Seattle Department of Construction & Inspections

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

Project Number: 3033064-LU

Applicant Name: Marianne Stover

Address of Proposal: 1932 9th Avenue

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 23-story hotel building with retail. Existing 1-story building to be demolished. Julie Apartment building to remain. No parking proposed.

The following approvals are required:

Administrative 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

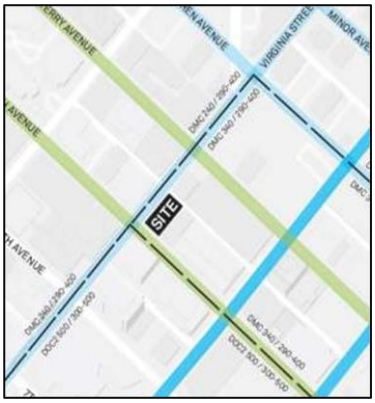
☐ No mitigating conditions of approval are imposed.

☒ 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: DMC-340/290-440

Zoning Pattern: (North) DMC-340/290-440
(South) DOC2 500/300-550
(East) DMC-340/290-440
(West) DMC-240/290-440



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.

Environmentally Critical Areas: None.

Current and Surrounding Development; Neighborhood Character; Access: The site is currently developed with a single 1-story commercial building. The site is a small (120'x60') corner lot adjacent to the landmarked 1920 El Rio/Julie Apartments. The surrounding Denny Triangle neighborhood consists of mixed

commercial structures and parking lots, rapidly transitioning to tall, dense mixed-use structures, consistent with zoning and planning policies. Existing pedestrian access is from 9th Avenue and Virginia Street and vehicular access is from the alley.

BACKGROUND INFO:

Due to COVID-19, this proposal converted to Administrative Design Review before the Recommendation review on November 13, 2020.

Public Comment:

The public comment period ended on May 27, 2020. 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 lack of parking and transit, increased traffic, loading impacts, noise from proposed uses, shadows and reduced light to nearby properties, height, construction traffic; transit; dirt; dust; noise; and debris, public services, and air quality. Comments were also received that are beyond the scope of this review and analysis per SMC 23.41 and 25.05.

I. ANALYSIS – DESIGN REVIEW

EARLY DESIGN GUIDANCE December 18, 2018

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

- Concerned that the loading dock dimensions be sufficient to the task.
- Supported the proposed Hotel use as a positive for neighborhood.
- Requested that pick up and drop off be carefully considered at this busy location.

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

- Concerned regarding window location and privacy.
- Concerned for the effect high-rise development is having on light and air in this 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 Seattle Design Guidelines and Neighborhood Design Guidelines of highest priority to the site and explore conceptual design, siting alternatives and eventual architectural design.

All public comments submitted in writing for this project can be viewed using the following link and entering the record 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**
    a. The Board recognized the constraints of working on a small urban-infill site and agreed that the applicant's exploration of three expressions of a similar form was

appropriate and sufficient for their review. (A-1)

b. The Board supported the preferred scheme (Option 3) for the simplicity and unity of the composition. (B-4)
c. The Board supported the choice to set the project back from the adjacent Landmarked Julie Hotel, as it allowed light and air between the projects and highlighted the discrete presence of this historic brick structure. (B-1, B-2, B-3.2)
d. The Board asked for continued study of the service core element and asked for particular attention to the choice of cladding. (A-1, A-2)

2. Design Concept

a. The Board supported the 'gasket' expression proposed where the project abuts the Julie Hotel and asked for careful study of its composition and material expression. (B-3, B-4)
b. The Board supported the two-story corner element as an engaging and compositionally strong corner element and asked that any required demising walls in this area not compromise the volume of the space as seen from the R.O.W. (B-4, C-3.1)
c. The Board encouraged the applicant to use the operable nature of the residential windows to subtly indicate the change in program on those floors. (B-4, B-1, C-2)

