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

**Project Number:** 3026416-LU

**Applicant Name:** Jon O'Hare

**Address of Proposal:** 2000 3rd Avenue

## SUMMARY OF PROPOSAL

Land Use Application to allow a 48-story, 459-unit apartment building with office and general retail sales and service. Parking for 441 vehicles proposed.

The following approvals are required:

**Design Review with Departures (Seattle Municipal Code 23.41)***
*Departures are listed near the end of the Design Review Analysis in this document*

**SEPA - Environmental Determination (Seattle Municipal Code Chapter 25.05)**

## SEPA DETERMINATION:

Determination of Non-Significance

☐ No mitigating conditions of approval are imposed.

☒ Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal has been conditioned to mitigate environmental impacts.

## SITE AND VICINITY

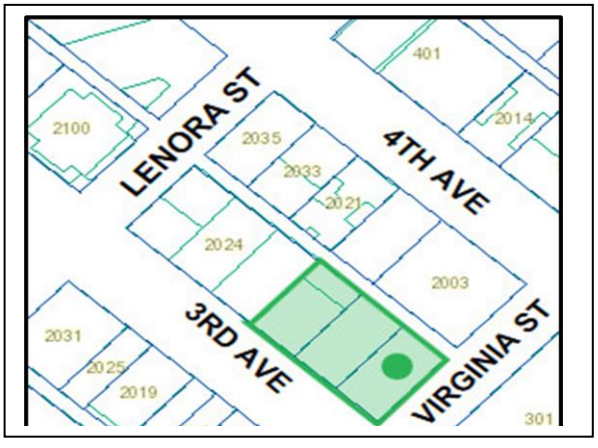
Site Zone: Downtown Mixed Commercial (DMC 240/290-440)

Zoning Pattern:

| | |
|---|---|
| North: | DMC 240/290-440 |
| South: | DOC 500/300-500 |
| West: | DMC 240/290-440 |
| East: | DMC 240/290-440 |

Site Description:

The site, consisting of three parcels, is located at the northeast corner of 3rd Avenue and Virginia Street.




The top of this image is North. This map is for illustrative purposes only. In the event of omissions, errors or differences, the documents in SDCI's files will control.

Access:

Existing vehicular access is from a curb cut along 3rd Aveune and from the alley.

Environmentally Critical Areas:

No Environmental Critical Areas have been identified on site.

Current and Surrounding Development; Neighborhood Character:

The project site lies within the Belltown neighborhood. The area includes a mix of vibrant and eclectic uses, a rich variety of building types and good access to transit. Early 20th century buildings tend to range from approximately 4-9 stories and include regular symmetrical patterns with masonry or stone facades and punched windows. Mid-20th century buildings tend to be lower in height, with larger windows and more irregular facade treatments. Newer glass modern high rises, from the late 60s onward, tend to be much taller tower structures. The immediate area is rapidly transitioning to tall, dense mixed-use structures and residential towers, consistent with zoning and planning policies.

Belltown contains many historical buildings, many of which are landmarks. The Belltown Design Guidelines also identify "icon buildings" which are not landmarked. One of these icon buildings is located across the alley, the Marshall Building. Originally constructed in 1925, this building exhibits a distinctive two-part commercial block façade and notable Spanish Eclectic style design elements.

Immediately adjacent the site to the north, is the YWCA building, a 7-story brick structure. Across 3rd Avenue development includes predominantly lower scaled commercial structures. A considerable amount of new development is underway or in the planning stages for the area. To the southwest, a 38-story tower is permitted under project number 3023678-LU. Further south, a 14-story addition project is being reviewed, project 3023025-LU. Proposed development along 3rd Avenue also includes a 36-story tower, project 3018686-LU. Across the alley to the northeast, a 23-story tower is proposed under 3025502-LU.

3rd Avenue is a designated bus transit corridor and is heavily used by pedestrians and buses to access the Downtown core. The surrounding area is also served by bus and light rail transit in the Westlake Station, a few blocks to the south.

PUBLIC COMMENT:

The two public comment periods ended on June 20,2018 and July 31, 2019. In addition to the comment(s) received through the Design Review process, other comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to construction impacts, parking, and traffic. Comments were also received that are beyond the scope of this review and analysis.

## I. ANALYSIS – DESIGN REVIEW

***EARLY DESIGN GUIDANCE June 20, 2017***

*The packet includes materials presented at the meeting, and is available online by entering the record numbers at this website: http://web6.seattle.gov/dpd/edms/*

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

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

***Email:*** *PRC@seattle.gov*

**PUBLIC COMMENT**

The following public comments were offered at this meeting:

- Concerned with night pollution and glare impacts from the proposed upper tower lighting.
- Lack of support for the dome to be a lantern at night; would like to see the proposed lighting at the dome removed.
- Noted that bedrooms will be facing the building and stated support for the lovely design if the exterior lighting was turned off by 9:30 pm.
- Would like more information on the proposed lighting including lighting analysis for brightness.
- Lack of support for blank walls along Virginia; activation along this street frontage should be reconsidered;
- Concerned with the practicality of the dome and outdoor swimming pool.
- Lack of support for the dome as the design seems too close and duplicative of the Amazon domes nearby.
- Requested more information about the great hall ground floor use and if it will be open to the public.

