



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

**Record Number:** 3019132-LU & 3020339-LU  
**Applicant Name:** Jon O'Hare  
**Address of Proposal:** 1000 6<sup>th</sup> Ave S & 1001 6<sup>th</sup> Ave S

**SUMMARY OF PROPOSAL**

3019132-LU: Land Use Application to allow two office buildings (8 and 10 stories) with ground floor retail space. Parking for 137 vehicles to be provided below grade. Addendum to Livable South Downtown Planning Study Final Environmental Impact Statement (EIS) has been prepared.\*

*\*Original Project Description*: Land Use Application to allow two office buildings (9 stories each) with ground floor retail space. Parking for 464 vehicles to be provided below grade. Addendum to Livable South Downtown Planning Study Final Environmental Impact Statement (EIS) has been prepared.

3020339-LU: Land Use Application to allow three office buildings (9 and 10 stories): with retail at ground level. Parking for 447 vehicles is to be provided below grade. Existing structures to be demolished. Addendum to Livable South Downtown Planning Study Final EIS has been prepared.\*\*

*\*\*Original Project Description*: Land Use Application to allow three office buildings (10 stories each): with retail at ground level. Parking for 747 vehicles is to be provided below grade. Existing structures to be demolished. Addendum to Livable South Downtown Planning Study Final EIS has been prepared.

The following approvals are required:

1. **Major Phased Development** (Seattle Municipal Code (SMC) 23.50.015)
2. **Design Review with Departures** (SMC 23.41)

Departures are listed within Section II, *Analysis – Design Review*

3. **State Environmental Policy Act (SEPA)** (SMC 25.05)
  - 3.1 SEPA Procedural Decisions
    - 3.1.1 Determination of Significance
    - 3.1.2 Adoption of EIS and issuance of addendum to that EIS

Title of document being adopted: Livable South Downtown Planning Study FEIS

Agency that prepared document being adopted: City of Seattle

Date adopted document was prepared: May 2008

3.2 SEPA Substantive Decision (to approve, condition, or deny on the basis of SEPA policies)



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:* IC-85/160 (Industrial Commercial, 85-160-foot height limit)

*Nearby Zones:*

<i>North:</i>	IDM 150/85-1500
<i>South:</i>	IC 85/160
<i>East:</i>	IC 85/160
<i>West:</i>	IC 85/160

*Environmentally Critical Areas:* Liquefaction

*Total Site Area:* 273,652-square feet

BACKGROUND

The proposed development is located within the area analyzed by the Livable South Downtown Planning Study Final EIS, which included approximately 390-acres that extend roughly one-mile in a east-west and north-south direction from north of Yesler Way and S Main St on the north to S Holgate St on the south and from Alaskan Way S on the west to east of Rainier Ave on the east.

The project site is also located within Seattle's Downtown Neighborhood within the Duwamish Manufacturing/Industrial Center. The approximately 273,652-square foot (6.3-acre) site is bounded by Seattle Boulevard S to the north, Airport Way S to the east, and the Interstate-90 (I-90) express lanes to the south and west. The site currently contains warehouse buildings and surface parking lots, and gradually slopes approximately 20-feet to the northeast.

PROPOSAL

The site is a total of 6.3-acres of contiguous parcels split by a public right-of-way (6<sup>th</sup> Ave S). The east side of 6<sup>th</sup> Ave S is identified as MUP number 3020339-LU, while the east side of the street is MUP number 3019132-LU.

The project proposes a Major Phased Development (MPD) for the development of the two sites to include up to five buildings to include office, retail, and other accessory uses along with

approximately 600 parking spaces. Civil site work, site stabilization, and utility relocation are anticipated accessory to the proposed development. The MPD allows for development of the site to occur in multiple phases over a 15-year period.

### HALA OPTION

On April 10, 2017, pursuant to the Mayor's Housing and Livability Agenda ("HALA") recommendations, the City Council adopted Ordinance No. 125291. This ordinance implemented the Mandatory Housing Affordability (MHA) program for Downtown, South Downtown and South Lake Union. Included were modifications to the height and floor area ratio (FAR) regulations to which this proposal is vested, allowing an additional 0.5 FAR and 15-feet of additional height. In addition, the MHA Ordinance requires compliance, through performance or payment, with the housing affordability provisions of SMC 23.58B, *Affordable Housing Impact Mitigation Program for Commercial Development*.

Although vested to the Land Use Code in effect as of the date of the Early Design Guidance application for this proposal (July 7, 2015), the applicant desired, through the permit review process, to anticipate the possible application of the MHA ordinance to the proposal. Therefore, the review of every element of the proposal contemplated the potential addition of 0.5 FAR and 15-feet of height to the project (the "HALA Option"), resulting in a project of approximately 1.15 million square feet of office and commercial space, including retail and structured parking (approximately 600 stalls). The SEPA analysis of the proposal below evaluates the potential environmental impacts of the HALA Option. Similarly, the review of the proposal by the Design Review Board considered the HALA Options in its deliberations and recommendation. The final MPD and Design Review elements of this decision anticipate that the applicant may choose to adopt the HALA Option in development of the proposal. In that event, it is not anticipated that additional SEPA review or design review will be required, and as discussed below, the approval of the HALA Option is intended to be treated as a minor amendment to the MPD.

### PUBLIC COMMENT

The public comment period ended on November 13, 2017. One comment letter was received and expressed concerns related to the design of the project.

## **I. ANALYSIS – MAJOR PHASED DEVELOPMENT**

SMC 23.50.015.A.

A. *An applicant may seek approval of a Major Phased Development, as defined in Section 23.84A.025. A Major Phased Development proposal is subject to the provisions of the zone in which it is located and shall meet the following thresholds:*

1. *A minimum site size of five (5) acres, where the site is composed of contiguous parcels or contains a right-of-way within;*

The site is a total of 6.3-acres of contiguous parcels split by a public right-of-way (6<sup>th</sup> Ave S). The east side of 6<sup>th</sup> Ave S is identified as MUP number 3020339-LU, while the east side of the street is MUP number 3019132-LU. The proposal complies with this criterion

2. *The project, which at time of application shall be a single, functionally interrelated campus, contains more than one building, with a minimum total gross floor area of two hundred thousand (200,000) square feet;*

The proposed project includes up to five buildings in one functionally related campus, resulting in construction of up to 1.15 million square feet. The proposal complies with this criterion.

3. *The first phase of the development consists of at least one hundred thousand (100,000) square feet in gross building floor area; and*

The first phase of the project includes the construction of at least one building of at least 150,000-square feet in gross building floor area. The proposal complies with this criterion.