3. Blank Wall/Bus Stop

a. The Board supported the location of services space in the northwest quadrant of the site and the attendant blank wall, provided the wall is clad in high quality material and articulated for visual interest (meeting the criteria for a type I decision per 23.49.056.D.3), and that its expression be carried around the corner and into the alley. (B4.3)
b. The Board had some concern regarding the datum line generated by the top of this blank wall and asked for a re-examination of its height and location to clearly connect it to its context and use. (B-3.2, B-4.2, C-3.1)
c. The Board supported the schematic re-design of the existing bus stop, provided the shelter/overhead weather protection be physically and aesthetically integrated with the proposed project. (C-5.1, D-3.
d. The Board supported the use and schematic massing of the roof elements but asked for a full exploration of the relationship of the roof 'edges' with the cladding system below, as well as the mechanical screening. (C-1, C-3, C-4, C-6)

4. Departure

a. The Board indicated preliminary support for a departure from 23.49.018 regarding overhead weather protection, recognizing the (oft-seen) conflict between OHP and street trees. (C-5.1, D-2)
b. The Board encouraged the applicant to see this constraint (and the required bus shelter) as opportunities to create a functional and visually pleasing solution. (C-5.1, D-3.1)

RECOMMENDATION November 13, 2020

PUBLIC COMMENT

SDCI staff received the following design related comments in writing prior to this review:

- Concerned by the height bulk and scale of the proposed design.
- Requested care in maintenance of landscape area as they are prone to litter accumulation.
- Concerned by the loss of street trees on 9th Avenue.

SDCI also received non-design related comments concerning construction impacts (multiple), increased traffic, parking (multiple), daytime glare and night time light pollution, lack of a loading and unloading area, homelessness, noise, affordable housing, income inequality, and transportation impacts to the existing bus stop.

One purpose of the design review process is for the City to receive comments from the public that help to identify feedback and concerns about the site and design concept, identify applicable Seattle Design Guidelines and Neighborhood Design Guidelines of highest priority to the site and explore conceptual design, siting alternatives and eventual architectural design.

Concerns with construction impacts, off-street parking, light and glare, transportation, and traffic 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 record number: http://web6.seattle.gov/dpd/edms/

SDCI PRELIMINARY RECOMMENDATIONS & CONDITIONS
SDCI visited the site, considered the analysis of the site and context by the proponents, and considered public comment. SDCI design recommendations are summarized below.

1. **Massing**
    a. Staff acknowledges public concern about height, bulk and scale, however Staff concurs with the Boards previous support for this massing scheme, agreeing that this simple, slender form that is significantly below the Code-allowed height limit is an appropriate response to context, and that the provision of a setback from the adjacent Landmark (The Julie Hotel) at the east property line will allow for a greater appreciation of this historic brick structure. (A-1, B-1, B-2, B-3.2, B-4)

2. **Architectural Expression**
    a. Staff concur with the Boards previous strong support for the simplicity and unity of this composition of elements, noting the further distillation and simplification of the cladding system that has since occurred and recommend its approval as shown in the final packet dated October 6, 2020. (B-4, C-2)

3. **Design Concept**
    a. At EDG, the Board supported the 'gasket' expression proposed where the project abuts the adjacent Julie Hotel and asked for study of its composition and material expression. Since that time, the principal entry has been relocated from the gasket area to the center of the south facade, allowing for a simpler expression of this element that better highlights the adjacent landmark. Staff recommend approval of this design. (B-3, B-4)
    b. Staff concur with the Board's previous support for the fully glazed two-story expression at the street edge, agreeing that its simplicity, proportions, continuity of expression and compositionally rigor make a strong, engaging response to the street and the corner. Staff recommend approval of this design. (B-4, C-1, C-3.1)

4. **Blank Wall**
    a. Staff concur with the Board's previous support for the location of services space in the northwest quadrant of the site and the attendant blank wall, noting their guidance

that the wall be clad in high quality material and articulated for visual interest (meeting the criteria for a type I decision per 23.49.056.D.3), and that its expression be carried around the corner and into the alley. Staff agree that the scalloped stone wall and bus shelter meet this criterion and recommend its approval. (B4.3)