SDCI staff also summarized design related comments received in writing prior to the meeting:

- Would like to see sufficient landscaping proposed and include more than 3-4 trees along 3rd Avenue and Virginia Street.
- Preference for weather protection along 3rd Avenue and Virginia Street.
- Support for Massing Option #2 as it provides some architectural variance rather than a tall vertical glass box as presented in Massing Concept #3; Concept #3 seems to dwell on the roof top area with the sphere and building amenities.
- Concerned with additional source of light pollution and an annoyance to adjacent property owners; the sphere and roof top amenities should not be lit 24/7.
- Would like to see the project provide open space for the neighborhood.

One purpose of the design review process is for the Board and City to receive comments from the public that help to identify feedback and concerns about the site and design concept, identify

applicable citywide and neighborhood design guidelines of highest priority to the site and explore conceptual design, siting alternatives and eventual architectural design. Concerns with off-street parking, traffic and construction impacts are reviewed as part of the environmental review conducted by SDCI and are not part of this review.

All public comments submitted in writing for this project can be viewed using the following link and entering the project number: http://web6.seattle.gov/dpd/edms/

## PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance.

1. **Massing Options**: The Board discussed the strengths of the different massing options, configuration of tower placement and related public comment. Ultimately, the Board unanimously supported the southwest placement of the tower core shown in Massing Option 3 as it creates the most separation to the adjacent existing and proposed buildings to the north. The Board noted that the bend in the 3rd Avenue roadway near the Stewart intersection creates a prominent view of the tower and agreed that Massing Option 3, with refinement to the upper form, has the best potential to create architectural presence and address the corner. The Board directed the applicant to proceed with this preferred option based on the guidance provided. (A1, A2, B1, B3)

2. **Streetscape and Podium:** The Board generally supported the conceptual response to each street frontage including the grand hall retail space and the expanded setbacks which provide space for minimum required sidewalks. (C1, C4, D1, D3)
    a. For the Virginia St frontage, the Board agreed with public comment regarding active street frontage at the alley corner and recommended wrapping retail and transparency to avoid a blank facade condition. The Board also noted that this corner presented an opportunity to develop a transition to the Marshall building and that a smaller retail space at this location would promote a pedestrian oriented street edge. (B1, C1.1, C3, C6, D6, E3)
    b. In order to reinforce retail porosity and promote pedestrian interaction, the Board recommended studying how retail entrances will be incorporated into the storefront system. The Board noted that a nearby project, Via 6, as a good example of an open retail space which effectively provides streetscape permeability. While the Board acknowledged the exact location of entries may be hard to predict, the Board gave guidance that it will be important to ensure there will be more than one entrance. The Board recommended developing flexibility into the storefront system to allow for multiple entry types and requested more detail and street level perspectives for the next meeting. (C1, C4)
    c. Related to the main entry along 3rd Avenue, the Board supported the general design direction and requested more detail on the height of the entry and coordination with the adjacent elevator bank. (C1, C4)

d. For the streetscape design along 3rd Avenue, the Board recommended differentiating the retail zone from the bus waiting area through landscape and street furniture. The Board stated their preference for a custom freestanding bus stop to support the high-volume transit stop, rather than leaning rails, and encouraged the applicant to work with Metro to develop the design to read as a deliberate part of the overall design. (B1.1, C1, D1, D3)
e. The Board strongly supported the concept of the "veil" which articulates the podium structure along with the balconies and recommended further developing a human scale to these elements as the building design and materiality develops. The Board also requested more information on the guardrails at the podium roof level for the next meeting. (B4)

3. **Tower Cladding Concepts and Materiality:** The Board discussed the initial ideas for the cladding and materiality and struggled with differentiating between the pure curtainwall system and the areas of the tower with projecting balconies. The Board was concerned that the proposed depth of the projecting balconies does not yet read and recommended further refinement to break down the scale of the tower and produce a layered facade. The Board noted that it is critical to resolve the depth and material detailing of the cladding and the balcony railings as the design evolves. The Board also recognized that the alley façade will be very visible and supported the intent to develop a cohesive cladding approach for all facades. (B1, B4, C6)

4. **Rooftop Elements:** Although Board recognized that the geodesic dome and cantilevered swimming pool as architectural rooftop elements emphasize the skyline, the Board agreed with public comment these rooftop elements require further refinement to be better integrated with the rest of the tower form. The Board supported an iconic expression for the rooftop features but was concerned with the attached appearance and the lack of purity and rationality with the rest of the design. To provide interest and reinforce a unifying tower form, the Board recommended developing the rooftop elements in a way that is cohesive with the rest of the building, potentially through eroding the form, sculpting the upper form, and/or editing the dome relationship with the pool and how these elements rest on the building. (A2, B1, B3, B4)

5. **Lighting:** Acknowledging the public concern regarding lighting, the Board recommended developing an overall lighting scheme, mindful of night light pollution and glare impacts of the dome as well as the veil design elements. The Board requested information on these features, including light spillage analysis and additional renderings at night for the next meeting. (D5)

