visible;
- The canted west façade and the subtractive angling-in of the first add-on floor is a compelling detail; the floor above, however, should not exceed the limits of the conceptual frame of the two-floor addition; the strong protrusion (as indicated in the graphic beneath the “Board Briefing, May 18th Summary” in the packet, for instance) should be eschewed and the entire deck area should be subtractive only;
- The layout of the mechanical elements and rooftop amenity areas should be designed meticulously; there was a lack of detailing provided on the proposed screening wall, for instance;
- The Board urged the design team to further explore how the new upper facades and features of the existing building might be conceptually better interlocked in the design, or otherwise be made to complement each other.

### **DECISION – DESIGN REVIEW**

The Design Review Board process prescribed in Seattle Municipal Code (SMC) 23.41.014.F and describing the content of the SDCI Director’s decision provides that the: “Director’s design shall consider the recommendation of the Design Review Board...if four or more members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision that makes compliance with the recommendation of the Design Review Board a condition of permit approval, unless the Director concludes that the recommendation of 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.

#### **Director’s Analysis:**

Three members of the Downtown Design Review Board provided recommendations (listed above) to the Director and identified elements of the Design Guidelines that would be critical to the proposed development’s overall success. The Director must provide additional analysis of the Board’s recommendations and then accept, deny or revise the Board’s recommendation (SMC 23.41.014.F.3).

Following the Recommendation meeting, SDCI staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. With the exception of the façade design pattern discussed below, the Director is satisfied that all of the recommendations imposed by the Design Review Board have been met, as described in the Board’s Recommendation section above.

The Maritime Building is a legally nonconforming structure as to the Code’s view corridor and upper-level façade modulation development standards. SMC 23.49.024. The Maritime Building is approximately 70 feet in height and its unmodulated façade spans the block between Madison and Marion on Western Avenue. The existing façade on Western Avenue does not conform to SMC 23.49.058, which requires façade modulation above a height of 60 feet for any portion of the structure located within 15 feet from the street lot line. Above 60 feet in height, the building also extends into the required view corridors at Madison and Marion Street. See SMC 23.49.024.

SMC 23.42.118.A permits a landmark structure to expand and increase the extent of the nonconformity, when the Landmarks Board determines that there is no feasible alternative that meets the development standards of the zone while preserving the integrity of the landmark structure. At its meeting on May 16, 2016, the Landmarks Preservation Board met and reviewed the proposed massing for the project, and concluded that the proposed design, which extends the degree of nonconformity with respect to required view corridors should be approved, since there is no feasible alternative that meets the development standards of the zone while preserving the integrity of the landmark structure. Pursuant to SMC 23.42.118.A, the Director concurs in this conclusion.

On July 15, 2016, the Architectural Review Committee of the Landmark Preservation Board endorsed the massing and façade design of the project. While both bodies approved the same overall massing concept for the project and for the west façade of the new addition, the Design Review Board and Landmarks Architectural Review Committee recommendations vary with respect to the north, east and south facades of the new addition. The DRB preferred a design pattern that is more regular and formal in nature. The ARC, however, viewed this formal design pattern as generally inconsistent with the Secretary of Interior guidelines, in that it would be too similar to the façade design of the existing Maritime Building below. The ARC concluded that the new addition should read more clearly as a new structure, clearly differentiated from the existing Maritime Building. Thus, the ARC would only approve a more randomized design pattern on the north, east and south facades of the new addition.

The Director's accepts the recommendations of the Design Review Board, conditioned upon any changes required as part of the certificate of approval to be issued by the Landmarks Preservation Board.

**Director's Decision:**

The Design Review process is prescribed in SMC 23.41.014. Subject to the above-proposed conditions, the design of the proposed development was found by the Design Review Board to adequately conform to the Citywide Design Guidelines. The Director has reviewed the decision and recommendations and agrees with the Design Review Board's conclusions that the proposed development as presented at the June 21, 2016 meeting would result in a design that better meets the intent of the applicable Design Guidelines, subject to any changes required in order to be in compliance with the certificate of approval granted by the Landmarks Preservation Board. In case of conflict, SMC 23.41.014.F.2 requires that the certificate of approval would control. Therefore, the Director accepts the Design Review Board's recommendations, as conditioned by the forthcoming certificates of approval, and **CONDITIONALLY APPROVES** the proposed design with the conditions summarized at the end of this Decision.

**ANALYSIS – SEPA**

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), RCW Ch. 43.21C, WAC 197-11 and the Seattle SEPA Ordinance (Seattle Municipal Code (SMC) Ch. 25.05).

The initial disclosure of the potential impacts from this project was made in an environmental checklist submitted by the applicant dated March 21, 2016. The information in the checklist, supplemental information provided by the applicant, pertinent public comments which were received regarding this proposed action during SDCI's evaluation and the experience of the lead agency with review of similar projects forms the basis for this analysis and decision.

As indicated in the checklist, this action may result in adverse impacts to the environment. But, due to their temporary nature or limited effects, these impacts are not expected to be significant.

