Seattle Department of Construction & Inspections

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

Project Number: 3033083-LU

Applicant Name: Tom Bartholomew

Address of Proposal: 800 Alaskan Way

SUMMARY OF PROPOSAL

Shoreline Substantial Development application to allow a 14-story office building with 83 apartment units and retail. Parking for 187 vehicles proposed. Early Design Guidance conducted under 3032494-EG.

The following approvals are required:

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

II. **Shoreline Substantial Development Permit** (**Seattle Municipal Code 23.60A.030)**

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

SEPA DETERMINATION

Determination of Non-significance

☐ No mitigating conditions of approval are imposed.

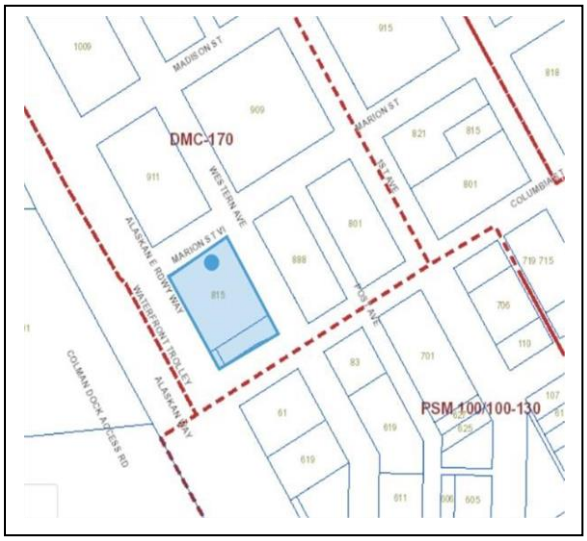
☒ Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal has been conditioned to mitigate environmental impacts

SITE AND VICINITY

Site Zone: Downtown Mixed Commercial with a 170' height limit [DMC-170]

Zoning Pattern: (North) DMC-170
(South) Pioneer Square Mixed with a 100' height limit [PSM 100/100-130]
(East) DMC-170
(West) Downtown Harbor 1 with a 45' height limit [DH1/45]

Overlay Zones: Urban Harborfront (UH)
Shoreline Environment



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: The site is located in a Liquefaction Prone Environmentally Critical Area.

Current Development:
The lot proposed for development includes three parcels with an existing commercial building and surface parking lot.

Surrounding Development and Neighborhood Character:
The subject site consists of an entire city block bound by Alaskan Way to the west, Marion Street to the north, Western Avenue to the east, and Columbia Street to the south. The subject lot and lots to the north and east are zoned DMC-170. Lots to the south are zoned PSM 100/100-130 and lots to the west are zoned DH1/45. To the north, across Marion Street, is the Maritime Building, a City of Seattle landmark structure. Marion Street is a designated Green Street and will contain the new elevated pedestrian bridge connecting Coleman Ferry Dock to 1st Avenue. To the east, across Western Avenue, is a newer mixed-use development. Western Avenue is a Class I pedestrian street. To the south, across Columbia Street, is the Pioneer Square Historic District. Directly west, across Alaskan Way, is the Coleman Ferry Dock, currently under construction. Alaskan Way is a Class I pedestrian Street. The site is located directly along the Seattle waterfront now that the Interstate 99 elevated viaduct was demolished. The immediate context includes a variety of commercial and residential uses. The site is mostly flat.

Access:
The site proposes vehicular access form Western Ave and pedestrian access from Alaskan Way, Marion Street, Columbia Street and Western Ave.

PUBLIC COMMENT

The public comment period ended on May 24, 2019. In addition to the comments 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 demolition of existing structures, future uses of vehicle parking, reducing the amount of automobile parking and increasing the availability of bicycle parking, concern about glare from material choices, traffic, construction related noise, housing affordability in downtown,

desire for more housing instead of office space, impacts to the views of Elliot Bay from the east, and environmental impacts. 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

FIRST EARLY DESIGN GUIDANCE January 22, 2019

The packet includes materials presented at the meeting, and is available online by entering the record number (3032494-EG) at this website: http://web6.seattle.gov/dpd/edms/

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

Mailing Address of Proposal:	**Public Resource Center** 700 Fifth Ave., Suite 2000 P.O. Box 34019 Seattle, WA 98124-4019
Email:	PRC@seattle.gov

PUBLIC COMMENT

No public comments were offered at this meeting.