6. **Overhead Weather Protection:** To provide a consistent street edge, avoid a blank facade condition and justify the departure related to overhead canopy, the Board recommended incorporating retail porosity and studying the adjacent Marshall Building. The Board supported reflecting the cues of the adjacent Marshall Building in a way that is discrete, potentially through a secondary canopy, mullions, or another element that breaks down the scale. The Board also supported wrapping this design approach into the alley. With this additional refinement, the Board indicated initial support for the overhead weather protection departure to raise the height. Related the main entry along 3rd Aveune, the Board supported the intermediate canopy as it defines and reinforces the entry. (B1, B3, C1, C3, C4, C5.1, C6, D6, E3)

**DEVELOPMENT STANDARD DEPARTURES**

The Board's recommendation on the requested departure(s) will be based on the departure's potential to help the project better meet these design guidelines priorities and achieve a better overall project design than could be achieved without the departure(s). The Board's recommendation will be reserved until the final Board meeting.

At the time of the **Early Design Guidance** the following departure was requested:

1. **Continuous Weather Protection & Lighting (SMC 24.49.018):** The Code requires continuous weather protection along 3rd Aveune and Virginia St to be between 10'-15' above the sidewalk and minimum of 8' wide in depth. The applicant proposes a height between 17'-7" and 24'-10" to align with the lowest office slab and integrate with the design of the facades. In order to provide a similar level of weather protection, the applicant proposes extending the depth to 10'.

   The Board indicated preliminary support for the departure provided that the Virginia St frontage is further refined to relate to the Marshall building and avoid a blank facade condition. The Board implied that designing the character of the frontage is critical to address the streetscape response. With the additional façade refinement, the departure has the potential to better meet Design Guidelines B4 Design a Well-Proportioned & Unified Building and B2 Design Facades of Many Scales.

***RECOMMENDATION October 16, 2018***

**PUBLIC COMMENT**
The following public comments were offered at this meeting:

- Felt inadequate space was provided for loading berths and solid waste and recycling.
- Expressed concern that any projection into the alley right-of-way would exacerbate the existing alley congestion.
- Would like to see the building provide additional trash and recycling storage space for the existing older buildings on the alley.
- Felt the existing alley conditions are unsafe for bicyclists.
- Support a lighting planning that minimizes light and glare at night.
- Would like to see 3rd Avenue developed with additional landscaping.

One purpose of the design review process is for the Board and City to receive comments from the public that help to identify feedback and concerns about the site and design concept, identify applicable citywide and neighborhood design guidelines of highest priority to the site and explore conceptual design, siting alternatives and eventual architectural design. Concerns with off-street parking, traffic and construction impacts are reviewed as part of the environmental review conducted by SDCI and are not part of this review.

All public comments submitted in writing for this project can be viewed using the following link and entering the project number: http://web6.seattle.gov/dpd/edms/

**PRIORITIES & BOARD RECOMMENDATIONS**

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance.

1. **Massing and Rooftop Elements**: The Board agreed the southwest tower massing, with the changes to building form and materiality, created a successful architectural presence at the corner of 3rd Avenue and Virginia Street. The Board applauded the changes to the roof, including the removal of the dome and the addition of the rectilinear forms. The Board was supportive of the visible active uses at roof level, and the integration of glass art at the podium and roof levels. (A1, A2, B1, B3, B4)

2. **Streetscape and Podium:** The Board noted that the streetscape and ground level design were responsive to the provided EDG guidance. The Board expressed support for the retail space provided on the corner of the Virginia Street and the alley, the additional retail entries on 3rd Avenue, the design, materiality, and location of the residential and office entries. The Board was supportive of the efforts to differentiate the retail zone, the public sidewalk, and the bus waiting area, and noted the landscape and pavement changes to delineate entries as particularly successful. The Board acknowledged the necessity of hardscape, versus additional landscaping, to meet the competing user needs in the urban corner location. (B3.3, C1, C3.1, C4.1, C6.1)

3. **Tower Cladding Concepts and Materiality:** The Board noted that the Recommendation packet successfully demonstrated the tower materiality. The Board supported the 5-foot deep balconies, to add depth and dimension to the overall tower form, and the simple material palette, consisting of layered glass and concrete, to express the architectural concept from podium to roof level. The Board recommended the strong vertical glass elements, as shown on page 123 of the Recommendation Packet, were important to the composition. The Board did question whether the 6-inch spacing between the horizontal and vertical glass elements would create the difference in the tone as shown in the renderings. (A2, B4, B4.3)

   The Board recommended a condition to choose tower materials achieve differentiation between the horizontal and vertical glass elements as shown in the rendering on page 123 of the Recommendation Packet. Changes to the glass could include, but are not limited to, tinting the glass, additional layering, or a frit pattern. (A2, B4, B4.3)

4. **Lighting:** The Board was supportive of the subtle rooftop lighting but felt the veil lighting needed additional review. The Board agreed the podium feature should rely on the glass art to make a statement, rather than intense and active lighting. (B4.3, D3.1, D3.2, D5.1)

   The Board recommended a condition that the veil should be subtly illuminated as an ethereal feature. (B4.3, D3.1, D3.2, D5.1)

5. **Alley:** The Board recommended the organization of the alley uses as shown on page 62 of the Recommendation Packet was successful and appreciated robust concrete material application. The Board appreciated the slight setback at the corner retail space to accommodate truck turning. (C3.1, D6.2, E3.1)

The Board recommended a condition to provide additional lighting at the alley pedestrian entrances. (D5.1, D6.1)

## DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departure(s) were based on the departure's potential to help the project better meet these design guidelines priorities and achieve a better overall project design than could be achieved without the departure(s).