4. *At the time of application, the project is consistent with the general character of development anticipated by Land Use Code regulations.*

The project proposal has been reviewed for compliance with the Industrial zoning requirements in SMC 23.50. The project is consistent with all code requirements and the general character of development anticipated by the Land Use Code regulations. The project was also subject to the Design Review Process pursuant to SMC 23.41. The Board found the proposed project results in a design that best meets the intent of the Design Review Guidelines. See additional discussion below in Section II, *Analysis – Design Review*.

- B. *A Major Phased Development application shall contain and be submitted, evaluated, and approved according to the following:*

1. *The application shall contain a level of detail which is sufficient to reasonably assess anticipated impacts, including those associated with a maximum buildout, within the timeframe requested for Master Use Permit extension.*

The Major Phased Development proposal requests a 15-year MUP. The application represents an overall development plan for the proposed campus. The first phase of development includes at least one building at 150,000-square feet. The timing, sequence, and size of subsequent phases is uncertain. Future phases of development are shown in the MUP as building envelopes for the purposes of the zoning and land use analyses. The timing of construction, the location of the proposed buildings, the size and shape of buildings, and number of buildings may differ from the conceptual building envelopes represented in the MUP. The plans and the project will be further defined in the process of construction permit approvals of each structure and phase of development.

Any future changes to the approved MPD shall be reviewed and deemed consistent provided they comply with the decision and conditions of the MPD, zoning code requirements of Title 23, and SMC 23.50.015.

To address minor changes within the conceptual development plan of this MPD, the following future project changes are proposed to be allowed by this MPD approval:

- Approval of the HALA Option.
- Construction within the zoning envelopes approved in the MPD.
- Buildings can be constructed in a different sequence, so long as the total square footage does not exceed 1 million square feet for full buildout (1.15 million square feet under the HALA Option).
- The shape of the buildings may vary and will be compliant with this MPD, so long as they are consistent with the S Design Framework.
- Building envelopes shown in the MPD may be combined, so long as they are consistent with the S Design Framework.
- Building may be constructed outside of the footprint outlines shown in the MPD and buildings may be connected so long as the new building footprint is consistent with the S Design Framework.
- An individual building's square footage may increase from that outlined in the MPD so long as the total square footage does not exceed 1 million square feet (1.15 million square feet under the HALA Option) and it is consistent with the S Design Framework.
- Additional small buildings or pavilions may be located outside of the building envelope footprint so long as the total square footage does not exceed 1 million square feet (1.15 million square feet under the HALA Option) and the new building footprint is consistent with the S Design Framework.
- The location and type of parking may be shifted on the site, provided the total parking approved by the MPD is not exceeded, and the parking is consistent with SMC 23.54.015.
- The location and type of landscaping may differ from that shown in the MPD so long as the revised landscaping is consistent with the S Design Framework.
- The location of utilities, ground improvements, and vehicular access and fire lanes may differ from that shown in the MPD.

The project proposal includes a sufficient level of detail to analyze zoning and environmental impacts of a 15-year project proposal that includes approximately 1 million square feet of office and commercial space and 600 parking stalls (or approximately 1.15 million square feet of office and commercial space in the HALA Option). The project complies with this criterion.

2. *A Major Phased Development component shall not be approved unless the Director concludes that anticipated environmental impacts, such as traffic, open space, shadows, construction impacts and air quality, are not significant or can be effectively monitored and conditions imposed to mitigate impacts over the extended life of the permit.*

Anticipated environmental impacts such as traffic, open space, shadows, construction impacts, and air quality were analyzed in the Addendum to the *Livable South Downtown Planning Study Final EIS*. A complete analysis of impacts, monitoring, and mitigation is provided within Section III, *Analysis – SEPA* of this document.

3. *Expiration or renewal of a permit for the first phase of a Major Phased Development is subject to the provisions of Chapter 23.76, Master Use Permits and Council Land Use Decisions. The Director shall determine the expiration date of a permit for subsequent phases of the Major Phased Development through the analysis provided for above; such expiration shall be no later than fifteen (15) years from the date of issuance.*

The first phase of development is subject to the provisions of SMC 23.76. The first phase will have an expiration date of three years (SMC 23.76.032.B.). The MPD Permit will expire 15 years from the date of issuance.

## **DECISION – MAJOR PHASED DEVELOPMENT PERMIT**

The Major Phased Development Permit application is APPROVED as conditioned below.

## **II. ANALYSIS – DESIGN REVIEW**

### **CURRENT AND SURROUNDING DEVELOPMENT; NEIGHBORHOOD CHARACTER**

The two sites lie within the embrace of the Interstate-90 (I-90) Express lanes which begin at street level where S Dearborn Street, Seattle Boulevard S, and Fifth Avenue South intersect, then rise and head southwest before bending in the sweeping arc of a 90-degree turn to join with I-90, well above both the streets that comprise the grid below and multiple lanes of Interstate 5 (I-5).

Sixth Ave. S. bisects the two large development sites, and is located at grade well below the multi-ribbon and layered array of I-90 on and off ramps. Airport Way S lies to the east of the east site, set within a northwest/southeast alignment that imparts a triangular shape to that “half” of the proposal site. Primary vehicular access to both the east and west sites is from 6th Avenue S.

About two blocks due west of the development site, are CenturyLink Field, home field to the Seattle Sounders and the Seattle Seahawks, an exhibition center and Safeco Field, the Major League baseball stadium and home of the Seattle Mariners.

Northwest of the site and north of the site are located Pioneer Square and the Chinatown/International District Urban Center Villages, generally of a smaller and finer scale of buildings, many of special significance and irreplaceable character.

### **Design Review**

The packet includes materials presented at the meetings and is available online by entering the project numbers (3019132-EG/3019133-LU and 3020339-EG/3020339-LU) at this website: [http://www.seattle.gov/SDCI/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](http://www.seattle.gov/SDCI/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp).

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

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

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

## **FIRST EARLY DESIGN GUIDANCE August 25, 2015**

### Public Comment

The following public comments were offered at this meeting:

- At the early design guidance meeting concerns were raised regarding the 270-foot in length north building on the east site, set right up to the property line on Airport Way contributing to a canyon or a speedway effect on that street;
- Concerns were also voiced about the shadow effect onto the neighboring building under separate ownership on Airport Way that was to remain and whose site was notched into the larger east site of the proposed development;
- There were concerns expressed regarding impacts the entire campus array of buildings would have on sunlight and the casting of shadows outside the immediate site, as well as concerns regarding the actual availability of views through the site.