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. Concerns with off-street parking, traffic and construction impacts are reviewed as part of the environmental review conducted by SDCI and are not part of this review. Concerns with building height calculations and bicycle storage standards are addressed under the City's zoning code 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 3032494-EG: 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. **Architectural Concept, Massing and Materials.** The Board noted the EDG packet includes a comprehensive urban design analysis and a progressive sequence for the massing alternatives.
    a. The Board agreed that the office podium, common to all three alternatives, was appropriately scaled to the existing Alaskan Way context. (B2.1, B2.2)
    b. The Board also provided support for the gasket between the podium and tower. The gasket serves two functions- to provide relief between the podium and tower and it contains 3-bedroom units with family outdoor space on the podium roof. (B2.3, B3.2)

c. The Board agreed the south tower placement was optimal given the zoning required view corridor along Marion Street. (B1.1, B3.1)
d. After significant discussion, the majority of the Board provided support for the preferred massing alternative 3, Erode. Those who supported the massing expressed support for the dynamic, interesting, iconic, and elegant form. (B4.1)
e. At the Recommendation Meeting the Board requested the following information:
    i. A study demonstrating how the immediate context has informed building modulation. (B2.2, B3.2, B4.1, C2.1)
    ii. Elevations, sections, and vignettes demonstrating materials, material detailing, and material transitions at all levels of the structure. (B4.3, C2.1)
    iii. Details showing how the office use is better articulated on the exterior of the structure. (B4.2, B4.3)
    iv. Composite hardscape/landscape plans demonstrating the roof has been developed at a fifth building façade. (A2.1, B1.1, A2.2)

2. **Street Level Design.** The Board appreciated the quantity of retail space provided along each street frontage and the 18-foot vertical clearance. The Board was particularly excited about the market space along Marion Street and noted the space provided an opportunity for an exciting, community centered hub. The Board supported the proposed vehicular access on Western Avenue. The Board noted almost all ferry riders use the pedestrian bridge, and provided guidance on the unresolved relationship between the proposed building and the bridge.
    a. At Recommendation Meeting, demonstrate how the building design will draw pedestrians from the bridge and the ferry into the market space. (B1, B3, B4.2, C1, C4)
    b. The Board acknowledged the bridge is an existing condition that will function like a sidewalk next to level 2 of the building. At the Recommendation Meeting, the Board requested the following information:
        i. Provide a section showing the building floor plates in relationship to the pedestrian bridge elevation. (B1.1, B2.2, B4.2, B3.2, C1.3)
        ii. Demonstrate how the building design and/or interior programming will respond to the high-traffic condition with visibility into the structure. (B1.1, B2.2, B4.2,B3.2, C1.3)
        iii. Provide composite hardscape/landscape plans, sections, vignettes, and lighting plans demonstrating how the space under the pedestrian bridge has been developed as a Green Street maximizing pedestrian comfort and safety. (B1.1, B2.2, B4.2, B3.2, C1.3)
        iv. Study overhead weather protection at building entries to bridge the 2-foot gap between the bridge and the building. (B3.3)
    c. At the Recommendation Meeting demonstrate how the vehicular entry off Western has been designed to maximize pedestrian comfort and embrace the quiet character of the street. (C1, E1)
        i. At the Recommendation meeting, provide elevations, sections, and vignettes demonstrating materials, material detailing, and material transitions. The Board expressed interest in a high-quality 18-foot commercial storefront system, building entries, and the material transition at the 3-foot setback between levels 1 and 2. (B3.3, B4.3, C1.3, C4.1)
        ii. At the Recommendation Meeting, demonstrate how each streetscape responds to the unique character of that street with existing and future context considered. (B1.1, B2.2, B3, B4, C1, C4.1, E3)

INITIAL RECOMMENDATION November 5, 2019

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

Mailing Address of Proposal:	**Public Resource Center** 700 Fifth Ave., Suite 2000 P.O. Box 34019 Seattle, WA 98124-4019
Email:	PRC@seattle.gov

PUBLIC COMMENT

No public comments were offered at this meeting.