At the time of the Recommendation meeting the following departure was requested:

1. **Continuous Weather Protection & Lighting (SMC 24.49.018):** The Code requires continuous weather protection along 3rd Aveune and Virginia St to be between 10'-15' above the sidewalk and minimum of 8' in depth. The applicant proposes a height between 17'-7" and 24'-10" to align with the lowest office slab and integrate with the design of the facades. In order to provide a similar level of weather protection, the applicant proposes extending the depth to 10' on 3rd Avenue. The canopy would be limited to 7' deep on Virginia Street.

   The Board unanimously recommended approval of the departure request. The Board observed that the increased canopy height provided better visibility into the tall retail spaces. The Board noted the increased canopy depth on 3rd Avenue, coupled with the secondary canopy features provided at the building entries, provided a design solution that better meets the intent of adopted Design Guidelines B4 Design a Well-Proportioned & Unified Building and B2 Design Facades of Many Scales.

## DESIGN REVIEW GUIDELINES

The priority Downtown design guidelines identified as Priority Guidelines are summarized below, while all guidelines remain applicable. For the full text please visit the Design Review website.

## SITE PLANNING AND MASSING

**A1 Respond to the Physical Environment: Develop an architectural concept and compose the building's massing in response to geographic conditions and patterns of urban form found nearby or beyond the immediate context of the building site.**

**A1.1. Response to Context:** Each building site lies within a larger physical context having various and distinct features and characteristics to which the building design should respond. Develop an architectural concept and arrange the building mass in response to one or more of the following, if present:

a. a change in street grid alignment that yields a site having nonstandard shape;
b. a site having dramatic topography or contrasting edge conditions;
c. patterns of urban form, such as nearby buildings that have employed distinctive and effective massing compositions;
d. access to direct sunlight—seasonally or at particular times of day;
e. views from the site of noteworthy structures or natural features, (i.e.: The Space Needle, Smith Tower, port facilities, Puget Sound, Mount Rainier, the Olympic Mountains);
f. views of the site from other parts of the city or region; and

g. proximity to a regional transportation corridor (the monorail, light rail, freight rail, major arterial, state highway, ferry routes, bicycle trail, etc.).

***Belltown Supplemental Guidance:***

**A1.I. Views:** Develop the architectural concept and arrange the building mass to enhance views. This includes views of the water and mountains, and noteworthy structures such as the Space Needle.

**A2 Enhance the Skyline: Design the upper portion of the building to promote visual interest and variety in the downtown skyline. Respect existing landmarks while responding to the skyline's present and planned profile.**

**A2.1. Desired Architectural Treatments:** Use one or more of the following architectural treatments to accomplish this goal:

a. sculpt or profile the facades;
b. specify and compose a palette of materials with distinctive texture, pattern, or color;
c. provide or enhance a specific architectural rooftop element.

**A2.2. Rooftop Mechanical Equipment:** In doing so, enclose and integrate any rooftop mechanical equipment into the design of the building as a whole.

## ARCHITECTURAL EXPRESSION

**B1 Respond to the neighborhood context: Develop an architectural concept and compose the major building elements to reinforce desirable urban features existing in the surrounding neighborhood.**

**B1.1. Adjacent Features and Networks:** Each building site lies within an urban neighborhood context having distinct features and characteristics to which the building design should respond. Arrange the building mass in response to one or more of the following, if present:

a. a surrounding district of distinct and noteworthy character;
b. an adjacent landmark or noteworthy building;
c. a major public amenity or institution nearby;
d. neighboring buildings that have employed distinctive and effective massing compositions;
e. elements of the pedestrian network nearby, (i.e.: green street, hillclimb, mid-block crossing, through-block passageway); and
f. direct access to one or more components of the regional transportation system.

**B1.2. Land Uses:** Also, consider the design implications of the predominant land uses in the area surrounding the site.

***Belltown Supplemental Guidance:***

**B1.I. Compatible Design:** Establish a harmonious transition between newer and older buildings. Compatible design should respect the scale, massing and materials of adjacent buildings and landscape.

**B1.II. Historic Style:** Complement the architectural character of an adjacent historic building or area; however, imitation of historical styles is discouraged. References to period architecture should be interpreted in a contemporary manner.

**B1.III. Visual Interest:** Design visually attractive buildings that add richness and variety to Belltown, including creative contemporary architectural solutions.

**B1.IV. Reinforce Neighborhood Qualities:** Employ design strategies and incorporate architectural elements that reinforce Belltown's unique qualities. In particular, the neighborhood's best buildings tend to support an active street life.

