City of Seattle

Gregory J. Nickels, Mayor

Department of Planning & Development
D. M. Sugimura, Director

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

Application Number: 2407418

Applicant: Jeff Kiser for Schnitzer Northwest, Architect John Savo of NBBJ

Address: 818 Stewart Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish the use for the future construction of a 14 story office building containing approximately 215,000 square feet of office over 9,600 square feet of retail. Parking for 217 vehicles will be provided below grade.

The following approvals are required:

Design Review - Chapter 23.41, (SMC)

SEPA Environmental Determination - Chapter 25.05, (SMC)

SEPA DETERMINATION: [ ] Exempt [ ] DNS [ ] MDNS [X] EIS*

[ ] DNS with conditions

* This project adopted the *1925 Ninth Avenue Mixed-use Development* FEIS issued in June 2002.

BACKGROUND INFORMATION:

The site is located at 818 Stewart Street on a quarter block site. An open alley borders the site. The site is a square shaped site. Currently there is a parking lot on the site. The property is zoned Downtown Office Core 2 which has a basic height limit of 300 feet. (DOC-2-300). The property is within the Denny Triangle sector of Downtown and is within the Downtown Hub Urban Village.

AREA DEVELOPMENT

The site is on the edge of the "built-up" part of Downtown Seattle with a number of new structures nearby to the north and west. The new 380' high Nakamura Federal Courthouse building is a block away along with the new Seattle Police Department. The Greyhound Bus Terminal is across Stewart Street.

ANALYSIS - DESIGN REVIEW

Early Design Guidance – January 25, 2005

ARCHITECT'S PRESENTATION

John Savo of NBBJ Architects made the presentation for the proposal. The site is 20, 751 square feet in a Doc 2 300 zone. The proposal is for a 12-14 story office building. The designer presented area zoning and other buildings, street information for orientation. Stewart Street is a principal transit street and 9th Avenue is a green street. Two feet additional landscape requirement will be needed for the green street amenities. Street trees will be added. The alley will be widened with this project. There is a change in grade across the site; it is lower at the northwest corner by 14 feet. The current use is a surface parking lot. The site consists of three platted lots. An area model was presented by the designers.

The designers presented three (3) alternatives. First Alternative: large floor plates are desirable for the market so this alternative sites the elevator core toward the north of the site. Stewart Street is desirable for a building entry so the lobby doors are on Stewart. The designer pointed out the upper level "setback" and add back alternatives and listed pros and cons of the alternatives.

Second Alternative: this alternative is similar, but the open space is pushed to the south along Stewart at the roof location. There may be a blank wall along the north property line.

Third Alternative: the central core and entire building is set back from the north property line. The lobby could be to the south or at the corner. More departures would be necessary for this alternative. The designers are studying forms and open spaces. All alternatives would have vehicular access off of the alley. The key issues for all alternatives are blank walls on the north property line, possible entries on Stewart Street and opportunities for creating quality open space diminishes as the building core comes to the middle of the site and building. Parking would be accessed from the alley and be underground. Loading docks and trash will be accessed off of the alley.

The architect presented three dimensional diagrams of the proposed structure and options under study.

The solar exposure of the site was discussed, with the architect continuing to study the required office-worker open space on top of the building in the southern portion of the site.

BOARD CLARIFYING QUESTIONS and COMMENTS

Where is setback? The setback is on the second level.

Explain the reduction of open space. The open space requirement is reduced in all alternatives. Some open space could be used to augment the street level green street, or provided via payment in lieu of open space.

What is the distance to the residential building to the north? The distance is 60 to 80 feet.

What is plan for the other lot? The lot belongs to another owner.

What is the height of the Corixa Building and the Watermark Credit Union? The Credit union is roughly 100 feet. Corixa is about 12 stories, or 120 feet.

Is there a creative code compliance you can generate at the upper level? There could be a curved element or other exploration. Can the Stewart entry apply to all schemes?