5. Bus Stop

a. Staff concur with the Board's previous support for the re-design of the existing bus stop, noting that the shelter provides overhead weather protection and is physically and aesthetically integrated with the proposed project, and recommend its approval. (C-5.1, D-3.1)

DEVELOPMENT STANDARD DEPARTURES

SDCI Staff's preliminary recommendation on the requested departure(s) are based on the departures' 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 review, the following departures were requested

1. **Overhead Weather Protection (23.49.018.B):** The Code requires continuous overhead weather protection for new development along the entire street frontage with a minimum dimension of eight (8) feet measured horizontally from the building wall. The applicant proposes a reduced quantity in favor of proposed street trees except at the existing bus stop and the new hotel entry, each of which would be (5) feet deep.

Staff recommends approval of the proposed departure, noting that it is required to accommodate the proposed street trees and bus shelter and will help the project better meet criteria in A1 Respond to the Physical Environment and D2 Enhance the Building with Landscaping.

2. **Upper Level Development Standards (23.49.058):** The Code requires that if a lot in a DMC zone is located on a designated Green Street, a continuous upper-level setback of 15 feet, measured from the abutting green street lot line, is required for portions of the structure above a height of 45 feet. The applicant proposes zero setback above 45 feet at the 9th Avenue (south) property line, and voluntary setbacks of 6'-0" at the east property line and 2'-10" at ground level on the south property line on 9th Avenue, per the Recommendation packet dated September 28, 2020.

Staff appreciate the exploration of options and impacts provided in response to guidance, particularly the extensive sun and shadow and insolation studies and the inclusion of a well-developed code-compliant design for comparison with their preferred option. Staff also appreciate the inclusion of precedent studies documenting departures granted by SDCI through the Design Review process on Green Streets nearby. Staff recognize these as data points but note that each of these projects are unique in their sites, context, programming, and size, and thus have a limited ability to speak to this similarly singular condition.

Staff note the provision of voluntary setbacks at street level and particularly at the east property line, where the gap created between this proposed structure and the adjacent Landmark (The Julie Hotel) serves to highlight the size, shape, composition and character of this historic brick structure. Staff note the very small size of the site, the 240-foot height of the proposed design versus the 440-feet allowed by Code, the narrow width of the structure, and the simple massing scheme and elegant exterior expression that was strongly and

unanimously supported by the Board. After reviewing the proposed design and with consideration of public comment and the Design Guidelines, Staff recommend approval of this departure, finding that it will allow the project to meet the criteria in B4 Design a Well-Proportioned & Unified Building, A1 Respond to the Physical Environment and B1 Respond to the Neighborhood Context.

3. **Setback and Landscaping Requirements (23.49.056.F):** The Code requires landscaping in the sidewalk area of the street right-of way of at least 1.5 times (in square feet) the linear length of the street lot line and that the landscaped area be at least 18 inches wide along the entire length of the street lot line. The applicant proposes to provide landscaping in the sidewalk area equal to 160sf (88% of requirement) at a length of 32 feet (27% of lot line). This reduced quantity is due to the accommodations of proposed street trees except at the existing bus stop and the new hotel entry, each of which would be (5) feet deep.

Staff recognizes the site constraints including Metro bus stop requirements and the 9th Avenue R.O.W. street improvements and the provision of significantly deeper landscape areas where possible on the two frontages and recommends approval of this departure as it will help the project better meet criteria in B1 Respond to the Neighborhood Context and A1.2. Response to Planning Efforts.

DESIGN REVIEW GUIDELINES

The Downtown Design Guidelines recognized by the Board as Priority Guidelines are identified above. All guidelines remain applicable and are summarized below. 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.).

A1.2. Response to Planning Efforts: Some areas downtown are transitional environments, where existing development patterns are likely to change. In these areas, respond to the urban form goals of current planning efforts, being cognizant that new development will establish the context to which future development will respond.

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

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

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

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

ARCHITECTURAL EXPRESSION

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

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

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

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

B2 Create a Transition in Bulk and Scale: Compose the massing of the building to create a transition to the height, bulk, and scale of development in nearby less-intensive zones.