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All public comments submitted in writing for this project can be viewed using the following link and entering the record number 3033083-LU: 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 recommendations.

1**. Street-level.**

a. **Street-level Overall:** The Board strongly supported the highly transparent street-level and market concept. However, the Board commented the market hall and all retail spaces would benefit from a more porous window system to allow walk-up food spots and spill out opportunity. As such, the Board recommended study of opening up the food hall to the street with a more flexible street-level façade to support spill out seating etc. (C-3 Provide Active — Not Blank — Facades)

b. **Alaskan Way**

   i. The Board expressed some concern for the continuous glass treatment along the street-level, though the Board acknowledged final entry placement will be somewhat determined by tenants and will evolve over time. However, the Board made note of the character of entrances in the surrounding area, specifically the prominence in scale and design detail. (C-2 Design Facades of Many Scales, C-1 Promote Pedestrian Interaction)

   ii. The Board noted the market hall entrances were more successful than the residential and office entries, commenting the residential entry offered an opportunity to create a moment of relief from the unbroken glass expression along the street-level. The

Board also noted a more prominent/identifiable residential entry would better support design guidelines related to wayfinding. (C-2 Design Facades of Many Scales, C-1 Promote Pedestrian Interaction, C-4 Reinforce Building Entries) i

iii. The Board observed that looking straight on, the interior programming elements would be clear as a result of the high level of transparency. However, looking or approaching from an angle, the interior programming would be less clear. As such, the Board recommended a condition to refine the residential and office entries along Alaska Way to create more clarity and distinguish between entrances.(C-4 Reinforce Building Entries)

c. **Columbia Street**

i. The Board acknowledged Columbia would see a high volume of pedestrian traffic due to the location of the bus stop. The Board specifically approved of the canopy, lighting, leaning rail, and seating elements as shown on page 22 of the Recommendation packet. (C-5 Encourage Overhead Weather Protection, D-3.1. Public Space Features and Amenities)

d. **Western Ave**

i. The Board discussed the retail entrances including the market hall and skinny retail. The Board supported an entry at the skinny retail space which would be provided, as clarified by the applicant, however was not shown on the drawings presented at the meeting. As such, the Board recommended a condition to clarify entry location as the project evolves, strongly supporting an entry at the skinny retail space as described by the applicant. (C-4 Reinforce Building Entries)

e. **Marion Street**

i. The Board strongly recommended approval of the revised Marion Street edge, which pulled the building back to incorporate a stair with direct connection to the pedestrian bridge, improving pedestrian circulation and further supporting activation of the market hall. (D-3 Provide Elements That Define the Place)

ii. The Board approved of the back lit screen located at the top stair landing as both a wayfinding element and tie to the surrounding context, through use of the metal perforated screen. The Board recommended a condition that the screen (located at the pedestrian stair top landing) be more than a standard perforated screen and include a design element to it, as shown in the packet with the back lit concept. (D-3 Provide Elements That Define the Place)

iii. The Board had some concerns with the views from the new stair into office space. The Board commented that designing a 2-story market hall would have created a view into the market hall into activity rather than office space. Though Board did not recommend a related condition, they encouraged consideration of improving the relationship between the stair and interior programming by incorporating a 2-story market hall at the east end where the highest point of the stair landing was located. (B-1 Respond to the Neighborhood Context, B-4.2. Coherent Interior/Exterior Design)

iv. The Board reiterated they supported the integration of the stair connecting to the pedestrian bridge. However, the Board commented that the success of the stair lies in its legibility as a publicly accessible connection to the ferry. As such, the Board recommended a condition to work with the other pedestrian bridge stakeholders (SDOT and Office of Waterfront) to establish signage locations that would clarify for pedestrians the connection to the ferry terminal. (D-4 Provide Appropriate Signage)