PUBLIC COMMENTS

One member of the public was in attendance. Bob Klug of City Light made comments for electrical loads. City Light needs a new substation and would like to put it underground, under a park. Surface space is too valuable so underground would work. If City Light can work with the Parks Department an open space contribution could be useful for the city and sub station needs. There will be more residential in the area so open space would be much appreciated. If the Greyhound bus station is vacated would it affect your ideas for the site? You may want to talk with the current property owners. Members from residential tower to the north would like a detailed northern edge of the building and likes the empty lot to allow light and air.

BOARD DELIBERATIONS

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 found in the City of Seattle's *"Design Review: Guidelines for Downtown Development"* of highest priority to this project. All design guidelines apply, highest priority guidelines are described below.

BOARD DISCUSSION

One positive and logical response is that this building provides some transition to the credit union and then down to the Federal courthouse plaza. The Federal courthouse plaza is a fine public amenity space and some gesture to that is important. The building does a good job of holding the street edge and should be a four sided building. The Height at 175 feet would need to entertain a departure. Holding the 125 datum line is not really necessary here. Yet, what would be the public benefit to warrant the departure? The Board voices preference for the 3rd alternative. What would be a better concept and response to the urban environment? The Open

space departure is not really warranted. The designer should look at creative open space options not just a fire code setback. Building to the street edge with glass and no blank walls is the right gesture for this site. Extra height would be through the code revision which is in process. The upper level is not a setback but a modulation and modeling issue. How can open space be developed to produce good, usable open space? Setback at upper corners does not produce anything for the public. Next visit should show more sculpting the top and crafting of the building.

Maybe open space for office workers is located at the ground level at this site. Open space could serve the public as well. The Board suggested bringing not just three different tops, but one alternative with true open space reorganization which could even couple with the Green Street / entry and sidewalk expansion. The lobby could be one or two story lobby. Sometimes a one story lobby at the corner can be weak. Review lobby locations on different streets. Bring the green street plan from Westlake for several blocks to see what it is and what could be.

Lobby presence and volume needs to be well-developed especially if a one story space is proposed. The ground floor will need to be at least minimum retail height, at least in the 15 foot realm. The retail height will set the street scape scale and comfort. One could use the elevator overrun area and give that some appropriate architectural expression at this location. The elevator overrun and accompanying creative expression could be pulled to the street. There could be corner or front or top sculpting. Incorporate screening. The Board expressed concern that the retail and street front will need to work and not be compromised due to loading dock heights. Loading location should not drive the retail location or height. There should be a clean ground floor organization. There could be a joint venture on the in between lot. Something of mutual benefit would be nice.

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 nearby or beyond the immediate context of the building site.

The Board identified Option 3 as the option that could be explored further. The Board felt that all facades should be further developed in response to physical environment and the designers should carefully consider sculptural element of the whole building and the top of the building. Screening of mechanical elements should be thoroughly studied and presented to the Board.

B Architectural Expression

B4 Design a well-proportioned and 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.

The Board asked the designers to explore the building proportions and bring their studies and proposals to the next meeting.

C The Streetscape

C3 Provide active-not blank-facades
Buildings should not have large blank walls facing the street, especially near sidewalks.

The Board directed the designers to get rid of blank walls and create visual and architectural interest on all street facades.

C4 Reinforce building entries
To promote pedestrian comfort, safety, and orientation, reinforce the building's entry.

The Board asked that the building entries have a significant visual and recognizable presence. Architectural elements to signal the entry should be explored and brought to the next meeting. A two story entry and lobby should be explored to give a sense of spaciousness as one enters the building.

C5 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.

The Board requested that the designers provide overhead weather protection along sidewalks. The bus stop should also have overhead weather protection. Explore the bus stop needs and requirements of the green street. Work with Metro to see what the future location of the bus stop will be and the configurations they will require. Bring details at the next meeting.

D Public Amenities. Enhancing the Streetscape and Open Space

D1 Provide inviting and useable 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.

Bring alternatives for open space for office workers or as part of ground level to the next meeting.

D2 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 plants.

Provide full landscaping on the green streets. Include green against the building. Bring creative landscape alternatives using the landscaping and green street requirements. Even a serpentine design would be considered. The Board will not accept a simplistic and unappealing bark ditch.