B2.1. Analyzing Height, Bulk, and Scale: Factors to consider in analyzing potential height, bulk, and scale impacts include:

a. topographic relationships;
b. distance from a less intensive zone edge;
c. differences in development standards between abutting zones (allowable building height, width, lot coverage, etc.);
d. effect of site size and shape;
e. height, bulk, and scale relationships resulting from lot orientation (e.g., back lot line to back lot line vs back lot line to side lot line); and
f. type and amount of separation between lots in the different zones (e.g. , separation by only a property line, by an alley or street, or by other physical features such as grade changes); g. street grid or platting orientations.

B2.2. Compatibility with Nearby Buildings: In some cases, careful siting and design treatment may be sufficient to achieve reasonable transition and mitigation of height, bulk, and scale impacts. Some techniques for achieving compatibility are as follows:

h. use of architectural style, details (such as roof lines, beltcourses, cornices, or fenestration), color, or materials that derive from the less intensive zone.

i. architectural massing of building components; and
j. responding to topographic conditions in ways that minimize impacts on neighboring development, such as by stepping a project down the hillside.

B2.3. Reduction of Bulk: In some cases, reductions in the actual bulk and scale of the proposed structure may be necessary in order to mitigate adverse impacts and achieve an acceptable level of compatibility. Some techniques which can be used in these cases include:

k. articulating the building's facades vertically or horizontally in intervals that reflect to existing structures or platting pattern;
l. increasing building setbacks from the zone edge at ground level;
m. reducing the bulk of the building's upper floors; and
n. limiting the length of, or otherwise modifying, facades.

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

B3.1. 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.

C2 Design Facades of Many Scales: Design architectural features, fenestration patterns, and material compositions that refer to the scale of human activities contained within. Building facades should be composed of elements scaled to promote pedestrian comfort, safety, and orientation.

C2.1. Modulation of Facades: Consider modulating the building facades and reinforcing this modulation with the composition of:

a. the fenestration pattern;
b. exterior finish materials;
c. other architectural elements;
d. light fixtures and landscaping elements; and
e. the roofline.

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, newstands, 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.

C4.2. Residential Entries: To make a residential building more approachable and to create a sense of association among neighbors, entries should be clearly identifiable and visible from the street and easily accessible and inviting to pedestrians. The space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction

among residents and neighbors. Provide convenient and attractive access to the building's entry. To ensure comfort and security, entry areas and adjacent open space should be sufficiently lighted and protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

C5 Encourage Overhead Weather Protection: Project applicants are encouraged to provide continuous, well-lit, overhead weather protection to improve pedestrian comfort and safety along major pedestrian routes.

C5.1. Overhead Weather Protection Design Elements: Overhead weather protection should be designed with consideration given to:

a. the overall architectural concept of the building
b. uses occurring within the building (such as entries and retail spaces) or in the adjacent streetscape environment (such as bus stops and intersections);
c. minimizing gaps in coverage;
d. a drainage strategy that keeps rain water off the street-level facade and sidewalk;
e. continuity with weather protection provided on nearby buildings;
f. relationship to architectural features and elements on adjacent development, especially if abutting a building of historic or noteworthy character;
g. the scale of the space defined by the height and depth of the weather protection;
h. use of translucent or transparent covering material to maintain a pleasant sidewalk environment with plenty of natural light; and
i. when opaque material is used, the illumination of light-colored undersides to increase security after dark.

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.

D1.1. Pedestrian Enhancements: Where a commercial or mixed-use building is set back from the sidewalk, pedestrian enhancements should be considered in the resulting street frontage. Downtown the primary function of any open space between commercial buildings and the sidewalk is to provide access into the building and opportunities for outdoor activities such as vending, resting, sitting, or dining.

a. All open space elements should enhance a pedestrian oriented, urban environment that has the appearance of stability, quality, and safety.

b. Preferable open space locations are to the south and west of tower development, or where the siting of the open space would improve solar access to the sidewalk.
c. Orient public open space to receive the maximum direct sunlight possible, using trees, overhangs, and umbrellas to provide shade in the warmest months. Design such spaces to take advantage of views and solar access when available from the site.
d. The design of planters, landscaping, walls, and other street elements should allow visibility into and out of the open space.