2. **Upper levels and Massing Form Evolution**
    a. The Board supported the refinements to the upper levels, commenting the revised massing improved the form by creating a more controlled form and reinforced the differences between residential and office uses. The Board appreciated the rhythm that was added to the glass system. As such, the Board recommended a condition that the balcony projections and gaskets depths should remain as presented. (B-4 Design a Well-Proportioned & Unified Building)
    b. The Board noted they appreciated the added texture to the office levels as they presented a quieter form. (B-4.3. Architectural Details)
    c. The Board recommended approval of the use of balconies to create a unique building form while the floor plate itself remained uniform. The Board discussed the proposed privacy screens, noting they appreciated the material selection (perforated screens which seemed to create a subdued privacy screen expression). The Board recommended a condition that the privacy screens should continue to be designed with a material selection that doesn't detract from the strong horizontal architectural expression of the balconies themselves, and should remain less visually prominent than the horizontal expression as the project moves forward. (B-4.3. Architectural Details)
3. **Materials**
    a. The Board approved of the overall material palette, commenting they appreciated the simplicity in materials which responded to the surrounding context in a modern way, allowing the form to be expressive while fitting into the context. (B-4.3. Architectural Details, B-2.2. Compatibility with Nearby Buildings)
4. **Landscape**
    a. The Board recommended approval of the landscape plan as proposed, including the terrace level treatment adjacent to the pedestrian bridge. (D-2 Enhance the Building with Landscaping)
5. **Lighting**
    a. The Board was supportive of the lighting plan as presented. However, the Board did comment they would like to see the space under the stair well-lit. The Board also commented they would comfortable will small refinements needed to improve the pedestrian experience in terms of safety and security. As such, the Board recommended a condition to clarify the lighting conditions support pedestrian safety and security as the project moves forward. (D-5 Provide Adequate Lighting)

FINAL RECOMMENDATION February 11, 2020

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PUBLIC COMMENT

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All public comments submitted in writing for this project can be viewed using the following link and entering the record number 3033083-LU: 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 recommendations.

1. Summary. The Board reviewed the presented information, supporting the request for a departure to allow the glass railing to encroach into the view corridor setback along Marion Street as the transparent treatment was not visually obtrusive. In addition, the Board further clarified they supported the landscape elements on the roof as shown in the packet, finding them to have no adverse impact on views and to enhance the building and be an appropriate response to context, specifically the adjacent raided walkway. (D2, B1, C1)

DEVELOPMENT STANDARD DEPARTURES

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

At the time of the Final Recommendation meeting the following departures were requested:

1. **Weather Protection (SMC 22.49.018.B):** The Code requires Overhead weather protection to have a minimum dimension of eight (8) feet measured horizontally from the building wall or must extend to a line two (2) feet from the curb line, whichever is less. The applicant is proposing reducing weather protection to 4'-2" depth for 42'-3 and eliminating overhead weather protection for 30'-7" as shown on page 48 of the Recommendation packet along Western Ave.

The Board unanimously recommended approval of the requested departure as the reduced weather protection accommodates retainment of trees and maintains weather protection for the along the majority of the sidewalk. (C-5 Encourage Overhead Weather Protection)

2. **Façade Modulation (SMC 23.49.058 B2):** The Code limits unmodulated façade to 125' long above 60' high. The applicant proposes unmodulated facades greater than 125' along Alaskan Way, Western Ave, and Columbia Steet as described on page 49 of the Recommendation packet. (A-2 Enhance the Skyline, B-4 Design a Well-Proportioned & Unified Building)

The Board unanimously recommended approval of the requested departure allows for an improved massing form and architectural concept, better meeting the intent of Design Guidelines A-2 and B-4. The Board also appreciated the reduced departure request since EDG.