MASTER USE PERMIT

The project proponents applied for a Master Use Permit (MUP) on May 11, 2005.

Recommendation Meeting – September 13, 2005

ARCHITECT'S PRESENTATION

Steve McConnell of NBBJ Architects made the presentation. The site is 20, 751 square feet in a Doc 2 300' zone. The proposal is for a 14 story office building with ground floor retail, a second story "lobby" and outdoor garden. The designer presented area zoning and other buildings, and street information for orientation. Stewart Street is principal transit street and 9th Avenue is a green street. The alley will be widened with this project. There is a change in grade across the site; it is lower at the northwest corner by 14 feet. The current use is a surface parking lot. The site consists of three platted lots. An area model was presented by the designers.

In the proposal, the central core and entire building is set back from the north property line. The entrance to the office lobby will be on the south façade on Stewart Street. There will be vehicular access off of the alley. Loading docks and trash will be accessed off of the alley. Project goals include open space at grade, a quality green street strategy, top of building sculpting, a two story lobby, maintaining the retail ceiling height, good organization of the ground floor uses. Materials will be granite-like in the gray color tones. A dark base is proposed with spandrel glass of different colors to signal the different uses.

Tom Berger of The Berger Partnership presented the landscape plan. Stewart Street has wide sidewalks and will have new street trees. The second floor open space will be open to all building tenants. It is located on the north and will thus be in shade a lot of the time. There will be interesting plants and shade loving plants, screens and trellises. There will be different sized spaces for different numbers of people to gather - small intimate spaces and larger gathering spaces. There will be opportunities for art and water features. The 9th Avenue green street is designed as a destination space rather than a pass through sidewalk. Several configurations have been studied to find the best fit for sidewalk users, retail entries, planters, signage and curb locations. Since this is a central business district location the green street will be an urbane and sophisticated space with an architectural response to the design parameters. Paving patterns will extend from the building elements into the sidewalk paving. Planters and full plantings will buffer the sidewalk from the street. The plantings will be bordered by a low curb and opportunities for seasonal color will be a part of the final design. The linear space will be designed with a sense of order without being formalized. There are several departures from the code development standards that would help this project better meet the priority guidelines. They are listed in the table below.

BOARD CLARIFYING QUESTIONS and COMMENTS

Question from the Board clarified certain elements of the design proposal. Upper level setback requirements were discussed. Several floors encroach on the code prescribe setbacks while other levels setback in excess of the code requirements. The north elevation has a lower wall that appears to be blank. The architect will provide some scoring pattern for the wall and create a shadow line below the deck garden by means of a reveal or a painted line. The front façade colonnade and screens were further explained by the architect as to their materials and function. The Board confirmed that all parking will be underground.

PUBLIC COMMENTS

Two members of the public were in attendance. One person stated that the building looked like a quality design and the other asked about the lot to the north of this project. That lot is not controlled by the developers or owners of this project.

BOARD DELIBERATIONS

Members of the Board expressed their approval and concerns. The Stewart Street design is a well-situated response to the busy street, the site aspect, and the building's relationship to the central business district. The scale of the two story lobby feels like the right response to the uses. The general give and take of the project's extra effort in landscape and space creation feels like a good consideration while contemplating the proposed departures. The design response to the green street challenge appears to be a full and fitting response. The front façade colonnade is a good indicator of the building entrance and two story lobby behind it. The amount of retail space to be provided is appropriate at this location. The terminating cornice is a good architectural element and should be retained. The Board would like to see up-lighting to highlight the cornice without creating a light wash above the building. The north façade wall will need to have some treatment to avoid a blank wall at that base. The departures have unanimous support by the Board.

