



## **BACKGROUND DATA**

### Project Description

The applicant proposes a 31-story residential structure with 270 residential units and 11,681 sq.ft. of retail space at ground level. Accessory parking is to be located beneath the structure, to be accessed from Virginia Street.

### Vicinity and Site

The site is located at the eastern corner of 4<sup>th</sup> Avenue and Virginia Street, at the southeast edge of the Belltown neighborhood, adjacent to the downtown commercial core to the southeast and the Denny Triangle to the north.

The site is bounded by 4<sup>th</sup> Ave to the southwest, Virginia St. to the northwest, an alley to the northeast, and the adjacent Centennial building to the southeast. At the site 4<sup>th</sup> Ave is a principal arterial, a Class I pedestrian street, a principal transit street, where SMC [23-49](#) requires 15'-wide sidewalks, street level uses and property line façades. At the site Virginia Street is a minor arterial, a Class II pedestrian street, where 12' sidewalks are required. The site slopes toward the alley to the northeast, and the vicinity slopes down on either side of 4<sup>th</sup> Ave. (see Page 26).

The site is zoned Downtown Office Core 2 with a 300-foot base height limit (DOC2-300, see Figure 2). Properties to the northeast and southwest bounded by Virginia and Olive are also zoned DOC2-300. To the north and west across Virginia Street, land is zoned Downtown Mixed Commercial with a 240-foot base height limit (DMC-240). Land to the south and southeast across Stewart Street and Olive Way is zoned Downtown Retail Core with alternative height limits of 85 feet or 150 feet for preferred uses. The property is located in the Belltown/Denny Regrade Urban Center Village.

The applicant's vicinity analysis identifies surrounding "icon buildings" designated in the Belltown Design



Figure 1. Local topography



Figure 2. Vicinity zoning



Figure 3. Aerial View

Guidelines. These include the Centennial Building adjacent to the site on the southwest, The 10-story Clairemont Hotel directly across Virginia Street to the northwest, and the Marshall Building across the intersection to the west. Other notable buildings are located just outside Belltown and are therefore not on the list. These include the flatiron-shaped Times Square Building, located in the wedge between Stewart St and Olive Way, the Icon Grill, located across the alley, and the Bon Marché, located to the south across Stewart & Olive. Within a two-block radius of the site are several highrise towers in the range of 18 to 40 stories, which are generally a tower-on-base design. These include the twin-tower Westin Hotel, the Westlake Center, and the Securities Building.

The site is regularly shaped, approximately 240' by 108', or about 26,000 square feet, with its longer dimension along 4<sup>th</sup>. Due to the substandard alley width, originally platted as 16', the applicant must dedicate two feet of the northeastern portion of the property to the alley per Seattle Municipal Code (SMC) [23.53.030 B2 & F1](#), which results in a site area of about 25,440 square feet. The site slopes to the northeast, about eight (8) feet in all (See Page 26). No portion of the site is designated as an Environmentally Critical Area on City maps.

The site is currently occupied by two- and three-story retail and office buildings in poor repair, dating to the 1920s and '30s. One building is currently occupied by an arts organization. The majority of the site is paved, currently used as a pay parking lot. There is also a [billboard](#) located on the northern corner of the site, likely to be removed once the site is developed. There is no substantial vegetation on site, but four deciduous street trees currently provide a buffer along 4<sup>th</sup> Avenue, between the sidewalk and the adjacent vehicle traffic. The existing sidewalk along 4<sup>th</sup> appears to exceed the required 15' width, and the existing sidewalk along Virginia appears to meet the 12' standard.

The site is intensively served by public transit, and there is a nearby bus stop on 4<sup>th</sup>, adjacent to the Centennial building. At the project's inception, a monorail station had been proposed directly across the alley, but local voters have since abandoned the transit proposal.

## **DESIGN REVIEW PROCESS**

The project's first Early Design Guidance meeting took place on August 10, 2004, in the Boards and Commissions room of City Hall. All five Board members attended. The second Early Design Meeting took place on November 9, 2004, in the same location, with three Board members in attendance. The Design Recommendations meeting took place on December 13, 2005, in the same location, with four Board members in attendance. Design illustrations are located in the project file, available for public review at DPD's Public Resource Center, floor 20 of Seattle Municipal Tower.

The site is subject to the [Belltown Urban Center Village Design Guidelines](#). Page VII of the Guidelines states, "Belltown is the northern neighborhood of downtown Seattle bounded by Denny Way to the north, Elliott Avenue to the west, Sixth Avenue to the east, and Virginia Street to the south (historically and decades ago, the southern border was Stewart Street). While

the description of the neighborhood boundaries is accurate, the guidelines clearly apply to the entire Urban Center, which encompasses the subject site.

1st EDG 8/10/2004: Applicant's Presentation

Paul Thoryk of Thoryk Architecture presented the design, with supplemental presentations from Greg Krape of Mulvanny/G2 and Joseph Strobele, the developer.

Mr. Krape described the site and vicinity, referring to much of the information presented above. He identified an attractive neighborhood and pedestrian scale, with popular restaurants and pedestrian amenities, identifying the site as “an opportunity to locate a larger building that plays off of existing forms”.

Mr. Thoryk described the design program at the ground level, which would include a residential lounge opening into a sculpture court, a restaurant with a covered terrace. Along Virginia, the building would pull back to allow for a porte cochère, which would be treated like a courtyard, with gardens, granite stones, a water features, and pavers, like a cobblestoned street. The architect described an 8' drop along the Virginia St. façade, which he identified as an opportunity to do interesting things with landscaping or water features.

The current design locates the principal vehicle access off the alley, adjacent to the northwest property line, but the architect noted that alley access raised concerns about adequate clearance to reach parking levels above and below grade, as well as potential conflicts with truck traffic, garbage pickup, and other utilities. The design team is considering accessing the site off Virginia.

The architect presented three basic massing diagrams, which primarily addressed treatments of massing above 300'. All alternatives included a 5-6 story base consisting of parking and an “amenities area”. The base would be finished with traditional features, using colors and materials that evoke the surrounding historic buildings. Terraces above the base would give the tower above a floating effect. Trellises and vines would screen the parking, “so you wouldn't know it was an auto garage – it would look more like a mural”.

The architect also described the preliminary design of the residential tower, identifying indentations and crenellations of the floor plate that would make it seem like three towers with a slender, relaxed look. The articulations would provide a soft feeling to blend the elements of the surrounding buildings.

The current design may involve requested departures from standards for upper level coverage, façade length, and ground level transparency. The applicant made no specific request for such departures.