3. **Rooftop Coverage (SMC 23.008.D.2):** The Code limits rooftop coverage to 35 percent of the roof area. The applicant proposes a total of 72 percent coverage, however, only requesting a 2 percent increase, as screened mechanical equipment is permitted to exceed the 35 percent.

The Board unanimously recommended approval of the requested departure as the request allows for the completion of the building form, as well as placement of the added footprint was done so in a thoughtful manner pulling away form the view corridor. (A-2 Enhance the Skyline, B-4 Design a Well-Proportioned & Unified Building)

4. **Height Requirement for FAR exempt area (SMC 23.49.11.B.1.b.1):** The Code requires the street-level of the structure containing the exempt space to have a floor-to-floor height of 18 in DMC 170 zone. The applicant proposes to reduce the height for the portions of the building under the proposed pedestrian stair to a range of 7'-6" to 17'-11".

The Board recommended approval of the reduction in height under the stair as this allowed for the connection to the pedestrian bridge, but consistent with the condition described in Recommendation item 5.a, the space under the stair must be activated and well-lit to ensure safety and security guidelines were met. (D-6 Design for Personal Safety & Security). Staff notes that the applicant should work with the Zoning reviewer to determine if this is a departable standard.

5. **Blank Façade (SMC 23.49.056.D.2.a.):** The Code requires limits blank facades to 15' segments. The applicant proposes a segment of 28'-3" and 29'-10" along Western Ave.

The Board recommended approval of the departure, as the Board noted the logical placement of the garage on Western Ave. However, the Board recommended changes to create greater façade cohesion and improved visibility of the garage entry. Specifically, the Board recommended a condition to further demark the where the garage entry starts/ends, utilizing a material palette consistent with the materials already being used throughout the project. (B-4.2. Coherent Interior/Exterior Design, E-3 Minimize the Presence of Service Areas)

6. **Parking Stall Ratios (SMC 23.54.030.B2.c.):** The Code requires a minimum of 35 percent of the parking spaces to be striped for large vehicles when 20 or more spaces are provided. The applicant proposes 25 percent (42 large stalls instead of 60 large stalls).

The Board recommended approval of the departure, as the Board noted the logical placement of the garage on Western Ave. However, the Board wanted to see improvement of the façade to create greater façade cohesion and improved visibility of the garage entry. Specifically, the Board recommended a condition to further demark the where the garage entry starts/ends, utilizing a material palette consistent with the materials already being used throughout the project. (B-4.2. Coherent Interior/Exterior Design, E-3 Minimize the Presence of Service Areas)

7. **View Corridor (SMC 23.49.024.C):** The Code requires a 40 foot setback above 60 feet along Marion Street to accommodate the view corridor. The applicant proposes to encroach in to 40-foot setback with a glass railing for a width of 33 feet for a height of 3’-6”.

The Board unanimously recommended approval of the departure, as the Board found the railing to be unobtrusive and to create no adverse impact on the view corridor and recommend approval of the requested departure. (D6 and B4.3)

DESIGN REVIEW GUIDELINES

The Downtown Neighborhood 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

A-1 Respond to the Physical Environment: Develop an architectural concept and compose the building's massing in response to geographic conditions and patterns of urban form found nearby or beyond the immediate context of the building site.

A-1.1. 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.).

A-1.2. 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.

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.

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;
f. enhance the garage opening with specialty lighting, artwork, or materials having distinctive texture, pattern, or color
g. provide sufficient queueing space on site.

E3 Minimize the Presence of Service Areas: Locate service areas for trash dumpsters, loading docks, mechanical equipment, and the like away from the street front where possible. Screen from view those elements which for programmatic reasons cannot be located away from the street front.