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, 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 certain limitations and/or circumstances (SMC 25.05.665.D.1-7) mitigation can be considered.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for short and/or long-term impacts. Applicable Codes may include the Stormwater Code (SMC 22.800-.808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Ch. 15), the Seattle Building Code and the Noise Ordinance (SMC 25.08). The Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality.

### Short-Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, disruption of utilities serving the area and increases in greenhouse gas emissions. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794).

Several construction-related impacts are mitigated by existing Codes and ordinances applicable to the project such as: the Noise Ordinance (construction noise), the Stormwater and Grading Codes (grading, site excavation and soil erosion), the Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of pedestrian right-of-way), and the Building Code (construction measures in general). Compliance with the applicable Codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. The following analyzes construction-related noise, air quality, earth, grading, construction impacts, traffic and parking impacts as well as its mitigation.

### Noise

Residential and mixed-use commercial properties surround the project site and are located in the same DMC-160 zone. The applicant identifies that construction hours shall be consistent with the City's Noise Ordinance: 7:00 a.m. to 7:00 p.m., Monday through Friday and between 9:00 a.m. and 7:00 p.m. on weekends and legal holidays.

The short-term noise associated with the construction activities at the subject site (e.g., generators, pneumatic hand tools or concrete mixers), demolition of the existing structure and construction vehicles may occur as a result of this project. Residential properties are situated to the north.

Although there is adjacency to residential uses, the Noise Ordinance is found to be adequate to mitigate the potential noise impacts. No further mitigation is warranted pursuant to SEPA policies.

*Air Quality*

Limited excavation and construction activity related to this project is expected to result in short-term increases in air particulates and carbon monoxide that could temporarily affect air quality in the vicinity; however, the increase is not expected to be significant.

Demolition/construction activities that would contribute to the increase include limited excavation, grading and operation of heavy trucks and smaller equipment (e.g., generators and compressors). Compliance with the Street Use Ordinance (SMC 15.22.060) will require the applicant and its contractors to water the site or use other dust palliatives, as necessary, to reduce dust. Additionally, should asbestos be identified on the site, it 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.

Lastly, federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the SEPA Air Quality Policy (SMC 25.05.675).

The Code, PSCAA regulations and applicable federal law are found to be adequate to mitigate the potential impacts to air quality. No further mitigation is warranted pursuant to the SEPA policies.

*Construction-Related Traffic and Parking*

The construction of the project will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. The applicant proposes the excavation of less than 1000 cu. yds. of soil. These construction activities may generate adverse impacts. Additional mitigation is warranted pursuant to the SEPA Construction Impact (SMC 25.05.675.B) and Traffic/Transportation Policy (SMC 25.05.675.R).

Furthermore, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities and parking (SMC 25.05.675.B). The demand for parking by construction workers for the project would likely reduce the supply of parking in the vicinity. Although the proposal site is served by frequent King County Metro Transit and pedestrian facilities, this temporary demand on the on-street parking in the project vicinity due to construction workers' vehicles may be adverse. Additional mitigation is warranted pursuant to the SEPA Construction Impact (SMC 25.05.675.B).

Accordingly, the owner and/or responsible party shall be required to submit a Construction Management Plan (CMP) to mitigate the adverse construction-related traffic and parking impacts. This CMP shall be reviewed and approved by SDOT and shall include methods that will reduce construction worker parking demand on the surrounding streets and minimize construction impacts to Western Avenue to the greatest extent possible. Submittal requirements and review processes are described here: [www.seattle.gov/transportation/cmp.htm](http://www.seattle.gov/transportation/cmp.htm). The approved CMP will be required prior to the issuance of any future demolition, grading and/or building permits for the project.

*Greenhouse Gas Emissions*

Construction activities including construction worker commutes, truck trips, operation of construction equipment and machinery and the manufacturing 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. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions for the project. Therefore, no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

### Long-Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased bulk and scale on the site; increased traffic in the area and increased demand for parking; and increased greenhouse gas emissions resulting from additional traffic. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, height, bulk and scale, historic and cultural resources, traffic, and parking impacts warrant further analysis.

### Height, Bulk and Scale and Public View

The SEPA Height, Bulk and Scale Policies (SMC 25.05.675.G) state that: "...the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies...for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning."

In addition, the Height, Bulk and Scale Policies state that: "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."

The SEPA Public View Policies (SMC 25.05.675.P) state that "it is the City's policy to protect public views of significant natural and human-made features: Mount Rainer, the Olympic and Cascade Mountains, the downtown skyline, and major bodies of water including Puget Sound, Lake Washington, Lake Union and the Ship Canal, from public places consisting of the specified viewpoints, parks, scenic routes, and view corridors."

The development, as a whole, will be keeping with the scale of development anticipated by the goals and policies for the DMC-160 zone and the Comprehensive Plan, as modified by determinations of the Landmarks Preservation Board. The Design Review Board, in approving the proposed development, gave particular attention to the height, bulk and scale relationship with the adjacent development.

There is no evidence that the height, bulk and scale impacts have been inadequately mitigated through the Design Review Board and Landmark Board process. Therefore, no additional mitigation of height, bulk and scale impacts is warranted.

There are no identified public viewpoints identified in Attachment 1 of SMC 25.05.675 in the vicinity that would be affected by the proposed development. No mitigation of public views is warranted.