1st EDG 8/10/2004: Clarifying questions by the Board

*Please describe the indentations you've identified in the tower.* There would be generous balconies, not solid glass façades. These would be wide enough for patio tables. Curves in the floor plate would be created by the balconies. The insets would create a taller, more slender look and also provide for wider views from the apartments.

*It looks like all the public edges are set back, except for the alleyway. Is it true that all the façades along the ground plane are set back from the sidewalk?* Yes.

*Would the sculpture garden be open or enclosed?* The design concept involves archways to look through, possibly some nice wrought iron work. It would be visually available open space. Concerned about liability if there's physical access. We can put really nice sculptures in there and water features if we fence it off.

*The parking garage overhangs the ground floor. What is the height of the overhang?* 16 feet, intended to feel open. The site changes in elevation about 8' along Virginia, another 2' along 4<sup>th</sup> Ave.

*On the corner of Virginia and the alleyway, what does the design envision for that area. Would it be open?* Pedestrians would see vehicles coming and going. It will be treated attractively. It would be dangerous if a wall were shielding the entrance. The developer has stated a strong caveat about locating the garage entry there – we're still working on it, trying to respect the Code preference for alley access.

*From the sidewalk on Virginia, describe what a pedestrian would walk along.* This should feel like a pedestrian space, like a European courtyard. You'll see the water feature. We took a prime retail space and located the lobby entrance there, which represents a sacrifice in income.

*The presentation touched on blending into the neighborhood. What would you say are the predominant characteristics of the surrounding neighborhood?* [Mr. Thoryk] Terra cotta tile. My designs don't seek to copy the surrounding area. [Mr. Krape] Sandstone-colored brick. Lots of glazed terra cotta on the adjacent Centennial building.

*Are you keeping the context in mind as you pick out your palette of materials?* I think about the palette of colors available in the surrounding area. I also think of a flower. We like to do some special things on the sidewalk. I call my style "contemporary heritage". I've traveled all over the world to study every single type of architecture there is. I've been to India. I don't want this design to be so hard and abrupt to cause people to think that it's not a residential building.

*Are you proposing mechanical venting of the above-ground parking?* The façade will have openings for venting above. We want ventilation to be as natural as possible.

*Are you proposing any departures from upper level coverage?* There may be a requested departure for upper level coverage, there may be an issue of façade length, and there may be an issue of transparency at the sidewalk grade.

*Have you considered the Belltown-specific design guidelines? We've taken them into consideration, even though the project lies just outside of the identified Belltown area. [DPD staff clarification: Page VII of the Belltown Design Guidelines states, "Belltown is the northern neighborhood of downtown Seattle bounded by Denny Way to the north, Elliott Avenue to the west, Sixth Avenue to the east, and Virginia Street to the south (historically and decades ago, the southern border was Stewart Street)." While the description of the neighborhood boundaries is accurate, the guidelines clearly apply to the entire Urban Center, which encompasses the subject site.]*

*Explain the need for the porte cochère. It's safer to be able to pull people off the street instead of having to double-park. Under the building there would be protection from the rain. It will appear to be a work of art, with the landscaping and water feature near the sidewalk. On 4<sup>th</sup> Ave, you've described a base with a colonnade, with a storefront pushed back away from the street edge, correct? Yes.*

*Drawings show what appears to be a colonnade along the street edge on 4<sup>th</sup>, is that right? I've got lots of ideas about how that element would look. The columns could provide architectural relief for the solid wall behind. The setback would be about 10', enough to locate tables for a sidewalk café. The colonnade would be about 16' at its highest, 8' on the lower corner.*

*Do you have a landscape architect on your team right now? I've worked on a government project in Aruba, in which we brought water from the bay into the hotel. I work with some of the best landscape architects in the world. I want to work with a good consultant who really understands the plant material.*

#### 1st EDG 8/10/2004: Public Comment

Ten members of the public signed in at the Early Design Guidance meeting on August 10, 2004. Some comments were outside of the Board's purview, such as the ratio of parking stalls to proposed units, and view preservation from nearby properties. Comments related to design review included the following:

- Prefer not to see a long façade along 4<sup>th</sup>.
- I don't see how the project relates to its immediate context. There are several very quality buildings nearby.
- It's a challenge to design a visually interesting building with parking that spans the 2<sup>nd</sup> to 5<sup>th</sup> floors.
- The 2<sup>nd</sup> floor overhangs the ground floor level, making it darker and not attractive.
- This is an attractive alley, and we'd like it to be an active alley, not just for dumpsters. We want you to treat it as a contextual element. Please don't just walk away from it.
- I like visual elements to protect pedestrians.
- Could you look at whether it's feasible to put the whole garage underground?

DPD also received two letters from the public. One voiced opposition to the project, due to displacement of a nonprofit organization in the existing building. Another letter voiced the following design-related concerns:

- A major mistake in construction took place on Virginia Street when the Westin Hotel was built. Little regard was given to pedestrian traffic and a very high blank wall with a parking entrance was erected. This became a dead spot, a place for loitering, and a place for graffiti. It is critical that the Virginia side of the proposed project at 1918 4<sup>th</sup> Ave have a street friendly environment.
- Retail shops are critical. Virginia Street is a major access for tourists walking from the Westin Hotel to the public market. All of us need to feel comfortable and safe when walking our streets.
- Keeping what has become a viable, interesting, safe area in the restaurant district of Seattle that is people friendly is of great importance.

#### 2nd EDG 11/9/2004: Applicant's Presentation

Proponents representing the project were Joe Strobele of Land Holdings LLC, Paul Thoryk of Thoryk Architecture, Greg Krape of Mulvanny G2, and Jack McCullough of McCullough Hill Fisko Kretschmer Smith.

Mr. Krape described five broad areas in which the updated design had responded to earlier guidance: the pedestrian environment, the above-grade parking garage, building massing, the project's neighborhood context, and access to the parking garage.

Mr. Thoryk presented the design updates. The concept for the ground floor now includes a retail space at the corner of 4<sup>th</sup> and Virginia, another retail/restaurant space at the southern corner facing 4<sup>th</sup>, and a residential entry located between the two. Updated plans have eliminated the porte cochère originally proposed on Virginia St, and instead locate the entrance to the parking garage facing the street, next to the alley.

This design shows an articulated façade along the base structure, eliminating the “square boxy look” of the parking garage in the previous iteration. The finish material would be an “earthy, light color” in keeping with nearby buildings’ glazed terra cotta, and the ground floor might be finished with real stone, such as quartz. Proposed modulations extend from the tower down to the sidewalk level. The architect now proposes to ventilate the garage levels mechanically, involving no physical openings, and the concept is to provide further visual interest across the façade with articulated glass (but not windows) with colorful lighting. This design concept would provide a solid base that “looks like it really holds up the building”, that softens the corner, and that provides pedestrian interest, “but you don’t know it’s parking”.