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 (the Board) provided the following siting and design guidance at the Early Design Guidance meeting on August 25, 2015:

#### Basic Design Elements

The proposal is for the eventual development of six buildings, three on the west side of Sixth Avenue S (3020339-EG), and two on the east side of Sixth Avenue S (3019132-EG). The third massing scheme presented at the Early Design Guidance (EDG-LU) meeting, the preferred design of the applicant and the Board, treated the ground plane spaces and upper office towers as separate geometries in separate orientations, creating a variety of floorplate sizes and options, which would allow for offset building cores and connections. Large and inviting open spaces were provided and offered both within the interstices of the buildings and as roof decks. This option was described as being “easy to phase” and as producing “a Stadium-scale iconic group of buildings.”

The Board agreed that the design team had thoroughly explored and demonstrated the superiority of their preferred option for minimizing shading of courtyards and open spaces, for optimizing the potential for ground-level activation, and for weaving the elements of office building, street-level uses and open spaces into a campus-like texture. Separate alignments of the bases and the tower masses was a promising move, but some degree of upper building differentiation and modulation, the Board noted, would be needed for a truly successful project.

The Board further noted that design team should explore bestowing a distinctive character to the individual buildings. Careful design of fenestration and use of quality materials in the façade treatments would help to make the massing work. In general, the Board agreed that the buildings were appropriately scaled for their location, but there remained many questions of how they would perform at a finer grain.

The Board expressed concern regarding the need for the proposed development to engage the two streets, both 6th Avenue S. and Airport Way S. Striking a balance was needed so the project would not turn too much in upon itself and exude a feeling of a closed campus.

The Board felt that the treatment of the northeast building was key to a successful design of the whole. Due to its closeness to the street and unbroken length, as presented it appeared to place its shoulder against the public realm of Airport Way S. It might be preferable to push the entire façade away from Airport Way S. Concern was also expressed that the building should not create the impression of a secondary or “rear” façade directed to Airport Way S., while its major aspect, countenance or expression was directed to the campus and to 6th Avenue S.

It was not clear at the early conceptual stage of design development what public interaction with any of the buildings was intended, or whether that question had been asked or answered. Was the main interaction a functional one of entry and access to the office spaces for those who belonged there? Or was more intended? Additional vignettes at the time of the project’s return to the Board, it was noted, would be helpful in clarifying the intended relationships.

Finally, the Board cautioned that the order of development (both temporal and geometric), would be a primary element in the equation for success of the overall project. It would be important to interlock development east and west of 6th Avenue S.

#### **FIRST RECOMMENDATION April 26, 2016**

#### **PUBLIC COMMENT**

At the first recommendation meeting, and in comments received by the Department, the following concerns had been raised:

- Airport Way S. still felt like the back of the project;
- Shadow studies should be provided for the specific shadow-casting of building D;
- Unanswered question regarding how the flow of pedestrian traffic would relate to developments within the light rail system?
- Concerns regarding the greenspace along the west edge of the west portion of the development;
- There seemed to be lacking any obvious visual or thematic connections to the C/I District this project is adjacent to, which seems a missed opportunity;
- A question of what, if any, connection there would be to the building by the same developer which is to be constructed immediately to the north of the western half of the campus?

#### **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 (the Board) provided the following siting and design guidance at the first Recommendation meeting on April 26, 2016.

The Board was generally pleased with the developments proposed on the portion of the development site west of 6th Avenue S. The suggestion of multiple office decks in some of the vignettes was welcomed and further encouraged. The balconies or decks were valuable in



bringing a human scale and welcomed permeability or “porosity” to the office towers. If strategically located, they could bestow a certain “eyes-on-the sidewalk” quality to the project. Expansion of the actual use of the decks, as a way to create a kind of subtle counterpoint to the prevailing planer quality of the curtainwall skin expression of the towers, was encouraged as was the exploration of endowing them with an element of playfulness.

While the design team appeared to emphasize the location of the site as within a convergence of neighborhoods, members of the Board, taking note of some of the public comments, discussed a greater, if perhaps subtle, integration of some cultural gestures into the building treatments. Located just outside of the conceptual boundaries of the Chinatown/International District, the structures, at least at their bases, might benefit from some small moves that would tie them more formally into that context and announce it in some way.

The Board expressed interest in exploring potential relationships to the new, 10-story office structure being proposed just east of the former INS building and north of the subject development. At the next recommendation meeting the Board would appreciate getting a briefing on that building, with at least conceptual sketches since it was believed that NBBJ were the architects of the other structure as well.

The primary goal of the next meeting, in addition to having more information related to the above questions, however, was to learn something in detail regarding the proposals for development on the east half of the development site and in particular what had been named “building D.” The Board expressed the opinion that they had very little information to go on regarding the eastern half of the site and in particular “Building D” which they had identified at the EDG meeting as the most troublesome and least understood of the proposed structures:

“The Board felt that the treatment of the northeast building was key to a successful design of the whole. Due to its closeness to the street and unbroken length, it appeared to place its shoulder against the public realm of Airport Way S. It might be preferable to push the entire façade away from Airport Way S. Concern was also expressed that the building should not create the impression of a secondary or “rear” façade directed to Airport Way S., while its major aspect, countenance or expression was directed to the campus and to 6th Avenue S.”

At the conclusion of the Recommendation Meeting the Board requested that the project return for another meeting in response to the guidance provided.

At the next Recommendation Meeting the Board would like to see the following:

- more vignettes that would reveal details and the character of spaces along Airport Way;
- “a closer detailing of the street-level and upper façade options for the NE building (“bldg.D”) on Airport Way S.; these should show in detail how the building connects to the street” (it was noted that this was requested by the Board at the EDG meeting);
- Provide accurate shadow impact studies from the proposed development: on the Airport Way S. right-of-way, Maynard Av S. and S. Plummer Street right-of-ways, the BMW buildings and the structure and surrounding property that is to remain on the west side of Airport Way S;
- show in greater detail how private and “pops” areas of the open spaces are to be distinguished within the development, on both sides of 6th Avenue S., a request also from the EDG meeting;

- provide pertinent elements of a traffic study for the development, as requested at the EDG meeting; provide information regarding discussions that have taken place with SDOT (what are SDOT's longer term plans for 6th Avenue S.? what are their longer-term plans for Airport Way S.?);
- provide more information, if possible regarding the phasing or sequencing of the buildings and other improvements and clarify how these might relate to improvements to both 6th Avenue S. and Airport Way S.