D1.2. Open Space Features: Open spaces can feature art work, street furniture, and landscaping that invite customers or enhance the building's setting. Examples of desirable features to include are:

a. visual and pedestrian access (including barrier- free access) into the site from the public sidewalk;
b. walking surfaces of attractive pavers;
c. pedestrian-scaled site lighting;
d. retail spaces designed for uses that will comfortably "spill out" and enliven the open space;
e. areas for vendors in commercial areas;
f. landscaping that enhances the space and architecture;
g. pedestrian-scaled signage that identifies uses and shops; and
h. site furniture, art work, or amenities such as fountains, seating, and kiosks. residential open space

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

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

D2 Enhance the Building with Landscaping: Enhance the building and site with generous landscaping— which includes special pavements, trellises, screen walls, planters, and site furniture, as well as living plant material.

D2.1. Landscape Enhancements: Landscape enhancement of the site may include some of the approaches or features listed below:

a. emphasize entries with special planting in conjunction with decorative paving and/or lighting;
b. include a special feature such as a courtyard, fountain, or pool;
c. incorporate a planter guard or low planter wall as part of the architecture;
d. distinctively landscape open areas created by building modulation;
e. soften the building by screening blank walls, terracing retaining walls, etc;
f. increase privacy and security through screening and/or shading;
g. provide a framework such as a trellis or arbor for plants to grow on;
h. incorporate upper story planter boxes or roof planters;
i. provide identity and reinforce a desired feeling of intimacy and quiet;
j. provide brackets for hanging planters;
k. consider how the space will be viewed from the upper floors of nearby buildings as well as from the sidewalk; and
l. if on a designated Green Street, coordinate improvements with the local Green Street plan.

D2.2. Consider Nearby Landscaping: Reinforce the desirable pattern of landscaping found on adjacent block faces.

m. plant street trees that match the existing planting pattern or species;

n. use similar landscape materials; and

o. extend a low wall, use paving similar to that found nearby, or employ similar stairway construction methods.

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

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

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

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

a. facilitate rapid orientation

b. add interest to the street level environment

c. reduce visual clutter

d. unify the project as a whole

e. enhance the appearance and safety of the downtown area.

D4.2. Unified Signage System: If the project is large, consider designing a comprehensive building and tenant signage system using one of the following or similar methods:

a. signs clustered on kiosks near other street furniture or within sidewalk zone closest to building face;

b. signs on blades attached to building facade;

c. signs hanging underneath overhead weather protection.

D4.3. Signage Types: Also consider providing:

d. building identification signage at two scales: small scale at the sidewalk level for pedestrians, and large scale at the street sign level for drivers;

e. sculptural features or unique street furniture to complement (or in lieu of) building and tenant signage;

f. interpretive information about building and construction activities on the fence surrounding the construction site.

D4.4. Discourage Upper-Level Signage: Signs on roofs and the upper floors of buildings intended primarily to be seen by motorists and others from a distance are generally discouraged.

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

E1 Minimize Curb Cut Impacts: Minimize adverse impacts of curb cuts on the safety and comfort of pedestrians.

E1.1. Vehicle Access Considerations: Where street access is deemed appropriate, one or more of the following design approaches should be considered for the safety and comfort of pedestrians.

a. minimize the number of curb cuts and locate them away from street intersections;
b. minimize the width of the curb cut, driveway, and garage opening;
c. provide specialty paving where the driveway crosses the sidewalk;
d. share the driveway with an adjacent property owner;
e. locate the driveway to be visually less dominant;

locating the driveway and garage entrance to take advantage of topography in a manner that does not reduce pedestrian safety nor place the pedestrian entrance in a subordinate role.

E2 Integrate Parking Facilities: Minimize the visual impact of parking by integrating parking facilities with surrounding development. Incorporate architectural treatments or suitable landscaping to provide for the safety and comfort of people using the facility as well as those walking by.