*Historic and Cultural Preservation*

The SEPA Historical and Cultural Preservation Policies provide authority to mitigate impacts to historic buildings (SMC 25.05.675.H.2). The Landmarks Preservation Board designated the Maritime Building as a City of Seattle Landmark on January 6, 2016. Modification to a designated landmark requires a Certificate of Approval from the Landmarks Preservation Board, prior to MUP issuance.

An application for a Certificate of Approval was subjected to the Historic Preservation Program Coordinator to construct an addition on the existing building. The proposal has been reviewed at multiple meetings with the Architectural Review Committee. Ultimately, the full Landmarks Board will decide upon whether to issue a Certificate of Approval to allow modifications to the Maritime Building.

Given the review by the City's Landmark Preservation Board, no further mitigation regarding historic preservation is warranted.

*Traffic and Transportation*

The Transpo Group provided a Transportation Impact Analysis (TIA), dated April 14, 2016, for the subject site. The TIA evaluates the expected trip generation for the project and evaluates potential parking impacts. The project is located at 911 Western Avenue on the west side of Western Avenue, between Madison AND Marion streets. The site is currently comprised of approximately 32,400 square feet of retail and 129,600 square feet of office. Access to an existing 86 stall garage is located on Western Avenue. Additional surface parking is provided along the western edge of the project and is accessed from Alaskan Way S surface streets. The Transpo Group's analysis was based on the development of 50,000 sf. of additional office space with parking provided for 85 vehicles.

Total person trips were developed based on trip rates from ITE's Trip Generation Manual (9th Edition) and average vehicle occupancy from the National Cooperative Highway Research Program (NCHRP) Report 365 Travel Estimating Techniques for Urban Planning. Person trips using each transportation mode were determined by multiplying the total person trips by the estimated mode splits from the Commute Seattle's 2014 Center City Commuter Mode Split for the Downtown neighborhood, the project's location.

Based on this information, Transpo estimated the project is anticipated to generate an increase of 22 net new weekday AM peak hour trips and 20 net new weekday PM peak hour trips. Because the net increases in vehicular trips for the project is minimal, it is expected that the amount of traffic generated by the project is within the capacity of the roadway network in the immediate vicinity. Therefore, no additional mitigation pursuant to SEPA authority is warranted.

The existing garage contains 86 usable stalls accessed via Western Avenue. With the proposed development, up to 85 parking spaces would be provided, all of which are accessed by an existing curb cut on Western Avenue. No parking for office uses is required downtown.

A parking analysis was included with the TIA prepared by The Transpo Group to assess the expected parking demand and supply. Transpo has estimated that the parking demand associated with the existing building is approximately 113 vehicles. The current supply is 86 stalls, which

results in an existing spillover of approximately 27 vehicles. The proposed development would increase demand by 35 stalls. All future new demand is anticipated to occur off-site given the existing spillover. To accommodate the spillover associated with the project, a review of parking availability in the area was conducted. There are over 20 public parking garages in the vicinity of this project. A review of the closest four, during the peak afternoon period, showed there was a surplus supply to accommodate the maximum spillover of 59 vehicles. Transpo found that the anticipated parking spillover could be accommodated in off-site parking garages at both levels of development. Accordingly, no further mitigation pursuant to SEPA authority relative to parking impacts is warranted here.

### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. 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. No further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

### **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 requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency of decisions pursuant to SEPA.

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

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 – SEPA**

#### Prior to Issuance of any Demolition, Grading or Building Permit

- 1) In order to address construction related transportation and parking impacts, a Construction Management Plan (CMP) is required. This CMP shall be reviewed and approved by SDOT and shall include methods that will reduce construction worker parking demand on the surrounding streets and minimize construction impacts to Western Avenue to the greatest extent possible. Submittal requirements and review processes are described here: [www.seattle.gov/transportation/cmp.htm](http://www.seattle.gov/transportation/cmp.htm).

## CONDITIONS – DESIGN REVIEW

### Prior to a Certificate of Occupancy

- 2) The Land Use Planner (Michael Dorcy at 206-615-1393 or [michael.dorcy@seattle.gov](mailto:michael.dorcy@seattle.gov)) shall inspect materials, colors and design of the constructed project. An appointment with the assigned Land Use Planner must be made at least seven (7) days in advance of a field inspection. All items shall be constructed and finished as shown in the Master Use Permit (MUP) set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner. The Land Use Planner will determine whether the submission of revised plans is required to ensure that compliance has been achieved.
- 3) 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 (Michael Dorcy at 206-615-1393 or [michael.dorcy@seattle.gov](mailto:michael.dorcy@seattle.gov)).

### 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 the materials submitted after the Recommendation meetings, before the MUP issuance. Any changes to the proposed design, including materials or colors, shall require the prior approval of the Land Use Planner (Michael Dorcy at 206-615-1393 or [michael.dorcy@seattle.gov](mailto:michael.dorcy@seattle.gov)).

Michael Dorcy, Senior Land Use Planner  
Seattle Department of Construction and Inspections

Date: October 3, 2016

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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.