The recommendations summarized above were based on the design review packet for projects 3019132-LU/3020339-LU dated Tuesday, April 26, 2016, and the materials shown and verbally described by the applicant at the Tuesday, April 26, 2016 Recommendation meeting.

## DEVELOPMENT STANDARD DEPARTURES

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

At the time of the Final Recommendation meeting, four departures were requested.

1. Requests for a combination of four departure requests were anticipated by the applicants. The first was from **SMC 23.50.055.B.2** which limits the size of any story above 85 feet to 25,000 square feet in area. Connected building A-B would exceed that maximum of 5 floors above 85 feet; and E-F would exceed the maximum on 4 floors above 85 feet.

At the EDG meeting The Board acknowledged support of the requested departure. *At the recommendation meeting, the Board members expressed their continued support for recommending the departure, acknowledging that the departure would be in concert with Guidelines PL1A-1 and 2, PL3C-1, and DC3A-1.*

2. The second departure would be from **SMC 23.50.055.B.1.a & b**, which requires modulation on portions of facades above 65 feet in height if located more than 15 feet from street lot lines; it also requires modulation for facades exceeding lengths in Table A of 23.50.055.

At the EDG meeting the Board expressed concern regarding the façade of "building D," set at the property line with Airport Way S, and the need to break up the perceived bulk of that building. *The Board indicated they were unwilling at this time to express support for this departure since it was related to Building "D," concerning which they had remaining questions and still lacked information to address those questions. Guidelines CS2-B-2, CS2C-1, PL3-C-1, among others, would be in play as they further weighed the request.*

3. A third departure was requested from **SMC 23.50.055.A.2** that sets façade setback limits by formula which would create a 600 linear foot façade, set 5 feet back from the lot line.

The siting of buildings favored by the Board, one incorporating large plazas and open-spaces, would result in a setback larger than that allowed by Code. The departure was supported by the Board members present. *At the recommendation meeting the Board*

*expressed support for the granting of the departure, agreeing with the rationale expressed on page 69 of the booklet and the re-enforcement of Guidelines CS2A-1, CS3B-1, and PL1C-3. C-3, CS3A-1, and PL1B-1.*

4. A fourth departure, from **SMC 23.50.039,B.1 & 3**, would require a minimum of 75% of street level of each street-facing façade to be occupied by uses listed in subsection 23.50.039.A, and require that those uses be within 10 feet of the lot line. The design has portions of the street-level facades set more than 10 feet from the street lot line.

The Board indicated their support of this departure. *The Board continued the support of the departure at the recommendation meeting, citing CS3A-1 and PL1B-1.*

## **FINAL RECOMMENDATION June 21, 2016**

### **PUBLIC COMMENT**

No public comments were offered at this meeting.

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/>

### **DESIGN DEVELOPMENT**

The presentation basically retained the architectural massing shown in some detail at the first recommendations meeting. At the podium level, a series of pavilions, recalling the historical context of mostly single-story brick warehouse and light industrial buildings, aligned perpendicularly to the street (6th Avenue S.) and re-enforcing the city grid, were overlain with thin, elongated, core-free office bars of several stories and interconnected by a series of vertical circulation stacks. Parking would all be located below grade with an abundance of ground-level landscaped open space, above which would arise a “stadium scale iconic group of buildings.” Roof decks would provide views in nearly all directions.

### **PROPOSED PHASED DEVELOPMENT**

The initial, related development phase would be construction of a 10-story building at 831 Airport Way N., just to the west of 6th Avenue S. That project lies within the Chinatown/International District, is subject to separate Board review and is not included within the scope of the Major Phased Development.

Phase 1 of the proposed Major Phased Development would be conducted on the portion of the campus located west of 6th Avenue S., and would include the construction of Building A/B (including the underground parking garage), the attendant open spaces, and right-of-way improvements along the western edge of 6th Avenue S.

Phase 2 would include construction of Building C, just the south of Building A/B (including underground parking), and the remaining open space improvements to the west half campus.

Phase 3 would involve construction of Building D at the northern part of the east half-campus, including underground parking and open space, and the Building D portion of the mid-block connection between buildings D and E. Right-of-way improvements would include partial improvements to sidewalk and planting strip along the east edge of 6th Avenue S.

Phase 4 would complete the overall development, with construction of Building E and underground parking, completion of the mid-block connection with Building D, eastside landscape features, and remaining improvements (sidewalk and planting strip) along the east edge of 6th Avenue S.

## **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 (the Board) provided the following siting and design guidance at the second Recommendation meeting on June 21, 2016.

Of the several concerns raised by the Board at the earlier, April 26, 2016, Recommendation Meeting, those relating to the proposed Building “D” and its relationship to Airport Way S. and general disposition of the “east” campus remained the most unresolved. While relationships within the west campus appeared to be well worked out. It did not seem to the Board that the two east buildings reacted well to one another nor to the western campus buildings. Little if any attention had been paid to Airport Way S. The lack of any balconies on the east half of the campus was particularly disappointing. The east façade of Building D, perceptually the longest of any of the facades, did not acknowledge or engage the street it was so close too (Airport Way S.); it still felt like “the back of a building,” lacked needed porosity along its east façade, and snubbed structures north and east of it which were not totally without some architectural merit and character. The east side of Building D needed to be broken down perceptually.

The stair towers on the east side appeared particularly monolithic, formidable, and overweening, especially since they had been substantially disengaged from the buildings they served and were located so frontally to 6th Avenue S. They needed far greater transparency and translucency than conveyed in their renderings, and their placements and engagements with the buildings they served deserved careful further study.

Regarding the overall campus, the Board noted the following issues in need of further attention:

- the balconies on individual buildings did not give the impression of interacting with one another, nor with the campus as such;
- there needed to be greater mitigation of the overall feeling of an “office park” given off by the entire array of buildings;
- the effect was still too introspective, with few, if any, gestures to a potentially rich broader context; the break with context was palpably harsh;

Additionally, the Board expressed the observation that the pathways through the overall campus did not appear totally resolved, nor were they intuitive. If the pathways were to serve other than workers in the office towers they would need to undergo considerably more thought and planning.

Finally, there was a problem of scale that needed continued attention: the massing of the towers overwhelmed the squat and fragmented podiums, a problem that would become even more acute and exacerbated if additional “HALA height” were to be added to the towers.

## DEPARTURE REQUESTS

The applicants' four departure requests remain as enumerated at the first recommendation meeting (see above for details of the departure requests).

The Board voted their approval of requested departures 1, 3, and 4 (see pages 70-73 in the June 21, 2016 Design Review Packet for citation, fuller explanation and rationale for each of the departures).