E2.1. Parking Structures: Minimize the visibility of at-grade parking structures or accessory parking garages. The parking portion of a structure should be architecturally compatible with the rest of the building and streetscape. Where appropriate consider incorporating one or more of the following treatments:

a. Incorporate pedestrian-oriented uses at street level to reduce the visual impact of parking structures. A depth of only 10 feet along the front of the building is sufficient to provide space for newsstands, ticket booths, flower shops, and other viable uses.
b. Use the site topography to help reduce the visibility of the parking facility.
c. Set the parking facility back from the sidewalk and install dense landscaping.
d. Incorporate any of the blank wall treatments listed in Guideline C-3.
e. Visually integrate the parking structure with building volumes above, below, and adjacent.
f. Incorporate artwork into the facades.

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.

RECOMMENDATIONS

At the conclusion of the Administrative RECOMMENDATION review, Staff recommended APPROVAL of the subject design and departures with no conditions.

The analysis summarized above was based on the design review packet dated Tuesday, October 06, 2020. After considering the site and context, considering public comment, reconsidering the previously identified design priorities and reviewing the materials, the Recommendation phase of the subject design and departures are APPROVED with no conditions.

ANALYSIS & DECISION – DESIGN REVIEW

Director’s Analysis

The design review process prescribed in Section 23.41.016.G of the Seattle Municipal Code describing the content of the SDCI Director’s administrative design review decision reads as follows:

1. A decision on an application for a permit subject to administrative design review shall be made by the Director.
2. The Director's design review decision shall be made as part of the overall Master Use Permit decision for the project. The Director's decision shall be based on the extent to which the proposed project meets the guideline priorities and in consideration of public comments on the proposed project.

Subject to the preliminary conditions identified during the recommendation phase of review, the design of the proposed project was found by the SDCI Staff to adequately conform to the applicable Design Guidelines.

Staff identified elements of the Design Guidelines which are critical to the project's overall success.

SDCI staff worked with the applicant to update the submitted plans to address the preliminary design review conditions identified during the recommendation phase of review.

The Director of SDCI finds that the proposal is consistent with the City of Seattle Design Review Guidelines.

DIRECTOR'S DECISION

The Director CONDITIONALLY APPROVES the proposed design and the requested departures with conditions listed at the end of this document.

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 2/26/2019. 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 construction-related noise, air quality, greenhouse gas, construction traffic and parking, and environmental health impacts, 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 in DMC zones.

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 limitations stipulated in the Noise Ordinance are sufficient to mitigate noise impacts and no additional SEPA conditioning is necessary to mitigate noise impacts per SMC 25.05.675.B.

Construction Impacts – Mud and Dust

Approximately 10,350 cubic yards of material will be excavated and removed from the site. Transported soil is susceptible to being dropped, spilled or leaked onto City streets. The City's Traffic Code (SMC 11.74.150 and .160) provides that material hauled in trucks not be spilled during transport. The City requires that loads be either 1) secured/covered; or 2) a minimum of six inches of "freeboard" (area from level of material to the top of the truck container). The regulation is intended to minimize the amount of spilled material and dust from the truck bed en route to or from a site.

No further conditioning of the impacts associated with these construction impacts of the project is warranted pursuant to SEPA policies (SMC 25.05.675.B).

Environmental Health

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. The City acknowledges PSCAA's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination. No further mitigation under SEPA Policies 25.05.675.F is warranted for asbestos impacts.

Should lead be identified on the site, there is a potential for impacts to environmental health. Lead is a pollutant regulated by laws administered by the U. S. Environmental Protection Agency (EPA), including the Toxic Substances Control Act (TSCA), Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X), Clean Air Act (CAA), Clean Water Act (CWA), Safe Drinking Water Act (SDWA), Resource Conservation and Recovery Act (RCRA), and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) among others. The EPA further authorized the Washington State Department of Commerce to administer two regulatory programs in Washington State: the Renovation, Repair and Painting Program (RRP), and the Lead-Based Paint Activities Program (Abatement). These regulations protect the public from hazards of improperly conducted lead-based paint activities and renovations. No further mitigation under SEPA Policies 25.05.675.F is warranted for lead impacts.