Overhead weather protection in the form of clear glass canopies would extend along a portion of 4<sup>th</sup> Avenue and wrap the corner, terminating before the proposed vehicle access, and would also serve to announce the residential entry. In place of the previously proposed sculpture court, the architect described an inviting entry, storefront windows that frame the sidewalk, and visible plantings. Although existing mature street trees are to remain, the architect explained that the presented drawings omit them to better show the proposed design. Mr. Thoryk noted that the building’s architecture should start from the curb, not just from the ground floor façade.

Considering the overall architectural concept, Mr. Thoryk described a base structure that “reaches up and grabs the building”, moving from a much more solid, opaque expression at the base to a lighter, more transparent expression at the tower’s upper reaches. The solid-to-light transition would be achieved in part by a gradual variation in balcony railings from bottom to top. A planted open-air garden terrace above the base structure should soften the transition. Elevations facing 4<sup>th</sup> Ave and Virginia St. are also each divided into three vertical expressions, with rounded corners to give it a softer presentation. The architect also described a special modulation of the top levels, but did not go into detail. The overall design concept is to blend the base with its context, and to give the tower a lighter, airier appearance, “like a crystal coming out of a solid mass”.

Access to the parking levels is proposed to be on Virginia Street, as close to the alley as possible. The architect pointed out that the Icon Grill has a prominent pedestrian entry located on the alley. He also explained that the turning radius would be too constrained, considering the 18' alley width and the presence of garbage dumpsters associated with the neighboring buildings. Views of the parking entrance would be obscured or diminished by the proposed modulation of the base structure on Virginia St, and the architect proposes special pavement textures across the driveway.

#### 2nd EDG 11/9/2004: Clarifying questions by the Board

*Board members complimented the design team on “great improvements” over the initial design scheme, particularly at the ground plane.*

*At the ground level on 4<sup>th</sup> Ave, how far back from the sidewalk are the windows proposed to be?* The entire ground floor façade has windows adjacent to the sidewalk, except for the emergency exit, which is opaque. The façade undulates at the entry to the residential lobby.

*On the amenities level, are all the terraces open?* All the area described as “terrace” is open, with a glassed-in event center set back. Indoor amenities include a pool and jacuzzi, and a fitness center.

*Please describe the dropoff zone.* Dropoff would happen at the curb. The porte cochère is no longer included in the proposal.

*Please describe the transition in balconies from bottom to top.* Balconies are proposed on all levels of the tower. They’re designed to give a light, airy feeling. Toward the bottom, they’re enclosed with a higher opaque parapet. Toward the top, the railings are all glass.

*Does the design involve any requested departures?* Floor plates over 125' tall would likely exceed 15,000 sq.ft. It may be necessary to request a departure from the upper level development standards (SMC [23.49.078 A](#)). The apparent stepping back on the upper levels is achieved through a shift in materials, not a physical setback.

*Are the floorplates of the parking level a reflection of floorplates of the tower?* Yes. Modulations go all the way through the parking levels.

*The City of Seattle generally doesn't grant vehicle access off streets and avenues, because of issues with vehicle-pedestrian conflicts. Is there some special circumstance that would warrant a departure or waiver?* A garage that's not user-friendly, not safe, and not clean is not an inviting project to sell to condominium owners. This is an active one-way alley, full of dumpsters. If we boldly assume that we'll locate our entry off the alley, there's no guarantee that the neighboring owners will adjust their dumpsters – where would they put them?

*Are any of the surrounding buildings designated as landmarks?* None adjacent to the site.  
**[DPD staff clarification:** The nearest designated landmarks are the Times Square Building, McGraw Square, the Bon Marché, and the Monorail. According to data available to DPD, the adjacent Centennial Building has not been designated as a landmark.]

*Please identify the height of the ground floor level.* We show about 16', with signage provided under the canopy, which sweep above the sidewalk. Canopies make the difference for a great façade. 16' also allows for continuity with the floor plate of the adjacent Centennial Building.

*Please describe what the corner of the building would look like where the alley intersects with Virginia St.* We want the auto entrance to be very attractive. There would be texture and reveals in the concrete, but no stepping back.

*What is the finish proposed on the surfaces shown in white?* Special kinds of stones on the lower level, precast concrete colored to match on the upper levels: an earthy, light color. Lower floors would be a real stone, like fine quartz to give it some sparkle.

#### 2nd EDG 11/9/2004: Public Comment

Eight members of the public signed in at the Second Early Design Guidance meeting on November 9, 2004. All comments related to the design guidelines:

- From an east-west standpoint, this building is remarkably wide. More than 190', including balconies. A round building would be better.
- I haven't seen details of the parking garage's upper levels, but I just haven't seen many attractive garages in Seattle.
- The Design Review guidelines try to make the alleys as interesting and active as possible, and to clean them up as much as possible. I didn't find this alley to be particularly disgusting. The Downtown guidelines even ask you to be a good neighbor and take the dumpsters in. We want cars to come in on the alley, not on Virginia, which is a very busy street.
- Colonnades aren't common here. It's mostly attractive where it's used block after block. The Board should look at that and think about how it fits into the neighborhood.
- This is a large project on a long block. The project should provide public open space, not just private.
- This looks like a good project overall – good to see its evolution. It shows that the process is working well.

- Be very sensitive to the Virginia side. The regrade has become the restaurant district. It's well lit at night, and people are walking around. There's a lot of traffic between the hotels and the Market. The Westin made a big mistake in its parking garage, presenting a big wall on Virginia – a “too bad” situation.
- It's important that you use the alley as an entrance. There's plenty of room for parking using the existing alley space.
- You need to give Virginia a sense of aliveness.
- There's a building immediately adjacent to the site. The relationship of the low and the high buildings is important. I don't see any evidence of continuity. The parking garage massing far exceeds what's next door.
- I agree that the alley should be used for vehicle access. To abandon it is wrong. Regrade it if necessary, light it, and rehabilitate it.
- What is the basis for granting a departure? What criteria would this Board use? A departure would apparently create a mass beyond which the City wants to go. What is the public getting back?