**B3 Reinforce the Positive Urban Form & Architectural Attributes of the Immediate Area: Consider the predominant attributes of the immediate neighborhood and reinforce desirable siting patterns, massing arrangements, and streetscape characteristics of nearby development.**

**B3.1. Building Orientation:** In general, orient the building entries and open space toward street intersections and toward street fronts with the highest pedestrian activity. Locate parking and vehicle access away from entries, open space, and street intersections considerations.

**B3.2. Features to Complement:** Reinforce the desirable patterns of massing and facade composition found in the surrounding area. Pay particular attention to designated landmarks and other noteworthy buildings. Consider complementing the existing:

a. massing and setbacks,
b. scale and proportions,
c. expressed structural bays and modulations,
d. fenestration patterns and detailing,
e. exterior finish materials and detailing,
f. architectural styles, and
g. roof forms.

**B3.3. Pedestrian Amenities at the Ground Level:** Consider setting the building back slightly to create space adjacent to the sidewalk conducive to pedestrian-oriented activities such as vending, sitting, or dining. Reinforce the desirable streetscape elements found on adjacent blocks. Consider complementing existing:

h. public art installations,
i. street furniture and signage systems,
j. lighting and landscaping, and
k. overhead weather protection.

**B4 Design a Well-Proportioned & Unified Building: Compose the massing and organize the interior and exterior spaces to create a well-proportioned building that exhibits a coherent architectural concept. Design the architectural elements and finish details to create a unified building, so that all components appear integral to the whole.**

**B4.1. Massing:** When composing the massing, consider how the following can contribute to create a building that exhibits a coherent architectural concept:

a. setbacks, projections, and open space;
b. relative sizes and shapes of distinct building volumes; and
c. roof heights and forms.

**B4.2. Coherent Interior/Exterior Design:** When organizing the interior and exterior spaces and developing the architectural elements, consider how the following can contribute to create a building that exhibits a coherent architectural concept:

d. facade modulation and articulation;
e. windows and fenestration patterns;
f. corner features;
g. streetscape and open space fixtures;
h. building and garage entries; and

i. building base and top.

**B4.3. Architectural Details:** When designing the architectural details, consider how the following can contribute to create a building that exhibits a coherent architectural concept:

j. exterior finish materials;
k. architectural lighting and signage;
l. grilles, railings, and downspouts;
m. window and entry trim and moldings;
n. shadow patterns; and
o. exterior lighting.

## THE STREETSCAPE

**C1 Promote Pedestrian Interaction: Spaces for street level uses should be designed to engage pedestrians with the activities occurring within them. Sidewalk-related spaces should appear safe, welcoming, and open to the general public.**

**C1.1. Street Level Uses:** Provide spaces for street level uses that:

a. reinforce existing retail concentrations;
b. vary in size, width, and depth;
c. enhance main pedestrian links between areas; and
d. establish new pedestrian activity where appropriate to meet area objectives. Design for uses that are accessible to the general public, open during established shopping hours, generate walk-in pedestrian clientele, and contribute to a high level of pedestrian activity.

**C1.2. Retail Orientation:** Where appropriate, consider configuring retail space to attract tenants with products or services that will "spill-out" onto the sidewalk (up to six feet where sidewalk is sufficiently wide).

**C1.3. Street-Level Articulation for Pedestrian Activity:** Consider setting portions of the building back slightly to create spaces conducive to pedestrian-oriented activities such as vending, resting, sitting, or dining. Further articulate the street level facade to provide an engaging pedestrian experience via:

e. open facades (i.e., arcades and shop fronts);
f. multiple building entries;
g. windows that encourage pedestrians to look into the building interior;
h. merchandising display windows;
i. street front open space that features art work, street furniture, and landscaping;
j. exterior finish materials having texture, pattern, lending themselves to high quality detailing.

**C3 Provide Active — Not Blank — Facades: Buildings should not have large blank walls facing the street, especially near sidewalks.**

**C3.1. Desirable Facade Elements:** Facades which for unavoidable programmatic reasons may have few entries or windows should receive special design treatment to increase pedestrian safety, comfort, and interest. Enliven these facades by providing:

a. small retail spaces (as small as 50 square feet) for food bars, newsstands, and other specialized retail tenants;
b. visibility into building interiors;
c. limited lengths of blank walls;

d. a landscaped or raised bed planted with vegetation that will grow up a vertical trellis or frame installed to obscure or screen the wall's blank surface;
e. high quality public art in the form of a mosaic, mural, decorative masonry pattern, sculpture, relief, etc., installed over a substantial portion of the blank wall surface;
f. small setbacks, indentations, or other architectural means of breaking up the wall surface;
g. different textures, colors, or materials that break up the wall's surface.
h. special lighting, a canopy, awning, horizontal trellis, or other pedestrian-oriented feature to reduce the expanse of the blank surface and add visual interest;
i. seating ledges or perches (especially on sunny facades and near bus stops);
j. merchandising display windows or regularly changing public information display cases.