Departure Matrix

Development Standard	**Requirement**	**Proposed**	**Departure**	**Board recommendation**
SMC23.49.009 Open Space	4300 SF	2,137 SF exterior at 2nd level plaza	2,163	Approval
SMC 23.49.025 Street Level Use Requirements	85 linear feet on Stewart Street	69' provided	16' (for lobby entry)	Approval
SMC 23.49.076A Downtown Office Core 2, Street Facade Requirements	2' wide landscape setback (341 SF) is required along the 9th Avenue Green Street 50% (171 SF) of the setback area must be landscaped	361 SF of setback 108 SF of landscape	63 SF of landscape	Approval
SMC 23.49.078A Downtown Office Core 2, Upper-Level Development Standards – Coverage Limits	Levels 10-12 Coverage limit area = 7,058 SF 40% add back x 7058 = 2,823 SF/floor	Levels 10-12 total add back square footage 4,360 Level 13 and 14 Total add back sf	Levels 10-12 3,710 SF/floor Level 13 and 14 2,289 Sf/floor	Approval
SMC 23.49.078B Downtown Office Core 2, Upper-Level Development Standards – Maximum Facade Lengths	Above 125', max. facade length is limited to 120'. separate facade must be set back 15' from property line.	Façade as measure by SMC is 169'.	49 feet with sculpting elements	Approval

Board Recommendation:

After considering the proposed design and the project context, hearing public comment, and reconsidering the previously stated design priorities, the five (5) Design Review Board members felt that all of the guidance the architect received had been successfully addressed by the applicant. In addition, all five of the Board members in attendance supported the Departures. The Design Review Board recommended **approval** of the design to the Director.

Analysis

The proposal is for an office building that will fit into the urban context of the site. The project response to early design guidance, board questions and concerns and the somewhat unique location on the 9th Avenue green street has been accepted by the Board. Several departures from land use code development standards were requested. The Board has reviewed and recommended approval of the proposed departures.

The open space departure contemplates that the interior 2nd floor lobby (approx 3,815 square feet) will function as office tenant open space. This space will be available for the tenants as a lounge/lobby. In our Seattle climate this function can serve as a sort of office building living room and is a feature that is well-used in other downtown buildings. The extra attention to a well-landscaped outdoor open space, green street design and planting provides for better spaces to be used by the office employees and even extends to use by the public. Guideline D1 asks for inviting and usable open space. The project has fulfilled this guidance requirement.

Stewart Street is required to have a minimum of 75% street level uses. The proposal offers 60% street level uses. The architects have identified Stewart Street as the best location for the building main entry. It is oriented toward the central business district and the busy pedestrian and transit street. The lobby is a two story lobby that offers high transparency through extensive glazing and interior second floor lobby space. The remaining street frontage on Stewart is designated for retail uses. The 9th Avenue façade will also be retail use. This departure helps the project meet Guideline C1, to promote pedestrian interaction, C4 to reinforce the building entry, and A1 response to the physical environment.

Because the 9th Avenue façade will have retail entries along it some of the landscape requirements were reduced through this departure. Visibility and accessibility is important for the success of retail in this location. Given the adjacent development of a 21' wide Green Street, it is important to maintain a close connection between retail and pedestrian traffic. With this in mind ample planting is provided in the Green Street design. Additionally some of the planting in this zone is oriented vertically rather than horizontally for maximum visibility and interest. Guideline D-2 requires the proponents to enhance the building with landscaping; this is achieved through a variety of planting efforts.

The building design has sculpted setbacks on all sides. In order to achieve this, the upper level setback requirements are shared and divided along all sides of the building. This design creates a transition in bulk and scale (B2) on all sides of the building. Sculpting the building at its 4 corners and top, rather than at the 125' mark, avoids awkward massing and is appropriate for the location. Taken as a whole the area sculpted from the building is more than the code required.

The last departure request is a request for departure on the maximum façade length of 120feet above the 125 foot height. The façade measurements and definitions of separate facades push the departure request. This project has façade setbacks less than the 15 feet described in the code. Therefore any setback for modulation and architectural interest not meeting the 15 setback amount will be counted in the same façade. The principal facade on 9th Avenue is only 94' long. Facades at the SE and NE corners are stepped back at 2'-6" and 12'-2". Thus the project design meets the guidance of creating a transition in bulk and scale (B2). The building has these smaller façade setbacks beginning at floor level 3. The cumulative area of indents over the full building height is greater than the area lost due to restriction of upper level facade length.