#### Recommendations 12/13/2005: Applicant's Presentation

Greg Krape of Mulvanny/G2 presented the design, with supplemental presentations from Joseph Strobele, the developer. The updated design responds to much of the Board's early guidance. The height of the podium has been dropped about 30', so it is similar in scale to the neighboring Centennial Building, and features similar undulation and articulation. The tower design continues to feature articulation that conveys a sense of three separate towers. The tower now incorporates added articulation, giving it a lighter feel, and it respects the modern forms of the Westin towers. The tower's crown is proposed to be backlit in order to highlight its curvature. The exterior cladding has also been updated – the earlier heavy precast has been lightened up with a curtainwall. Residential units continue to have wide balconies.

The architect showed an extensive montage of traditional architectural detail located in the neighborhood from First Avenue to Fifth Avenue. The design team identified a need to find some balance within the rectilinear classical façades and the contemporary towers that surround the site. The design concept strives for “graceful play” between the neighborhood's historic foundation and the taller adjacent buildings.

A significant change in the design involves locating all the project's parking underground, eliminating the above-grade parking levels previously proposed. The updated design now features a ground floor retail space with a clear and united sense of entry and a 16' to 20'-high ceiling. Drawings show attention to detail along the principal street-level façades on 4<sup>th</sup> and Virginia, including a continuous terraced canopy and architectural detail that wraps around to the alley. Nighttime lighting of the podium is enhanced by the activated interiors of the heightened ground level and the second-floor amenity level. The podium is proposed to be uplit at the column lines.

Architectural treatment of the podium level features a rhythmic colonnade that grounds the overall design and relates to the tower above. Curves in the ground level façades allow for outdoor seating and lingering spots for pedestrians. Alternative alley paving creates a clear

pedestrian link to the door of the Icon Grill. Existing street trees are to be preserved, with the exception of one tree that centers on the principal entry on 4<sup>th</sup> Avenue.

Nick Hagan of the Weisman Design Group presented the project's landscape design. Focusing on the ground level, he noted that the existing street trees tend to pick up the rhythm of the podium columns. Sidewalk plantings are to be in pots, with a larger planting area to strengthen the site's north corner, across the alley from the Icon Grill entrance. Paving patterns of integral colored concrete are intended to reinforce the building's architecture.

At the upper level amenity area, the landscape design is centered around a water feature flanked on the east and west by large circular planters and some groupings of trees to frame the water feature: a stage for sculptural art elements.

Greg Krape resumed the presentation, acknowledging the Board's stated concern and guidance about alley access to the parking levels. He noted that the updated design has eliminated any porte cochère, but it continues to maintain vehicular access adjacent to the alley on Virginia. There are a number of site constraints which make alley access less desirable: a lower elevation at the northeast corner, the width of the existing alley, parked vehicles associated with loading and unloading, and other service uses accessory to neighboring businesses. A main entrance to the Icon Grill is located directly across from where alley access might otherwise be proposed. Further, the applicant stated that street access allows for optimal organization of the retail level.

The updated design involves departures, identified in Table 1 on page 19.

#### Recommendations 12/13/2005: Clarifying questions by the Board

*The site plan refers to four columns near the main entry – what is their purpose? These are bollards located at the entry, intended to provide a better sense of security.*

*Please identify the canopy materials: what finish is proposed for the metal? It would be similar to the old Bon pewter patina. It will have that texture, embossed, not flat. The railings are just glass? Correct.*

*Please elaborate on what you propose for the corner near the Icon Grill. We'd like to redo all the hardscape sidewalk. There are some grade changes addressed. We'd like to introduce patterning, a little color into the concrete, and bring it around the alleyway with a combination of stamped and grooved concrete – not just your typical alleyway asphalt.*

*You pointed to the areas with tables and chairs as common recreational areas. Are the potted plants and the seating openly available to the public? Anybody can use them? Building management will provide the chairs, keep them, replace them when they're stolen? If a restaurant were to move in on either side, we would have to have a fence per liquor laws. If we take out the areas at the bottom, it would put the overall common recreational space at about 40%.*

*There's reference to artist panels – what are they? We'd like to make some relief in the concrete façade. We don't have an artist picked yet, but we're imagining some relief that is art.*

#### Recommendations 12/13/2005: Public Comment

Eight members of the public signed in at the Design Recommendations meeting on December 13, 2005. Comments related to design review included the following:

- Lighting at the top of the tower should be sensitive to the community.
- It's important to extend weather protection over the sidewalk.
- It's a great contribution to the neighborhood to put the parking levels below. It's a much more exciting pedestrian environment as a result.
- Access to Virginia is a big problem. If you were to incorporate existing dumpsters into the building, you'd have an 18' alley. We would like you to look at it as hard as you can.
- Sidewalk treatment and landscaping should continue for the whole block, not just the site. Don't stop at the lot line, and then there's a change in the ambiance.
- If I were to own a unit in this place, I'd want to have a parking access from Virginia. This is different, new, and the alley gets dirty and messy. If I'm owning a really nice condo, this design says "hey, this is my spot, my entry."

#### Guidelines

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 siting and design guidance described below and identified by letter and number those siting and design guidelines of highest priority to this project, found in the City of Seattle's [Design Review Guidelines for Downtown Development](#).

#### **A. Site Planning and Massing -- *Responding to the Larger Context***

##### **A-1 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 beyond the immediate context of the building site.*

##### **A-2 Enhance the skyline.**

*Design the upper portion of the building to promote visual interest and variety in the downtown skyline.*

### **1<sup>st</sup> Guidance – Site Planning**

The site has the potential to be an active pedestrian space, linking apartments, hotels and offices to the Pike Place Market, the retail core, and an active restaurant district. It's important that the design further activate the public realm. A dropoff zone between the sidewalk and the ground floor façade indicates that the pedestrian is secondary. An autocourt is not an appropriate response to this site.

The Board encouraged the applicant to clearly articulate creative massing alternatives, considering a smaller floor plate at the upper levels. Pulling back the floor plates at the upper levels would provide for better views and a thinner tower, obstructing less of the sky plane.

Seen from 4<sup>th</sup> Avenue in the retail core, this site is a terminus. The updated design should emphasize that this location should create a building identifier, a wayfinder, and something that enhances the skyline. The Board encouraged the applicant to consider creative ways to light the façade to this effect.

### **Recommendation – Site planning**

With regard to guideline A-2 and the public's stated concern about exterior lighting, the Board recognized that this project is part of a denser, lighter city. They recommended that the backlit rooftop lighting be subtle: "a glow instead of a shine".

## **B. Architectural Expression -- *Relating to the Neighborhood Context***

### **B-1 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.*

### **B-3 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.*

### **B-4 Design a well-proportioned & unified building.**

*Compose the massing and organize the publicly accessible 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.*

### **1<sup>st</sup> Guidance – Architectural Expression**

One Board member pointed out that most designers present a broader exploration of alternatives, particularly related to existing context. It's important that further design iterations show a comfortable juxtaposition, creating a connexion to context, which is composed primarily of 2- to 9-story buildings. The Board asked for further analysis at the next meeting. It's important to define alternatives beyond a single tower with articulations. Three truly different concepts with preferred alternatives should be presented.