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

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

BOARD DIRECTION

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

The recommendations of the Initial Recommendation meeting summarized above was based on the design review packet dated Tuesday, November 05, 2019, and the materials shown and verbally described by the applicant at the Tuesday, November 05, 2019, Design Recommendation meeting. The Design Review Report was amended after the Final Recommendation meeting on February 11, 2020, where an additional departure request was reviewed (guidance and conditions from the initial Recommendation Meeting held on Tuesday, November 05, 2019 remains applicable). After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended APPROVAL of the subject design and departures with the following conditions:

1. Study opening up the food hall to the street with a more flexible street-level façade to support spill out seating etc. (C-3 Provide Active — Not Blank — Facades)
2. Refine the residential and office entries along Alaska Way to create more clarity and distinguish between entrances. (C-4 Reinforce Building Entries)
3. Clarify entry locations as the project evolves, including an entry at the skinny retail as verbally described at the Recommendation meeting. (C-4 Reinforce Building Entries)

4. Design the screen (located at the pedestrian stair top landing) to be more than a standard perforated screen and to have a design element to it as shown in the packet with the back lit concept. (D-3 Provide Elements That Define the Place)
5. Work with the other pedestrian bridge stakeholders (SDOT and Office of Waterfront) to establish signage locations that would clarify for pedestrians the connection to the ferry terminal. (D-4 Provide Appropriate Signage)
6. Balcony projections and gaskets depths should remain as presented at the Recommendation meeting. (B-4 Design a Well-Proportioned & Unified Building)
7. Privacy screens should be designed with a material selection that doesn't detract from the strong horizontal architectural expression of the balconies themselves, and the privacy screens should remain less visually prominent than the horizontal expression as the project moves forward. (B-4.3. Architectural Details)
8. Clarify the lighting conditions support pedestrian safety and security as the project moves forward. (D-5 Provide Adequate Lighting)
9. Further demark the where the garage entry starts/ends, utilizing a material palette consistent with the materials already being used throughout the project. (B-4.2. Coherent Interior/Exterior Design, E-3 Minimize the Presence of Service Areas)

ANALYSIS & DECISION – DESIGN REVIEW

DIRECTOR'S ANALYSIS

The design review process prescribed in Section 23.41.008.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 Final Recommendation meeting held on February 11,2020, the Board recommended approval of the project with the conditions described in the summary of the Final Recommendation meeting above.

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

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

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

The applicant responded to Recommended Design Review Conditions 1-9 (as numbered below) in a memo dated July 22, 2021 (uploaded on 7/26/2021), supplemental graphics (dated July 14, 2021, uploaded 7/26/21) and an associated MUP plan set (Plan Set_Cycle 4, dated 7/14/2021, uploaded 7/26/2021), stating:

1. *Using a draft fit-out of the interior Market Plan, a series of openings have been designed into the façade at Ground Level along with additional entrance doors noted along Western Ave and Columbia St.*
    a. North Market: added opening above counters in the northeast corner and an overhead door in the northwest corner
    b. South Market: added overhead door opening along Alaska Ave
    c. Lobby Café: added opening above counter along Alaska Ave and an operable wall between the café and Office Lobby
    d. Coffee Window: added opening above counter along Columbia St with a full time service window.

    This response satisfies recommended condition 1 for the MUP decision.

2. *Articulation of the office and residential entrances have been developed with increased opacity to distinguish these entrances from the more public Market Entrances, which have also been reproportioned and recessed into the façade with illuminated signage.*

    This response satisfies recommended condition 2 for the MUP decision.

3. *Multiple new retail entry locations have been developed, guided by the draft interior fit-out Market Plan, following the language of the entrances along Alaskan Way. Two additional entries along Western Ave, one at the skinny retail, and two at either end of the Columbia St elevation are shown in the current drawings.*

    This response satisfies recommended condition 3 for the MUP decision.

4. *The back lit screen at the top of the Marion St Stair has been refined to align with the concept presented in the recommendation package while maintaining cohesion with the rest of the project. Varying sized, perforated panels wrap the elevator volume mimicking the mullion pattern of the main volumes of the building. A mix of different diameter perforations in the panels will add a rich texture to the feature light wall.*

    This response satisfies recommended condition 4 for the MUP decision.