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

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

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

**C6 Develop the Alley Façade: To increase pedestrian safety, comfort, and interest, develop portions of the alley facade in response to the unique conditions of the site or project.**

**C6.1. Alley Activation:** Consider enlivening and enhancing the alley entrance by:

a. extending retail space fenestration into the alley one bay;
b. providing a niche for recycling and waste receptacles to be shared with nearby, older buildings lacking such facilities; and
c. adding effective lighting to enhance visibility and safety.

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

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

## PUBLIC AMENITIES

**D1 Provide Inviting & Usable Open Space: Design public open spaces to promote a visually pleasing, safe, and active environment for workers, residents, and visitors. Views and solar access from the principal area of the open space should be especially emphasized.**

***Belltown Supplemental Guidance:***

**D1.I. Active Open Space:** As a dense, urban neighborhood, Belltown views its streets as its front porches, and its parks and private plazas and spaces as its yards and gardens. The design and location of urban open spaces on a site or adjoining sidewalk is an important determinant in a successful environment, and the type and character of the open space should be influenced by the building's uses.

a. Mixed-use developments are encouraged to provide usable open space adjacent to retail space, such as an outdoor cafe or restaurant seating, or a plaza with seating.
b. Locate plazas intended for public use at/or near street grade to promote physical and visual connection to the street; on-site plazas may serve as a well-defined transition from the street. Take views and sun exposure into account as well.
c. Define and contain outdoor spaces through a combination of building and landscape, and discourage oversized spaces that lack containment.
d. The space should be well-buffered from moving cars so that users can best enjoy the space.

**D3 Provide Elements That Define the Place: Provide special elements on the facades, within public open spaces, or on the sidewalk to create a distinct, attractive, and memorable "sense of place" associated with the building.**

**D3.1. Public Space Features and Amenities:** Incorporate one or more of the following appropriate:

a. public art;
b. street furniture, such as seating, newspaper boxes, and information kiosks;
c. distinctive landscaping, such as specimen trees and water features;
d. retail kiosks;
e. public restroom facilities with directional signs in a location easily accessible to all; and
f. public seating areas in the form of ledges, broad stairs, planters and the like, especially near public open spaces, bus stops, vending areas, on sunny facades, and other places where people are likely to want to pause or wait.

**D3.2. Intersection Focus:** Enliven intersections by treating the corner of the building or sidewalk with public art and other elements that promote interaction (entry, tree, seating, etc.) and reinforce the distinctive character of the surrounding area.

**D5 Provide Adequate Lighting: To promote a sense of security for people downtown during nighttime hours, provide appropriate levels of lighting on the building facade, on the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and on signage.**

**D5.1. Lighting Strategies:** Consider employing one or more of the following lighting strategies as appropriate.

a. Illuminate distinctive features of the building, including entries, signage, canopies, and areas of architectural detail and interest.
b. Install lighting in display windows that spills onto and illuminates the sidewalk.
c. Orient outside lighting to minimize glare within the public right-of-way.

**D6 Design for Personal Safety & Security: Design the building and site to promote the feeling of personal safety and security in the immediate area.**

**D6.1. Safety in Design Features:** To help promote safety for the residents, workers, shoppers, and visitors who enter the area:

a. provide adequate lighting;
b. retain clear lines of sight into and out of entries and open spaces;
c. use semi-transparent security screening, rather than opaque walls, where appropriate;
d. avoid blank and windowless walls that attract graffiti and that do not permit residents or workers to observe the street;
e. use landscaping that maintains visibility, such as short shrubs and/or trees pruned so that all branches are above head height;
f. use ornamental grille as fencing or over ground-floor windows in some locations;
g. avoid architectural features that provide hiding places for criminal activity;
h. design parking areas to allow natural surveillance by maintaining clear lines of sight for those who park there, for pedestrians passing by, and for occupants of nearby buildings;
i. install clear directional signage;
j. encourage "eyes on the street" through the placement of windows, balconies, and street-level uses; and
k. ensure natural surveillance of children's play areas.

## VEHICULAR ACCESS AND PARKING

**E3 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.**

**E3.1. Methods of Integrating Service Areas:** Consider incorporating one or more of the following to help minimize these impacts:

a. Plan service areas for less visible locations on the site, such as off the alley.
b. Screen service areas to be less visible.
c. Use durable screening materials that complement the building.
d. Incorporate landscaping to make the screen more effective.
e. Locate the opening to the service area away from the sidewalk.

## RECOMMENDATIONS

At the conclusion of the Recommendation meeting, the Board recommended approval of the project.

The recommendation summarized above was based on the design review packet dated Tuesday, October 16, 2018, and the materials shown and verbally described by the applicant at the Tuesday, October 16, 2018 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended APPROVAL of the subject design and departures with the following conditions.

1) Choose tower materials achieve differentiation between the horizontal and vertical glass elements as shown in the rendering on page 123 of the Recommendation Packet. Changes to the glass could include, but are not limited to, tinting the glass, additional layering, or a frit pattern. (A2, B4, B4.3)

2) Subtly illuminate the veil as an ethereal feature. (B4.3, D3.1, D3.2, D5.1)

3) Provide additional lighting at the alley pedestrian entrances. (D5.1, D6.1)

## ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

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

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

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

Subject to the recommended conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

At the conclusion of the Recommendation meeting held on October 16, 2018, the Board recommended approval of the project with the conditions described in the summary of the Recommendation meeting above.