Board members agreed that the base and the tower appear to be two disparate elements that are not clearly integrated: the current expression suggests a podium with a tower on it. The tower should relate to its ground plane. The Board encouraged the applicant to show innovative ways to move beyond the hard datum line separating the base and tower.

### **2<sup>nd</sup> Guidance – Architectural Expression**

Board members agreed with the idea of breaking the tower façades into three vertical pieces, and they agreed with the designers' choice to continue the tower modulations to the ground level – “it's clearly positive to shape those two together”. However, one Board member identified a “tremendous disconnect” in scale between the base and the tower, due to the unresolved massing of the intervening parking levels.

The Board expressed a concern about the design's contextual relationships and supported public comments to that effect. The parking levels might simply look like a disguised parking garage. The parking levels should show some clear lateral relationship, particularly with the adjacent building on 4<sup>th</sup> Ave, while maintaining a clear vertical relationship with the tower above. While the small glazed elements clearly break up a brutal concrete façade, they don't appear to reflect any context. It's important that the fenestration provide a relationship between the two buildings in scale, texture, proportion, and rhythm. Consider the adjacent cornicelines on both 4<sup>th</sup> Avenue and Virginia St.

Any departure from the upper level terracing requirement must involve substantial design considerations that result in some sort of “slenderization” of the tower.

The Board noted that this building will be visible from all sides. At the next DRB meeting, the applicant should provide elevations of all four sides and perspectives from several vantage points, keeping in mind that the tower must also relate to its context when seen from a broader vantagepoint.

### **Recommendation – Architectural Expression**

Board members complimented the design team on their presentation, and commented that the updated elevations are vastly improved over the previous iteration. The tower successfully integrates with its base.

The Board supported the clear intent of the podium design to fit into the traditional Belltown context, recognizing that it successfully meshes with its surroundings through appropriate scale, detail, relief, and texture. They cautioned that the design need not be quite so literally “historicist”. While the podium design should take its cues from the Centennial Building as a light and warm-colored building, it should strive to be somewhat quiet and refined. They invited opportunities to be more playful, noting that the finished design should have the quality level implied, but the Board would also accept a more contemporary expression.

Board members recognized a clear attention to detail in the updated design. They suggested that the adjacent Centennial building has a generous storefront window, like a jewel box. This design should continue that notion of a robust, generous storefront window, with a window header located at approximately the same level as its neighbor's.

## **C. The Streetscape**

### **C-1 Promote pedestrian interaction.**

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

### **C-2 Design facades of many scales.**

*Design architectural features, fenestration patterns, and materials compositions that refer to the scale of human activities contained within. Building facades should be composed of elements scaled to promote pedestrian comfort, safety, and orientation.*

### **C-3 Provide active – not blank – facades.**

*Buildings should not have large blank walls facing the street, especially near sidewalks.*

### **C-4 Reinforce building entries.**

*To promote pedestrian comfort, safety, and orientation, reinforce the building's entry.*

### **C-5 Encourage overhead weather protection.**

*Encourage project applicants to provide continuous, well-lit, overhead weather protection to improve pedestrian comfort and safety along major pedestrian routes.*

### **C-6 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.*

## **1<sup>st</sup> Guidance – The Streetscape**

The Board was particularly concerned that the conceptual design does not hold the street edge, but instead draws back from the street, so that the active spaces are pulled back from the sidewalk. Board members expressed strong reservations about what they perceived to be an unnecessarily deep, low overhang at the sidewalk level, with a colonnade that might not define meaningful open space.

The height of the first floor is important, particularly if the upper levels overhang. The Board identified 20' as an appropriate scale. A colonnade must not frame a dark, forboding space. Providing overhead weather protection above the sidewalk is important, and it may serve to further deepen such a space. If the colonnade is to be a feature in the next design iteration, the applicant should show how the lighting works at different times of day, and how the space would be illuminated at night. In Seattle, it's dark most of the year.

The sidewalk along Virginia should feel like a pedestrian-friendly space. A good contextual example is Café Lola across the street. It holds the street edge. A residential entry does not activate the street in the same way. The Board unanimously requested that the applicant show at the next design review meeting an alternative that features active retail along most of the ground level. Activating the corner is key.

At the next Design Review meeting, the design team should show alternative vehicle accesses with evidence of the thinking that leads to those design decisions.

As presented, the current alternative appears to show an internal sidewalk into the lobby space, along a wall. Board members were skeptical of this alternative, and asked for examples of existing designs that successfully employed this alternative. They also asked for an alternative that eliminates the porte cochère.

## **2<sup>nd</sup> Guidance – The Streetscape**

In response to a comment from the public, the Board clarified that the colonnade originally proposed appears to have been removed from drawings. The Board’s expectation is that active inside spaces should be visually available from the sidewalk, and that the interior spaces should be adjacent to the sidewalk, not pushed back into the building.

The Board recommended that the emergency exit stairway should not occupy the prime retail frontage. To the extent possible, the proposed stairway should be drawn back into the building, and the exit should be narrowed or relocated.

## **Recommendation – The Streetscape**

The Board recognized several improvements in the design that encouraged a more activated and interesting streetscape. They supported the location of all parking below grade, the enhanced scale of the first level retail space, the integration of stairwells and other blank features into the building core, and the proposed plantings and creative paving.

## **D. Public Amenities – *Enhancing the Streetscape and Open Space***

### **D-1 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.*

### **D-2 Enhance the building with landscaping.**

*Enhance the building and site with substantial landscaping—which includes special pavements, trellises, screen walls, planters, and site furniture, as well as living plant material.*

### **D-3 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.*

### **D-4 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.*

### **D-5 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, and on signage.*

**D-6 Design for personal safety & security.**

*Design the building and site to enhance the real and perceived feeling of personal safety and security in the immediate area.*

**1<sup>st</sup> Guidance – Public Amenities**

At the next meeting, the Board requested shadow studies identifying solar access to the proposed terrace and water feature in the range from 4 to 6 pm on summer evenings.

**2<sup>nd</sup> Guidance – Public Amenities**

[The applicant explained that a layout error in the design packet prevented the accurate depiction of the shadow studies.]

The Board noted that weather protection is illustrated, and they assumed it will be provided along the entire 4<sup>th</sup> Avenue and Virginia St. façades.