Regarding requested departure #2 (from the development standard SMC 23.50.055.B.1.a. and b, the Board voted approval of the departure with the following condition:

The east-facing façade of Building D must receive real articulation, that is, pliant, moveable joints between rigid parts or nodes, creating a systematic whole. Articulation is further defined (see Francis D. K. Ching, *A Visual Dictionary of Architecture*, 1995, p.52) as “as method or manner of jointing that makes the united parts clear, distinct, and precise in relation to each other.” The Board further requested that the design team adopt an “articulation toolkit” in which the jointing within a façade is specific and “is applied to each of the proposed structures without exception.”

In addition to requesting approval of the design departures, the design team requested approval of a set of guiding principles, inclusive for all phases of the entire development. The principles were intended to encapsulate the intentions of the various Design Review Guidelines identified as priority guidelines for the project while adding specificity to the development site and program. These principles were presented as the “S” Design Framework.

In recommending approval of the proffered “framework,” the Design Review Board requested an additional Guideline (S-E11, “Street-facing Facades”) and conditioned the Guideline along with 7 other of the Guidelines. The approved “S” Design Framework/ Guiding Principles can be found in the applicants' packet prepared for the June 21, 2016 Recommendation Meeting on page 52.

The list of conditioned guidelines follows:

	GUIDELINE	ISSUE	CONDITION
1	S-02	Connections	Add “existing” to the guideline. Create better and more visible pedestrian connections through the eastern mid-block connector and across Airport Way. Create a legible path of travel from the connector to the crosswalk on Airport Way. Revisit the relationship of the garage driveway to the mid-block connector to ensure compatibility. Make the connector design more organic, less rigid, more porous, with improved integrated landscape design.
2	S-03	Bldg. D: Pedestrian Zone	Develop the pedestrian zone on Airport Way more fully, to resemble 6th. Ensure that the pedestrian improvements have a more varied relationship with Building D and relate more specifically to the neighborhood to the east.

3	S-M1	Podium & Tower Massing	Revisit the podium/tower relationship along Airport Way and ensure its meets this guideline.
4	S-M3	Cores	Ensure that the building cores do not adversely impact the open space; explain how they function within the open space. The core towers on the east block are more freestanding than on the west block; do more to integrate the cores with the adjoining office towers, while still allowing them to read as a separate vertical element. Preserve the concept of the transparency/translucency of the core towers.
5	S-M7	Retail Pavilions	Retail pavilions on Airport Way need further development. Demonstrate how the retail uses in this location will activate the pavilions.
6	S-E6	Adjacent Neighborhoods	Show how the Airport Way side of the project reaches out to the neighborhood and incorporates aspects of neighborhood design. Right now, Airport Way seems to be treated as the back side of the project.
7	S-E10	Operable Windows	Consider modest use of some operable windows on building elevations in various locations (where feasible given energy code considerations) to provide additional articulation to the facades, as part of the approach noted in S-E11.
8	S-E11	Street-Facing Facades	Add a new guideline: “Street-facing facades should incorporate a heightened level of articulation.” For Building D (and to a lesser extent, Building E) provide more articulation on the eastern facades. In particular, the southern balconies on Building D can be used to provide such effect (if wrapped around the corner). Develop an “articulation toolkit” that can be used on any of the buildings in the project. Encourage Buildings D and E to relate to each other in a more tangible manner.

The Board, by a vote of 4-0, conceptually approved the design, the requested departures and proposed S Design Framework, with the specific conditioning noted above.

## DESIGN REVIEW GUIDELINES

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

### CONTEXT & SITE

**CS2 Urban Pattern and Form: Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.**

**CS2-A Location in the City and Neighborhood**

**CS2-A-1. Sense of Place:**

Emphasize attributes that give a distinctive sense of place. Design the building and open spaces to enhance areas where a strong identity already exists, and create a sense of place where the physical context is less established.

**CS2-A-2. Architectural Presence:**

Evaluate the degree of visibility or architectural presence that is appropriate or desired given the context, and design accordingly.

**CS2-B Adjacent Sites, Streets, and Open Spaces**

**CS2-B-2. Connection to the Street:**

Identify opportunities for the project to make a strong connection to the street and public realm.

**CS2-C Relationship to the Block**

**CS2-C-1. Corner Sites:** Corner sites can serve as gateways or focal points; both require careful detailing at the first three floors due to their high visibility from two or more streets and long distances.

<b>PUBLIC LIFE</b>
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**PL1 Connectivity: Complement and contribute to the network of open spaces around the site and the connections among them.**

**PL1-A Network of Open Spaces**

**PL1-A-1. Enhancing Open Space:**

Design the building and open spaces to positively contribute to a broader network of open spaces throughout the neighborhood.

**PL1-A-2. Adding to Public Life:**

Seek opportunities to foster human interaction through an increase in the size and quality of project-related open space available for public life.

**PL2 Walkability: Create a safe and comfortable walking environment that is easy to navigate and well-connected to existing pedestrian walkways and features.**

**PL2-B Safety and Security**

**PL2-B-1. Eyes on the Street:**

Create a safe environment by providing lines of sight and encouraging natural surveillance.

**PL2-B-2. Lighting for Safety:**

Provide lighting at sufficient lumen intensities and scales, including pathway illumination, pedestrian and entry lighting, and/or security lights.

**PL2-B-3. Street-Level Transparency:**

Ensure transparency of street-level uses (for uses such as nonresidential uses or residential lobbies), where appropriate, by keeping views open into spaces behind walls or plantings, at corners, or along narrow passageways.

**PL2-D Wayfinding**

**PL2-D-1. Design as Wayfinding:**

Use design features as a means of wayfinding wherever possible.

**PL3 Street-Level Interaction: Encourage human interaction and activity at the street-level with clear connections to building entries and edges.**

**PL3-C Retail Edges**

**PL3-C-1. Porous Edge:**

Engage passersby with opportunities to interact visually with the building interior using glazing and transparency. Create multiple entries where possible and make a physical and visual connection between people on the sidewalk and retail activities in the building.

**PL3-C-2. Visibility:**

Maximize visibility into the building interior and merchandise displays. Consider fully operational glazed wall-sized doors that can be completely opened to the street, increased height in lobbies, and/or special lighting for displays.

**PL3-C-3. Ancillary Activities:** Allow space for activities such as sidewalk vending, seating, and restaurant dining to occur. Consider setting structures back from the street or incorporating space in the project design into which retail uses can extend.