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

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

Following the Recommendation meeting, SDCI staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board.

Applicant response to Recommended Design Review Condition:

1) Choose tower materials achieve differentiation between the horizontal and vertical glass elements as shown in the rendering on page 123 of the Recommendation Packet. Changes to the glass could include, but are not limited to, tinting the glass, additional layering, or a frit pattern. (A2, B4, B4.3)

   The applicant responded with a memo dated March 4, 2020, noting, "To differentiate between the vertical and horizontal glass on the facade, a frit pattern has been selected from the options identified in the Design Review Recommendation Package. In order to achieve additional differentiation between horizontal and vertical glass elements -laminated glass with slightly greenish hew has been added in combination with the white frit pattern proposed for the vertical glass screens. Horizontal laminated glass bands are proposed in super transparent Low iron glass that will be contrasting with vertical bands. Please see attached revised colored elevations A-230 in the MUP submittal." The response satisfies the recommended condition for the MUP decision. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction, as conditioned below.

2) Subtly illuminate the veil as an ethereal feature. (B4.3, D3.1, D3.2, D5.1)

   The applicant responded with a memo dated March 4, 2020, noting, "To provide a subtle illumination on the veil, a linear light fixture will be placed on the top side of the level 2 canopy to catch the underside of the veil disks. This will provide a controlled light source on the veil and will complement the office space interior lighting at nighttime business hours at the levels of the veil." MUP plan set sheet A-501 includes the light fixture schedule. The response satisfies the recommended condition for the MUP decision. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction, as conditioned below.

3) Provide additional lighting at the alley pedestrian entrances. (D5.1, D6.1)

   The applicant responded with a memo dated January 9, 2020, noting, "Along the alley, other than the vehicular entrance/exit to the garage and the loading bays, there is one pedestrian entrance which allows resident access into the bike room. The balance of doors are egress doors for the purpose of exiting. Please refer to sheet A-501 of the MUP plan set for the location of the additional lighting along the alley." The response satisfies the recommended condition for the MUP decision. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy for the new construction, as conditioned below.

The applicant shall be responsible for ensuring that all construction documents, details, and specifications are shown and constructed consistent with the approved MUP drawings.

The Director of SDCI has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines. The Director is satisfied that all the recommendations imposed by the Design Review Board have been met.

**DIRECTOR'S DECISION**

The Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departure with the conditions at the end of this Decision.

## II. ANALYSIS – SEPA

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 2/12/2018. The Seattle Department of Construction and Inspections (SDCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered. 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 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and 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, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a

small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes greenhouse gas, construction traffic and parking impacts and construction noise, as well as mitigation.

*Greenhouse Gas Emissions*

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A.

Construction Impacts - Parking and Traffic

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The area is subject to significant traffic congestion during peak travel times on nearby arterials. Large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic.

The area includes limited and timed or metered on-street parking. Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted and a Construction Management Plan is required, which will be reviewed by Seattle Department of Transportation (SDOT). The requirements for a Construction Management Plan include a Haul Route and a Construction Parking Plan. The submittal information and review process for Construction Management Plans are described on the SDOT website at: Construction Use in the Right of Way.

*Construction Impacts - Noise*

The project is expected to generate loud noise during demolition, grading and construction. The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development construction and equipment between the hours of 7:00 AM and 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends and legal holidays.

If extended construction hours are necessary due to emergency reasons or construction in the right of way, the applicant may seek approval from SDCI through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated.

A Construction Management Plan will be required prior to issuance of the first building permit, including contact information in the event of complaints about construction noise, and measures to reduce or prevent noise impacts. The submittal information and review process for Construction Management Plans are described on the SDOT website at: Construction Use in the Right of Way. The limitations stipulated in the Noise Ordinance and the CMP are sufficient to mitigate noise impacts; therefore, no additional SEPA conditioning is necessary to mitigation noise impacts per SMC 25.05.675.B.

Long Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, greenhouse gas, height bulk and scale, parking, and traffic warrant further analysis.

*Greenhouse Gas Emissions*

Operational activities, primarily vehicular trips associated with the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A.

*Height, Bulk, and Scale*

The proposal has gone through the design review process described in SMC 23.41. Design review considers mitigation for height, bulk and scale through modulation, articulation, landscaping, and façade treatment.

Section 25.05.675.G.2.c of the Seattle SEPA Ordinance provides the following: "The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project."

The height, bulk and scale of the proposed development and relationship to nearby context have been addressed during the Design Review process. Pursuant to the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate height, bulk and scale impacts are adequate and additional mitigation is not warranted under SMC 25.05.675.G.

*Parking*

On-site parking would be provided by a 441-stall parking garage, of which 334 stalls would be secured residential parking, 82 stalls would be for residential visitors and commercial tenants, and 25 flexible stalls would be available for shared use between residential and commercial users.

Residential parking demand is forecast to be roughly 395 stalls, which would be accommodated by the project's parking supply, as residential peak demand occurs evenings and overnight, when commercial use of the non-secured spaces would be low. The estimated commercial peak parking demand is 92 stalls at noon on a weekday; this would be accommodated by the 107 non-secured parking spaces. (A slightly larger amount of commercial space was evaluated in the transportation analysis, which estimated a peak commercial parking demand for 103 stalls.)