Long Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including the following: greenhouse gas emissions; parking; 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, historic resources, height bulk and scale, parking, and transportation 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.

Historic Resources

The existing structure on site is more than 50 years old. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and indicated the structure(s) on site are unlikely to qualify for historic landmark status (Landmarks Preservation Board letters, reference number LPB 211/19).

The proposal is also adjacent to an existing historic landmark (El Rio Apartments). The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and did not recommend changes to the proposed design (Landmarks Preservation Board letter, reference number LPB 136/21).

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.

Height, Bulk, and Scale

The proposal completed 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

The traffic and parking studies (Heffron Transportation Inc, "Response to SDCI Transportation Comments", dated December 5, 2019, and "Transportation Analysis", dated January 17, 2019 and correction response dated December 20, 2019) provide a parking demand estimate for the proposed 300 hotel rooms. The study estimates peak overnight parking demand could be up to 63 vehicles but expects a typical peak overnight demand of 30 vehicles. Parking demand during the day could be up to 38 vehicles. No vehicle parking spaces are provided by the project. The studies note that on-street parking is limited within 800' of the site, and demand for off-site spaces could be accommodated within nearby publicly-available parking garages. Specifically, the "2016 Downtown Off-Street Parking Survey" determined that there are over 4,260 parking spaces available for public use in the Denny Triangle area, and about 1,400 of those were unused during

the weekday peak period. The increase of 30 to 63 in parking demand from this project could be accommodated by the existing reservoir of public parking in the area.

SMC 25.05.675.M notes that there is not SEPA authority provided for mitigation of parking impacts in the Downtown Urban Center, where this site is located. Regardless of the parking demand impacts, no SEPA authority is provided to mitigate impacts of parking demand from this proposal.

Transportation

Based on rates from the Institute of Transportation Engineers (ITE) and local mode shares, the 300 hotel rooms could generate approximately 930 daily vehicle trips, with 31 net new a.m. peak hour trips and 49 p.m. peak hour trips. The net new site trips are expected to distribute on various roadways near the project site, including 9th Avenue, Virginia Street and Stewart Street. The additional trips would have minimal impact on levels of service at nearby intersections and on the overall transportation system.

Two loading berths are provided with access from the alley. The studies on file with SDCI indicate the proposed hotel could average 5 to 7 deliveries per day, all in vehicles that can be accommodated by the loading berths. To mitigate any potential impacts from increased delivery activity on the alley, a dock management plan will be required. The objective of the management plan will be to notify and require deliveries to use the on-site loading berths to reduce alley and on-street loading activity adjacent to the site. The on-site loading dock and required items in the dock management plan are expected to adequately mitigate the adverse impacts from the loading activity associated with the proposed hotel.

The SDCI Transportation Planner reviewed the information in the traffic studies and determined that a dock management plan is warranted to mitigate potential traffic impacts associated with loading activity, consistent with per SMC 25.05.675.R. SDCI has analyzed and determined that the required dock management plan will mitigate potential traffic impacts from the hotel loading activity.

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).

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 (Joesph Hurley, 206-684-8278, joseph.hurley@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.

3. A dock management plan shall be prepared to manage deliveries at the alley and shall include the following items:

   - Require that all vendors deliver through the loading dock and avoid loading through the hotel lobby from 9th Avenue.
   - Work with vendors to stagger regular delivery times to reduce potential of overlapping deliveries.
   - Add a "vendors and deliveries" page to the hotel website (or a related site) where vendors can link to maps of preferred access routing and delivery restrictions.
   - Include delivery instructions on vendor purchase orders.

For the Life of the Project

4. Maintain a loading dock management plan to manage deliveries at the alley.

Joseph Hurley, Land Use Planner
Seattle Department of Construction and Inspections

Date: April 1, 2021

JH:rgc
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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.