<b>DESIGN CONCEPT</b>
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**DC3 Open Space Concept: Integrate open space design with the building design so that they complement each other.**

**DC3-A Building-Open Space Relationship**

**DC3-A-1. Interior/Exterior Fit:**

Develop an open space concept in conjunction with the architectural concept to ensure that interior and exterior spaces relate well to each other and support the functions of the development.

**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 April 26, 2016, the Board recommended approval of the project with the conditions described in the summary of the Recommendation meeting above.

Four members of the Southeast 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.

The applicant provided a response to the recommended Design Review conditions in a document titled *Response to Design Review Board Recommendation Meeting – 2* (August 16, 2016). The response satisfies the recommended conditions for the MUP decision. The applicant shall be responsible for ensuring that all construction documents, details, and specifications are shown and constructed consistent with the approved MUP drawings and S Framework.

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 departures with the conditions summarized at the end of this Decision.

### **III. ANALYSIS – SEPA**

#### Procedural SEPA

A Final EIS was published for the *Livable South Downtown Planning Study* proposal in May 2008. The Final EIS identified, evaluated and compared the probable significant environmental impacts that could result from possible rezone actions being considered by the City Council. Alternatives analyzed different combinations of possible zones, maximum heights and densities (volumes) of buildings. That analysis evaluated the direct, indirect and cumulative impacts of the Preferred Alternative and four other alternatives.

The subject site is within the geographic area that was analyzed in the Final EIS. The proposed development lies within the Industrial-Commercial (IC 85-175) zoning district. SDCI has decided that it is appropriate to adopt the South Downtown EIS and prepare an EIS Addendum to add more detailed, project-specific information related to potential impacts from the proposed project. The Addendum adds analysis about the proposed action and the potential HALA option and does not substantively change the analysis of significant impacts and alternatives contained in the FEIS. The action produces no probable, significant, adverse environmental impacts that were not already studied in the EIS.

The FEIS Addendum for the proposed project addresses the following areas of environmental impact:

- Land Use;
- Historic Resources;
- Scenic Resources and Public View Protection;
- Environmental Health;

- Energy/Greenhouse Gas Emissions;
- Earth;
- Transportation and Parking;
- Light and Glare; and
- Construction.

The Notice of Adoption and Availability of the EIS Addendum was published in the City's Land Use Information Bulletin on May 25, 2017. Notice was sent to parties of record that commented on the EIS. In addition, a copy of the notice was sent to parties of record for this project.

### Substantive SEPA

The Seattle SEPA ordinance provides substantive authority to require mitigation of adverse impacts resulting from a project (SMC 25.05.655 and 25.05.660). Mitigation, when required, must be related to specific adverse environmental impacts identified in an environmental document, must be reasonably capable to being accomplished and may be imposed only to the extent that an impact is attributable to the proposal. Additionally, mitigation may be required only when based on policies, plans, and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675, inclusive, (SEPA Overview Policy, SEPA Cumulative Impacts Policy, and SEPA Specific Environmental Policies). In some instances, local, state, or federal requirements will provide sufficient mitigation of an impact and additional mitigation imposed through SEPA may be limited or unnecessary.

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 specific circumstances (SMC 25.05.665 D 1-7) mitigation can be required.

The following is a discussion of the impacts identified in each element of the environment, along with indication of any required mitigation for the impacts disclosed. The impacts detailed below were identified and analyzed in the FEIS with more specific project-related discussion in the May 25, 2017 Addendum.

### Short Term Impacts

#### 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. The Livable South Downtown Planning Study FEIS does not identify site specific impacts relative to greenhouse gas emissions. The EIS Addendum analyzed greenhouse gas emissions per phase based on the proposed square footage of office and retail space: total lifespan emissions approximate 1,334,981 of MTCO<sub>2</sub>e for the proposed action and 1,529,686 MTCO<sub>2</sub>e for the HALA option. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A.

### Construction Impacts

SMC 25.05.675.B provides policies to minimize or prevent temporary adverse impacts associated with construction activities. The EIS identified potential construction impacts from new construction in the South Downtown area.

Site preparation, excavation and construction would generate short-term, localized environmental impacts that include: noise and vibration, air quality, light and glare, and transportation. Construction impacts would be greatest during Phase 1, when the greatest amount of development would be built, and would be similar to but less than Phase 1 under each subsequent phase. While the majority of all construction activity would occur during the daytime, at times it may be necessary for some construction activity to occur during evening hours. Such may be necessary to reduce the duration of the overall construction timeframe and/or to lessen impacts to pedestrians and vehicles during the day. As such, construction activity associated with the development would be noticeable to some adjacent land uses. In general, because all construction activity would be temporary in nature and subject to the limits in the Seattle Code, no significant impacts are anticipated. The Addendum identified potential mitigation such as compliance with the provisions of the Noise Ordinance (SMC 25.08) and Puget Sound Clean Air Agency regulations, using best practices regarding demolition activity and fugitive dust emissions, shielding construction-related lighting away from adjacent uses, obtaining necessary permits for work within the right-of-way, and submitting a haul route plan to the Seattle Department of Transportation (SDOT).

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 (CMP) is required, which will be reviewed by SDOT. The requirements for a CMP 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: <http://www.seattle.gov/transportation/cmp.htm>.

### Earth

The Livable South Downtown Planning Study FEIS does not identify site-specific impacts or mitigation related to Earth. The FEIS does, however, identify the location of an Environmentally Critical Area (ECA) for liquefaction within the study area. The project site is located within this ECA.

The EIS Addendum includes a site-specific Geotechnical Preliminary Report that summarizes expected subsurface conditions on the site and identifies shoring and foundation design and construction solutions for future development on the site. No significant impacts are identified and no further mitigation is warranted pursuant to SMC 25.05.675.D.

### Environmental Health

The Livable South Downtown Planning Study FEIS does not identify site-specific impacts or mitigation related to Environmental Health (hazardous substances). The analysis notes that current regulations would dictate the need for further site-specific assessments of actual conditions and remediation actions prior to or during construction.