The project will displace an existing 65-stall surface parking lot. The parking lot operator indicated that the lot was about 50% occupied at peak times. With construction of the project, about 33 vehicles would be displaced. These vehicles are expected to be accommodated at other public parking facilities in the downtown core. No mitigation is required pursuant to SMC 25.05.675 M.

*Transportation*

Transportation analysis for the project was prepared by Transportation Engineering NorthWest; the initial study was prepared on February28, 2018, with updates and additional information in reports and memos dated January 3, 2019; May 13, 2019; October 29, 2019; January 9, 2020; and March 5, 2020.

The transportation study estimated vehicle traffic that would be added to the roadway system by the project, and forecast the impacts of this additional traffic at 11 intersections in the downtown Seattle core. As access to the project will be taken from the alley adjacent to the site, traffic operations of the alley's intersections with Virginia St and Lenora St were included in the analysis. The traffic forecasts took into account expected increases in vehicle trips from 15 other planned developments in the vicinity, and also increased existing traffic volumes by 0.5% per year to account for growth in traffic from other sources.

Project traffic volumes were estimated using data from the Institute of Transportation Engineers (ITE) Trip Generation manual, adjusted to account for typical mode choices in downtown Seattle. The project is expected to generate approximately 1,310 daily vehicle trips, with 128 trips occurring in the AM peak hour and 120 in the PM peak hour. The transportation analysis distributed these trips on the local roadway network, and calculated future traffic operations at the study area intersections. Traffic operational analysis groups intersection operations into six Levels of Service (LOS), based on the amount of average existing or forecast delay. The Levels of Service range from A (least amount of delay) to F (greatest amount of delay). LOS D, indicating moderate amounts of delay, generally is considered acceptable in dense urban areas, including Seattle.

Nine signalized intersections were included in the traffic analysis. With project traffic, all would operate at LOS C or better during both the AM and PM peak hours. The intersection of the alley and Lenora Street is forecast to operate at LOS B during the AM peak hour and LOS D during the PM peak hour, indicating acceptable levels of operation. The alley/Virginia Street intersection is

forecast to operate at LOS F during both the AM and PM peak hours, indicating long delays for vehicles exiting the alley onto Virginia; traffic movements on Virginia, including movements of vehicles turning into the alley, will operate well. As the alley is two-way, drivers attempting to exit onto Virginia may choose instead to exit onto Lenora, which would reduce the overall delay at the alley/Virginia intersection. As drivers would have this option, and the overall number of vehicles that would be exiting the alley at Virginia is forecast to be relatively small, no mitigation for traffic operations is required pursuant to SMC 25.05.675 R.

The project is proposing two loading berths; the berths would accommodate both residential move-in/move-out activity and daily delivery activity generated by the building tenants. The traffic consultant provided information regarding expected usage of the loading docks by project residents and commercial tenants. The project has proposed various restrictions on loading activity to reduce project impacts on the adjacent alley. These include scheduling residential move-in and move-out activity; accommodating office move-in and move-out activity at times not overlapping with residential moves; and limiting the size of delivery vehicles to those that fit within the dimensions of the loading berths. To formalize these restrictions, the project will be required to prepare a Loading Dock Management Plan (LDMP), to be reviewed and approved by SDCI. In addition to the above items, the LDMP should indicate how restrictions on maximum truck sizes will be communicated to vendors and deliverers, and how potential residents will be made aware of the requirement to schedule appointments for use of the loading berths.

## DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

☒ Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

☐ Mitigated Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

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

This DNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

## CONDITIONS – DESIGN REVIEW

*For the Life of the Project*

1. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Lindsay King, (206) 684-9218. Lindsay.king@seattle.gov).

## CONDITIONS – SEPA

*Prior to Issuance of Demolition, Excavation/Shoring, or Construction Permit*

2. Provide a Construction Management Plan that has been approved by SDOT. The submittal information and review process for Construction Management Plans are described on the SDOT website at: Construction Use in the Right of Way

*Prior to Issuance of a Construction Permit*

3. Submit Loading Dock Management Plan for review and approval by SDCI. The LDMP shall include, but not be limited to:
    - Scheduling residential move-in/move-out activity;
    - Scheduling office move-in/move-out activity at times not overlapping with residential moves;
    - Limiting the size of delivery vehicles to those that fit within the dimensions of the loading berth;
    - Indicating how restrictions on maximum truck sizes will be communicated to vendors and deliverers;
    - Indicating how potential residents will be made aware of the requirement to schedule appointments for use of the loading berths.

Lindsay King, Land Use Planner Date: March 16, 2020
Seattle Department of Construction and Inspections

LK:bg

King/3026416-LU

## IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered "approved for issuance". (If your decision is appealed, your permit will be considered "approved for issuance" on the fourth day following the City Hearing Examiner's decision.) Projects requiring a Council land use action shall be considered "approved for issuance" following the Council's decision.

The "approved for issuance" date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by SDCI within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.