The Board requested that the applicant provide details of sidewalk and façade lighting at a future meeting.

**Recommendation – Public Amenities**

The Board recommended that any bollards be located as far to the outside edge of the sidewalk as permissible by Seattle Department of Transportation (SDoT). They welcomed plantings between the bollards. They recommended that the proposed common recreation area at ground level be uncordoned and freely available to residents and the public.

**E. Vehicular Access & Parking – *Minimizing the Adverse Impacts***

**E-1 Minimize curb cut impacts.**

*Minimize adverse impacts of curb cuts on the safety and comfort of pedestrians.*

**E-2 Integrate parking facilities.**

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

**E-3 Minimize the presence of service areas.**

*Locate service areas for trash dumpsters, loading docks, mechanical equipment, and the like away from the street front where possible. Screen from view those elements which for programmatic reasons cannot be located away from the street front.*

### **1<sup>st</sup> Guidance – Vehicular Access & Parking**

As proposed, the ground plane involves an emphasis on vehicle access, particularly along Virginia St. A pedestrian walking uphill toward 4<sup>th</sup> Avenue from 5<sup>th</sup> would look up into the ramps and the garage, and at the corner there would be two curb cuts into a porte cochère. Board guidance was to direct the architect to provide an alternative that includes active retail-style space that meets the sidewalk edge along both street frontages.

The Board expressed strong reservations about the screened parking levels. Ventillation often involves considerable transparency, especially at night with halogen lighting in the parking levels. If the parking levels are to remain above ground in further design iterations, the Board asked the applicant to show good examples that effectively shield lighting. The Board requested an innovative treatment, perhaps incorporating an opaque glass screen.

### **2<sup>nd</sup> Guidance – Vehicular Access & Parking**

As the design is currently presented, Board members identified a massing issue with the northern corner facing Virginia and the alley. They stated that it should be “broken up, possibly with landscaping.”

Board members strongly objected to locating the vehicle entrance off Virginia Street, and were skeptical about the alley’s limitations for successful vehicle access. Access should be from the alley.

### **Recommendation – Vehicular Access & Parking**

After hearing the design team’s presentation and seeing marked improvements in the overall scale and design treatment of the streetscape, Board members accepted that the vehicle access may be appropriately located on Virginia St. They noted that the record of this Board is to insist on alley access, but unique site constraints and overall design considerations warrant this exception.

**Table 1:** Requested departures from Land Use Code development standards.<sup>1</sup>

<i>Requirement</i>	<i>Proposed</i>	<i>Comments</i>	<i>Board Recommendation</i>
<p><b>Upper level coverage, SMC <a href="#">23.49.078 A</a>.</b> For this site, the upper level coverage limit area between 125' and 240' high is about 8,120 sq.ft. Above 240', the coverage limit is about 12,640 sq.ft. Allowed coverage is 40%. 3248 sq.ft. coverage allowed from 125' to 240' in this area. 5056 sq.ft. coverage allowed above 240' in this area.</p>	<p>From 125' to 240', the design covers about 5860 sq.ft, a departure of 2612 sq.ft. or 80% more than otherwise allowed.</p> <p>Above 240', the design covers about 9657 sq.ft., a departure of 4601 sq.ft. or 91% more than otherwise allowed.</p>	<ul style="list-style-type: none"> <li>At Early Design Guidance, Board members discussed departures generally. One Board member commented that departures are only appropriate if the design is better than what would result prescriptively. He stated that a change in materials doesn't necessarily result in a better project in this case.</li> <li>Board members requested that the applicant provide a clear development of the floorplates, showing coverage calculations and recesses dimensioned from property lines.</li> <li>At Design Recommendations, the applicant noted that proposed average floor plates are slightly smaller than would otherwise be allowed on the lot generally.</li> </ul>	<p>The Board agreed that the requested upper level coverage departure seems to be reasonable and warranted, considering that the design successfully articulates the facades and that large decks are provided.</p>
<p><b>Maximum façade length, SMC <a href="#">23.49.078 B</a>.</b> For this site, 120' façade length is allowed above 125' in height, separated by at least 60' for any façade within 15' of the property line.</p>	<p>The design involves a shallower and longer modulation than would otherwise be required, approximately 13' x 93'.</p>	<ul style="list-style-type: none"> <li>The overall intent of façade articulation is achieved through an alternative modulation, illustrated in the design packet presented on December 13, 2005.</li> </ul>	<p>The Board recognized that the design achieves the desired articulation and lightness intended by the standard, and recommended approval of the departure.</p>
<p><b>Street level uses, SMC <a href="#">23.49.025 B1</a>.</b> On 4<sup>th</sup> Avenue, a minimum of seventy-five (75) percent of street frontage must be occupied by certain pedestrian-oriented uses (180').</p>	<p>The design provides approximately 163' of required street level uses, a reduction of 17', or 9%.</p>	<ul style="list-style-type: none"> <li>On balance, the street level is activated and well designed to engage with pedestrian passersby.</li> </ul>	<p>The Board recommended approval of the proposed departure, recognizing that the retail design is open and gracious.</p>

<sup>1</sup> The Design packet presented December 13, 2005, identifies requested departures for setbacks and street level uses. As proposed, the design satisfies these standards and no departure is necessary.

<i>Requirement</i>	<i>Proposed</i>	<i>Comments</i>	<i>Board Recommendation</i>
<p><b>Façade setback limits, SMC <a href="#">23.49.076 B</a>.</b> On 4<sup>th</sup> Avenue and at the intersection, various standards apply to portions of elevations from 15' to 35' in height.</p>	<p>Articulated 4<sup>th</sup> Avenue façade, curved at the corner. Some modulation exceeds 20' in width, some setbacks exceed 10' in depth.</p>	<ul style="list-style-type: none"> <li>● The intent is to provide a well articulated base that interacts well with the sidewalk, provides opportunities for seating and gathering, and relates to the form of the tower above.</li> </ul>	<p>The Board recommended approval of the requested departure, recognizing that the redesigned podium largely meets the original guidance, in that it provides activated storefronts, and it relates to the neighboring historic structure and its more contemporary tower.</p>
<p><b>Common recreation area, SMC <a href="#">23.49.026</a>.</b> 5% of total gross floor area in residential use, available to all residents. A maximum of 50% may be enclosed. 24,166 sq.ft. common recreation area required, of which 12,083 must be unenclosed.</p>	<p>21,540 sq.ft. proposed, of which 3,899 sq.ft. would be unenclosed. 2,626 sq.ft. (12%) less common recreational space than generally required. 8,184 sq.ft. (68%) less than required unenclosed area.</p>	<ul style="list-style-type: none"> <li>● The design team noted that setbacks at ground level should be qualitatively considered to meet the intent of this standard. To a lesser degree, ample private balconies are also amenities.</li> <li>● Board members discussed concerns that the proposed outdoor common area is overly constrained, and that any common recreation area at street level might not meet the intent of the standard – common space allowing for socializing and openly available to residents.</li> <li>● If ground-level common recreation area were to consistently provide freely accessible seating, which would not be inadvertently or deliberately blocked off, Board members felt it would better meet the intent.</li> </ul>	<p>The Board recommended approval of the requested departure, provided that ground-level setbacks adjacent to the principal residential entry must remain freely available and uncordoned, and must be consistently activated with chairs and tables, to be maintained and replaced as necessary.</p>