The EIS Addendum notes that Phase I and Phase II Environmental Site Assessments were completed for the property. Soil sampling indicated the presence of chlorinated solvents and petroleum-impacted soils and groundwater on the property. Some contaminants of concern were identified in soil samples at concentrations above Model Toxics Control Act (MTCA) cleanup levels including gasoline- and diesel-range petroleum, volatile organic compounds (VOCs), and semi-volatile organic compounds (SVOCs). Contaminants identified in groundwater samples at concentrations greater than MTCA cleanup levels include diesel- and oil-range petroleum, VOCs, SVOCs, lead, chromium, and arsenic. The EIS Addendum notes that areas of contamination appear to be isolated and may be remediated using industry-standard practices. Levels of contamination were not found to be unusual for a historical light industrial-use site. Adherence to MTCA provisions and federal and state laws are anticipated to adequately mitigate significant adverse impacts from existing contamination on site. Mitigation of contamination and remediation is in the jurisdiction of Washington State Department of Ecology (“Ecology”), consistent with the City’s SEPA relationship to Federal, State and Regional regulations described in SMC 25.05.665.E. This State agency program functions to mitigate risks associated with removal and transport of hazardous and toxic materials, and the agency’s regulations provide sufficient impact mitigation for these materials. The City acknowledges that Ecology’s jurisdiction and requirements for remediation will mitigate impacts associated with any contamination.

Compliance with Ecology’s requirements are expected to adequately mitigate the adverse environmental impacts from the proposed development; therefore, no further mitigation is warranted for impacts to environmental health per SMC 25.05.675.F.

### Long Term Impacts

The following is a discussion of the impacts identified in each element of the environment, along with indication of any required mitigation for the impacts disclosed. The impacts detailed below were identified and analyzed in the EIS with more specific project-related discussion in the Addendum and related documents.

### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction and the project’s energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. The EIS and Addendum identified potential mitigation related to Greenhouse Gas emissions. Many of the mitigation items have been integrated into the Land Use Code requirements for this zone. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A.

### Historic Preservation

The project is located near the U. S. Government Meander Line buffer that marks the historic shoreline – an area with the potential for discovery of pre-contact and early historic period resources. The Washington State Department of Archaeology and Historic Preservation (DAHP) review the proposal and noted the site is partially within a recorded archaeological site and a permit from DAHP may be required if archaeological resources are present in the project area. Since the information showed there is probable presence of archaeologically significant resources on site, Section B of Director's Rule 2-98 applies. In response the applicant submitted a Monitoring and Inadvertent Discovery Plan (Cardno, March 2018). The report included further analysis and a mitigation plan prepared by a professional archaeologist, consistent with Section B of the Director's Rule. The recommendations in the mitigation plan included the following: monitoring of ground-disturbing excavation in native soils, and at the interface of fill and native soils. The report also noted List other pertinent items the process to be followed regarding discovery of any human remains, consistent with Washington State requirements in RCW 68.50, 68.60, and 27.44.

The Washington Department of Archaeology and Historic Preservation (*Archaeology – Archaeological Monitoring and Inadvertent Discovery Plan (MIDP) Requested, Building at 1021-1045 6th Avenue South is not eligible for listing in the National Register of Historic Places (NRHP)*, March 7, 2018) reviewed this plan and concurs with the results and recommendations made in the overview report and offer the following comments/requests:

- *All project-related ground-disturbing activities within Holocene sediments should be monitored by a professional archaeologist who meets the Secretary of the Interior's (SOI's) professional qualifications standards or by a qualified archaeologist supervised by a professional archaeologist who meets the SOI standards.*
- *Ground disturbing activities include removal of any existing asphalt that extends into native fill and alluvial sediments, site grading, development of staging areas, excavation for footings, and removal and installation of utilities and structural foundation pilings.*
- *Monitoring should be undertaken for all ground disturbance that extends from the ground surface to the base of the Holocene sediments, which vary in elevation across the project area.\*
- *The Building at 1021-1045 6th Avenue South is not eligible for listing in the National Register of Historic Places (NRHP) and no further information or protections are requested.*
- *We request an MIDP be developed and submitted to DAHP and the interested Tribes for review.*

The following conditions are also warranted to mitigate impacts to potential historic resources, per SMC 25.05.675.H and consistent with Section B of Director's Rule 2-98:

#### Prior to Issuance of Master Use Permits:

1. *The owner and/or responsible parties shall provide SDCI with a statement that the contract documents for their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 27.53, 27.44, 79.01, and 79.90 RCW, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.*

During Construction:

2. *If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:*
  - a. *Stop work immediately and notify SDCI (Planner name and phone #) and the Washington State Archaeologist at the State Department of Archaeology and Historic Preservation (DAHP). The procedures outlined in Appendix A of Director's Rule 2-98 for assessment and/or protection of potentially significant archeological resources shall be followed.*
  - b. *Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.*

SMC 25.05.675.H provides policies to minimize impacts to designated historic landmarks, as well as historic districts and sites of archaeological significance.

The EIS listed potential mitigation to historic resources, related to the rezoning of South Downtown. The EIS did not include mitigation for specific historic buildings or sites in South Downtown beyond the existing referral and landmark nomination process.

The existing structures on site are more than 50 years old. The structures were reviewed for the potential to meet historic landmark status. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and indicated the structures on site are unlikely to qualify for historic landmark status (Landmarks Preservation Board letter, reference number LPB 98/18). Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and no further conditioning is warranted per SMC 25.05.675.H.

Land Use

The proposed S Development would be a mixed-use project that is consistent with the City's Land Use Code. Proposed building uses, the amount of parking, building height, and development density would all be consistent with what is allowed in the IC 85-160 zone.

The applicant is pursuing an MPD in order to have greater flexibility in the development and phasing of this project. The proposed development exceeds the minimum site size. The project is proposed as a single, functionally interrelated mixed-use campus with a total gross floor area of approximately 1.15 million square feet of office and retail development. The first phase of development would be greater than 100,000 square feet in building area. No further mitigation is warranted per SMC 25.05.675.J.

Light and Glare

The Livable South Downtown Planning Study FEIS does not identify impacts or mitigation related to Light and Glare. The EIS Addendum includes a solar glare analysis that indicates that while traffic on I-90, S. Dearborn Street, and Fourth Avenue S. could occasionally experience reflected solar glare from the façades of the proposed buildings, such glare for the most part would be outside a driver's cone-of-influence, and would not be expected to cause problems for motorists nor differ substantially from periodic glare from stationary and mobile sources that motorists typically experience. No further mitigation is warranted pursuant to SMC 25.05.675.K.

### Public Views

SMC 25.05.675.P provides policies to minimize impacts to designated public views listed in this section. The Livable South Downtown Planning Study FEIS analyzes potential public view impacts relative City-designated, public viewpoints (Kobe Terrace Park and the Danny Woo International District Community Garden, Harborview Hospital Viewpoint, Jose Rizal Park, and the U.S. Public Health Service Hospital [Pac-Med Building]), landmarks, and scenic routes. The EIS notes that the alternatives could affect views from public viewpoints, views of landmarks, and views from scenic routes. The Land Use Code includes development standards in response to that mitigation.