DECISION - DESIGN REVIEW

The Director of DPD has reviewed the recommendations of the Design Review Board and finds that they are consistent with the City of Seattle Design Review *Guidelines for Downtown Development*. Therefore, the Director determines that the project has satisfactorily responded to the early design guidance. The Director **approves** the proposed project and grants the requested departures.

ANALYSIS – SEPA

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist dated May 11, 2005, and supplemental information in the project file submitted by the applicant's agent. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

Short - Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Storm water, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Street Use Ordinance requires watering streets to suppress dust, on-site

washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment.

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos (if any) during demolition. However, there is no permit process to ensure that PSCAA will be notified of the proposed demolition. A condition will be included pursuant to SEPA authority under SMC 25.05.675 A, requiring a copy of the PSCAA permit be submitted to DPD before issuance of the demolition permit. This will ensure proper handling and disposal of asbestos, if it is encountered on the proposal site.

Transportation

Truck & Equipment: Construction of the project will involve approximately 34,000 cubic yards of grading for the building foundation and subterranean garage. In addition to the activities involving the demolition of the existing structures, there will be construction to stabilize the site prior to construction of the building. These activities will take place over several weeks or months and generate numerous truck trips. The Municipal Code (SMC 11.74.160) states that material hauled in trucks shall be loaded so no debris falls onto the street or alley during transport. This Code (SMC 11.62.060) also requires truck-trailer or truck semi-trailer used for hauling to use major truck streets and take the most direct route to or from one of the major truck streets to their destination.

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; increased demand for public services and utilities; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Storm water, Grading and Drainage Control, the City Energy Code will require insulation for outside walls and energy efficient windows. The Land Use Code controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts that are not considered significant.

Energy

It is estimated that the proposal would consume significant amounts of electricity. This project contributes to overall load growth for the region, and could have impacts on the environment associated with new generation projects. Adherence to Seattle Energy Code minimum performance levels should help to reduce maximum energy consumption and effectively mitigate

impacts to energy resources. However, the project proponent should consult with Seattle City Light on measures available through the "Energy Smart Design" program to further reduce energy consumption by the development. No mitigation pursuant to 25.05.675.E is warranted.

Transportation

The proposed project is expected to generate a net increase of 850 trips per day, 190 trips during the AM peak hour, and 174 trips during the PM peak hour.

The proposed project would construct 217 underground parking spaces. To reduce the project's trip generation and thus minimize potential traffic and parking-related impacts, the project proponent will implement a Transportation Management Plan (TMP) for the building. The TMP will be consistent with the City's Director's Rule 14-2002. The single-occupant vehicle (SOV) goal for this TMP shall be 50% within three years after the site's initial survey, to achieve a 40 percent (40%) Maximum SOV commute trip rate within six years, and a 30 percent (30%) SOV commute trip rate within 9 years to be maintained for the life of the project.

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 decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. A Supplemental 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.

CONDITIONS – DESIGN REVIEW

Non-Appealable Conditions

1. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Holly Godard 206-615-1254). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

2. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Holly Godard 206-615-1254), or by the Design Review Manager. An

appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

3. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings and embed the colored MUP recommendation drawings in the building permit plan sets.

For the life of the Project.

4. Second floor lobby is to be available to all building tenants for indoor open space.

CONDITIONS – SEPA

Prior to issuance of any Construction or Grading Permits

5. The owner and/or responsible party shall record with King County Department of Records and Elections a letter in a format similar to that in Attachment A of Director's Rule 14-2002 acknowledging the permit conditions related to the TMP requirements. A copy of the recorded document, showing the recording number, shall be filed with DPD prior to permit issuance and include the components indicated and referenced above in this Decision.

Prior to Issuance of Demolition Permits

6. The applicant shall submit to DPD a copy of the PSCAA Notice of Intent to Demolish prior to issuance of the DPD demolition permit.

Signature: (signature on file) Date: October 20, 2005
Holly J Godard, Land Use Planner
Department of Planning and Development

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