<i>Requirement</i>	<i>Proposed</i>	<i>Comments</i>	<i>Board Recommendation</i>
<p><b>Location of vehicle access, SMC <a href="#">23.49.018 A</a>.</b> Alley access is preferred.</p>	<p>The applicant prefers to locate the vehicle access on Virginia St, which is a minor arterial and a Class II pedestrian street.</p>	<ul style="list-style-type: none"> <li>● At Early Design Guidance, Board members were clearly averse to locating vehicle access on Virginia Street instead of on the alley.</li> <li>● At Design Recommendations, Board members accepted that the vehicle access may be appropriately located on Virginia St. They noted that the record of this Board is to insist on alley access, but unique site constraints and overall design considerations warrant this exception.</li> </ul>	<p>The Board recommended approval of the requested departure, considering the overall design’s substantial attention to activating the pedestrian realm.</p>
<p><b>Rooftop coverage, SMC <a href="#">23.49.008 C2</a>.</b> 25% coverage with screening (4980 sq.ft). Up to 35% available through departure.</p>	<p>6097 sq.ft. coverage = 30.6%, with backlit screening, a departure of 1117 sq.ft</p>	<ul style="list-style-type: none"> <li>● The design involves a backlit rooftop feature that accentuates the curvature of the balconies below.</li> </ul>	<p>The Board recommended approval of the requested departure, provided that the backlighting result in “a glow instead of a shine”</p>

## **ANALYSIS – DESIGN REVIEW**

The Board identified several valuable elements of the design presented by the architects and landscape architect at the final meeting. Board discussion reflects those items which the Board felt were critical amenities that should be preserved and carried through to construction. Some of these design-related amenities are proposed within the right-of-way, and DPD encourages the applicant to involve Land Use staff in discussing the proposed street improvements with SDoT reviewers.

The project involves departures from Land Use Code development standards, listed and discussed in Table 1 on on page 19.

## **DECISION - DESIGN REVIEW**

DPD finds that the project's design has successfully evolved to address several issues raised by the Board in Early Design Guidance. The proposed design and the design departures listed below are **CONDITIONALLY APPROVED** subject to conditions listed on page 26 at the end of this report.

### Design departures:

DPD approves the requested departures described above, from the following land use development standards:

- Upper level coverage, SMC [23.49.078 A](#),
- Maximum façade length, SMC [23.49.078 B](#),
- Street level use requirements, [23.49.025 B1](#),
- Façade setback limits, [23.49.076 B](#),
- Common recreation area, SMC [23.49.026](#),
- Location of vehicle access, SMC [23.49.018 A](#),
- Rooftop coverage, SMC [23.49.008 C2](#).

## **ANALYSIS – SEPA**

DPD requires a State Environmental Policy Act (SEPA) analysis for a development of more than twenty (20) residential units in a downtown zone, according to Director's Rule [23-2000](#) and SMC [25.05.800 A2a](#). The applicant provided the initial disclosure of this development's potential impacts in an environmental checklist signed and dated on January 10, 2005.

DPD received five letters from the public, of which none related to SEPA concerns. King County Metro Transit commented on various project elements, noting that the proposed construction would likely conflict with existing bus layover areas and new trolley poles proposed for Virginia St. Metro staff also questioned whether the 600 parking stalls initially proposed

(478 in the current proposal) are warranted in a neighborhood where transit is so freely available. The proponents have since met with Metro and have resolved outstanding construction issues. The available information and the experience of the lead agency in similar situations form the basis for this analysis and decision. This report anticipates short- and long-term adverse impacts from the proposal.

### Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction; potential soil erosion during excavation and general site work; increased runoff; tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section [25.05.794](#)). Although not significant, these impacts are adverse.

The SEPA Overview Policy (SMC [25.05.665 D](#)) states, “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 limitations. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code, SMC [22.800](#) (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of most potential adverse impacts. Thus, mitigation pursuant to SEPA is generally not necessary for these impacts. However, more detailed discussion of some of these impacts is appropriate.

**Air and environmental health.** Given the age of the existing structures on site, they may contain asbestos, which could be released into the air during demolition. The [Puget Sound Clean Air Agency](#), the Washington Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. In addition, federal law requires the filing of a demolition permit with PSCAA prior to demolition. Pursuant to SMC Sections [25.05.675 A](#) and [E](#), to mitigate potential adverse air quality and environmental health impacts, project approval will be conditioned upon submission of a copy of the PSCAA “notice of intent to demolish” prior to issuance of a DPD demolition permit. So conditioned, the project’s anticipated adverse air and environmental health impacts will be adequately mitigated (see condition #6).

**Construction noise.** Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential and lodging uses. Due to the proximity of the project site to the residential uses, DPD finds the limitations of the Noise Ordinance to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC [25.05.665](#)) and the SEPA Construction Impacts Policy (SMC [25.05.675 B](#)), mitigation is warranted.

The hours of all work not conducted entirely within an enclosed structure (e.g. excavation, foundation installation, framing and roofing activity) shall be limited to between 7:30 a.m. and 6:00 p.m. on non-holiday weekdays to mitigate noise impacts. Limited work on weekdays between 6:00 p.m. and 8:00 p.m. and on Saturdays between 9:00 a.m. and 5:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner (or his successor). Such after-hours work is limited to emergency construction necessitated by safety concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be considered only when the owner(s) and/or responsible party(ies) provide three (3) days prior notice to allow DPD to evaluate the request. See Table 2 and Condition #8 below. No further mitigation is warranted in this regard.

**Parking.** SMC [25.05.675 M2b\(i\)](#) specifies, “No SEPA authority is provided to mitigate the impact of development on parking availability in the downtown zones”.