The EIS Addendum describes view impacts and includes images showing views of the proposed development from nearby designated viewpoints. The EIS Addendum notes that the project would blend into the skyline in the neighborhood and would be consistent with other buildings in this portion of the City and as allowed by the City's Land Use Code. As phasing progresses, the overall visual density on the site from designated viewpoints would increase slightly with the addition of new mid-rise buildings. The project would not result in significant impacts to designated view corridors, scenic views, or City-designated landmarks. While some of these impacts are adverse, they are not significant. The proposed development does not block views of any nearby historic landmarks. Additional mitigation and conditioning are not warranted per SMC 25.05.675.P.

### Transportation

The EIS analysis considered the direct, indirect and cumulative impacts of the EIS alternatives as they relate to the overall transportation system and parking demand. The subject site is within the area analyzed in the EIS and the proposed development is within the range of actions and impacts evaluated in the EIS.

Traffic and parking analyses associated with the proposed development were reviewed by SDCl, as described in the Addendum (*Revised Transportation Impact Analysis*, TranspoGroup, February 2, 2017). Twenty intersections in the study area were identified for analysis, as well as the proposed site accesses. The analysis contemplated potential traffic pattern shifts and volumes resulting from the completion of the Alaskan Way Viaduct replacement project.

The square footage used to calculate vehicle trips was 1,111,400-square feet of office use, 34,850-square feet of retail space and 597 vehicle parking stalls. The proposed development is anticipated to result in approximately 4,150 new daily trips. This includes 548 new AM peak hour trips and 514 new PM peak hour trips. The study also examined impacts to nearby intersections and corridors in the project vicinity and found that the vehicle trip impacts were consistent with the analysis in the EIS. Traffic impacts to the identified intersections are described in the TranspoGroup study; generally, the project will increase delay at many intersections, which are otherwise constrained by background traffic growth. The proposed project meets the traffic concurrency standards as defined by the City of Seattle.

The forecast peak parking demand on-site would occur mid-day and at project buildout is forecast to total 989 vehicles and exceeds the available on-site parking supply of approximately 600 parking stalls at buildout; therefore, additional mitigation is warranted per SMC 25.05.675.M. The spillover parking demand is forecast to be accommodated by the project achieving reduced single-occupant vehicle travel to/from the site. Submittal of a TMP, as

outlined in the Addendum, and consistent with Director's Rule 27-2015 shall be required as a condition of this permit.

The Transportation Management Plan (TMP) will be required to reduce parking impacts and vehicular traffic impacts by identifying strategies and measures that would encourage alternative modes. TMPs identify single-occupant vehicle (SOV) goals and measures to achieve the goals. The TranspoGroup study and SOV goals was based on the following development phases:

Phase	Office	Retail	Total	Parking Supply
<u>West of 6th Ave</u>				
1. Buildings A & B	507,000 sf	15,600 sf	522,600 sf	321 stalls
2. Building C	241,900 sf	3,100 sf	245,000 sf	96 stalls
<u>East of 6th Ave</u>				
3. Building D	192,800 sf	9,200 sf	202,000 sf	85 stalls
4. Building E	169,700 sf	6,950 sf	176,650 sf	95 stalls
<b>Buildout</b>	<b>1,111,400 sf</b>	<b>34,850 sf</b>	<b>1,146,250 sf</b>	<b>597 stalls</b>
Note: sf = square feet				

Based on the proposed development, the following SOV goals were identified to mitigate impacts:

- 522,600 sf = 33 percent SOV
- 522,601 – 767,600 sf = 27 percent SOV
- 767,601 – 969,600 sf = 23 percent SOV
- 969,601 – 1,146,250 sf = 22 percent SOV

The SOV goal would apply to all development permitted under this MUP; for instance, when the project has developed between 522,601 and 767,600 sf, the entire project shall be required to achieve a 27 percent SOV goal.

Implementation of the TMP should be in accordance with SDCI's Directors Rule (27-2015 or its successor) before SDCI will issue permits. The requirement for a TMP is expected to adequately mitigate the adverse impacts from the proposed development, consistent with per SMC 25.05.675.R.

## **DECISION – SEPA**

### **SEPA Procedural Decision**

SDCI adopts the FEIS that was prepared for the Liveable South Downtown Planning Study proposal for this proposed project, as supplemented by the FEIS Addendum dated May 25, 2017.

### **SEPA Substantive Decision**

The proposed action is **APPROVED WITH CONDITIONS**.



## **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 (Carly Guillory, carly.guillory@seattle.gov).

## **CONDITIONS – SEPA and MAJOR PHASED DEVELOPMENT**

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

2. The property owner shall record an acknowledgement of the permit conditions in the manner prescribed in SDCI Director' Rule 2015-17 or its successor.
3. The owner and/or responsible parties shall provide SDCI with a statement that the contract documents for their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 27.53, 27.44, 79.01, and 79.90 RCW, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.

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

4. 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: <http://www.seattle.gov/transportation/cmp.htm>.

### **Prior to Issuance of a Construction Permit**

5. Prior to issuance of the first building permit with occupied floor area, a TMP shall be recorded, pursuant to DR 27-2015 or its successor. The TMP shall establish a decreasing SOV goal as detailed below:

Square Footage	SOV Goal
522,600 sf	33%
522,601 – 767,600 sf	27%
767,601 – 969,600 sf	23%
969,601 – 1,146,250 sf	22%

The SOV goal would apply to all development permitted under this MUP; for instance, when the project has developed between 522,601 and 767,600 sf, the entire project shall be required to achieve a 27 percent SOV goal.

If SOV goals are not met, the TMP shall be updated to identify additional on-site and off-site measures to meet performance goals. These measures may include on-site enhancements such as increased daily parking fees and/or additional incentives for employees.

### During Construction

6. Monitoring for cultural resources shall be conducted during any ground-disturbing excavation in native soils, and at the interface of fill and native soils.
7. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:
  - a. Stop work immediately and notify SDCI (Planner name and phone #) and the Washington State Archaeologist at the State Department of Archaeology and Historic Preservation (DAHP). The procedures outlined in Appendix A of Director's Rule 2-98 for assessment and/or protection of potentially significant archeological resources shall be followed.
  - b. Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 29.01 and 29.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.

Carly Guillory, Senior Land Use Planner  
Seattle Department of Construction and Inspections

Date: December 6, 2018

CG:drm

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### **IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT**

#### Master Use Permit Expiration and Issuance

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

The "approved for issuance" date marks the beginning of the three-year life of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by 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.