**Construction vehicles.** Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. The subject site abuts 4<sup>th</sup> Avenue and Virginia Street, and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated in part by enforcement of SMC [11.62](#). This immediate area is subject to traffic congestion during the PM peak hours, and large trucks turning onto arterial streets would further exacerbate the flow of traffic. Pursuant to SMC [25.05.675 B](#) (Construction Impacts Policy) and SMC [25.05.675 R](#) (Traffic and Transportation) additional mitigation is warranted.

The construction activities will require the removal of material from the site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other building materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations. Assuming contractors use single loaded trucks to remove excavation material, each truck holds approximately 10 cubic yards of material, requiring approximately 7,000 truckloads to remove the projected 70,000 cubic yards of excavated material.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cause grading truck trips to cease during the hours between 4 PM and 6 PM on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity (Condition #9). As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC [11.62](#).

City code (SMC [11.74](#)) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimizes the amount of spilled material and dust from the truck bed en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g. increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation.

### Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased bulk and scale on the site; increased traffic and parking demand due to the new commercial space and new residences; minor increase in airborne emissions resulting from additional traffic; minor increase in ambient noise due to increased human activity; increased demand on public services and utilities; and increased energy consumption.

The likely long-term impacts are typical of this scale of downtown mixed use development, and DPD expects them to be mitigated by the City's adopted codes and/or ordinances (together with fulfillment of Seattle Department of Transportation requirements). Specifically these are: the Land Use Code (aesthetic impacts, height, setbacks, parking) the Seattle Energy Code (long-term energy consumption), and the street use ordinance. However, more detailed discussion of some of these impacts is appropriate.

**Parking.** SMC [25.05.675 M2b\(i\)](#) specifies, "No SEPA authority is provided to mitigate the impact of development on parking availability in the downtown zones" The project provides substantially more than its Code-required minimum parking, and DPD has identified no long-term parking impacts generated by the project.

**Traffic.** The applicant submitted a vehicle access analysis conducted by Transportation Engineering NorthWest, which concludes that the proposed driveway on Virginia street will have no on-street queuing impacts. SDoT officials concur. The project site is effectively served by public transit. It is within walking distance of offices, restaurants, and many services associated with typical daily trips.

King County Metro staff has commented that the proposed accessory parking appears to be excessive, considering the project's location in a transit-intensive urban center. The updated proposal has reduced the parking quantity from 600 to 478 (a 20% decrease). While there is no minimum requirement for downtown residential uses, the proposed parking approximates minimum standards applied to retail and residential uses elsewhere in the city.

DPD concludes that the project's likely impacts on traffic are not substantial enough to warrant conditioning.

**Historic preservation.** The applicant submitted to the Department of Neighborhoods (DON) a preliminary analysis of the existing structure slated for demolition, for purposes of determining its status as a potential landmark. DON staff determined that landmark status would be highly unlikely in this case.

The other impacts not noted here as mitigated by codes, ordinances, or conditions (increased ambient noise; increased pedestrian traffic, increased demand on public services and utilities, loss of vegetation) are not sufficiently adverse to warrant conditioning.

## **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 [43.21C](#)), including the requirement to inform the public of agency decisions pursuant to SEPA.

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

## **CONDITIONS – DESIGN REVIEW**

### *Prior to Issuance of the Master Use Permit*

1. As recommended by the Design Review Board, the applicant(s) and/or responsible party(ies) shall update plans to indicate that ground-level setbacks adjacent to the principal residential entry must remain freely available, uncordoned, and as such may be used for outdoor seating for a restaurant or café. Updated plans shall be provided per condition #2.

[The following Design Review conditions 2-4 are not subject to appeal.]

2. The applicant shall update the Master Use Permit plans to reflect plans shown to the Design Review Board on December 13, 2005, and the recommendations and conditions in this decision. The applicant shall embed conditions and colored landscape and elevation drawings into updated Master Use Permit and all building permit sets.

### *Prior to and/or During Construction*

3. Any changes to the exterior façades of the building, signage, and landscaping shown in the building permit must involve the express approval of the project planner prior to construction.

### *Prior to Issuance of the Certificate of Occupancy*

4. Compliance with the approved design features and elements, including exterior materials, roof pitches, façade colors, landscaping and right of way improvements, shall be verified by the DPD planner assigned to this project (Scott Ringgold, 233-3856) or by the Design Review Manager. The applicant(s) and/or responsible party(ies) must arrange an

appointment with the Land Use Planner at least three (3) working days prior to the required inspection.

For the Life of the project

5. Ground-level setbacks adjacent to the principal residential entry must remain freely available and uncordoned, and as such may be used for outdoor seating for a restaurant or café.

**CONDITIONS – STATE ENVIRONMENTAL POLICY ACT (SEPA)**

Prior to Issuance of any Permit to Construct or Demolish

6. The owner(s) and/or responsible party(ies) shall submit a copy of the PSCAA “notice of intent to demolish” prior to issuance of a demolition permit.
7. If the applicant(s) or responsible party(ies) have the option to submit for review and approval a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. Such a Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise.

During Construction

The following condition to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

8. Unless otherwise modified in an approved Construction Impact Management Plan (see condition 7), the applicant(s) and/or responsible party(ies) shall limit the hours of all work not conducted entirely within an enclosed structure (e.g. excavation, foundation installation, framing and roofing activity) to between 7:30 a.m. and 6:00 p.m. on non-holiday weekdays<sup>1</sup> to mitigate noise impacts. Limited work on weekdays between 6:00 p.m. and 8:00 p.m. and on Saturdays between 9:00 a.m. and 5:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner or his successor. Such after-hours work is limited to emergency construction necessitated by safety concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be strictly conditioned upon whether the owner(s) and/or responsible party(ies) provide three (3) days’ prior notice to allow DPD to evaluate the request. If an

---

<sup>1</sup> Holidays recognized by the City of Seattle are listed on the City website, <http://www.seattle.gov/personnel/services/holidays.asp>

approved Construction Noise Management Plan modifies this condition, the applicant(s) and/or responsible party(ies) shall make the Plan publicly available at the construction site office.

Non-holiday work hours							
	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
7:00 am							
8:00							
9:00							
10:00							
11:00							
12:00 pm							
1:00							
2:00							
3:00							
4:00							
5:00							
6:00							
7:00							
8:00							

**Table 2.** Non-holiday work hours. Unshaded work hours shown above are permitted outright. For certain work, it is possible to request DPD approval for additional hours shaded in gray.

- For the duration of grading activity, the owner(s) and/or responsible party(ies) shall cause grading truck trips to and from the project site to cease during the hours between 4 PM and 6 PM on weekdays.

Signature: (signature on file)  
 Scott A. Ringgold, Land Use Planner  
 Department of Planning and Development

Date: February 23, 2006