5. *The Applicant has worked with SDOT/Office of the Waterfront on design, engineering, schedule coordination, access, and other issues for several years. and will continue to do so with respect to wayfinding and other signage. An email from Angela Brady, Deputy Director, SDOT Waterfront Program, was submitted along with this Correction Response.*

    The email (dated July 19, 2021, uploaded July 26, 2021) from the SDOT Waterfront Program demonstrates a commitment for ongoing coordination between the applicant and pedestrian bridge stakeholders on the design of wayfinding signage. This response satisfies recommended condition 5 for the MUP decision.

6. *Balcony projections and gaskets depths will remain as presented at the Recommendation meeting.*

   To satisfy recommended Design Review condition 6, a condition on the MUP decision shall be required to maintain balcony projections and gaskets depths as presented at the Recommendation meeting for the life of the project.

7. *Planter boxes, along with foliage, have been selected to act as dividers between residential units that share the same balcony form. Low height and dark colors were selected as not to interfere with the strong horizontal expression of the balcony guardrails.*

   This response satisfies recommended condition 7 for the MUP decision.

8. *From ongoing coordination with Office of the Waterfront, the Design team learned that WA Ferries is installing uplighting at the supporting piers along with indirect lighting on the new pedestrian bridge itself. This information was not known at the time of Recommendation, and was rendered dark in the Recommendation Package. The Owner and Design team will continue to work with the Office of the Waterfront on the supporting lighting for pedestrian safety and security in this area. No new project lighting is proposed due to the work underway in the Right-of-Way.*

   This response satisfies recommended condition 8 for the MUP decision.

9. *Development of the Western Ave elevation includes narrowing of the blank facades on either side of the garage entrance and the addition of a glazed portion immediately adjacent to the garage entry. The walls that flank the garage entry were changed to solid panels while the sectional garage door panels will remain perforated, further helping to demark the entry along this façade.*

   This response satisfies recommended condition 9 for the MUP decision.

The design response to the recommended conditions shall be shown on the construction plans, and the installation of these items will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy, as conditioned below.

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 accepts the Design Review Board's recommendation and conditions 1-2 shall be required.

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 at the end of this Decision.

II. ANALYSIS – SHORELINE SUBSTANTIAL DEVELOPMENT

SMC Section 23.60A.030 contains the criteria for obtaining shoreline substantial development permits. The Director may approve or approve with conditions an application for a development that requires a shoreline substantial development permit if the Director determines the applicant has demonstrated that the development meets the criteria listed below.

1. *Is consistent with the policies and procedures of RCW 90.58.020;*

Chapter 90.58 RCW is known as the Shoreline Management Act of 1971. It is the policy of the State to provide for the management of the State's shorelines by planning for and fostering all reasonable and appropriate uses. This policy seeks to protect against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life, while protecting generally public rights of navigation and corollary incidental rights. Permitted uses in the shorelines shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water. Construction of the project will result in no direct impacts to the nearby Elliott Bay and, by using appropriate Best Management Practices during construction for protection of the aquatic habitat, will not adversely impact the state-wide interest of protecting the resources and ecology of the shoreline. The subject application is consistent with the procedures outlined in RCW 90.58. This criterion has been met.

2. *Is not prohibited in any shoreline environment, underlying zone and overlay district in which it would be located;*

The proposed uses within the shoreline environment are ground level retail, commercial office space, and residential units, with associated underground parking. These uses are permitted in the UH Shoreline Environment (SMC 23.60A.442) and in the underlying DMC-170 zone (SMC 23.49.042). This criterion has been met.

3. *Meets the standards in this Chapter 23.60A and any applicable development standards of the underlying zone or overlay district, except where a variance from a specific development standard has been granted; and*

The Shoreline Management Act provides definitions and concepts, and gives primary responsibility for initiating and administering the regulatory program of the Act to local governments. The Department of Ecology is to primarily act in a supportive and review capacity, with primary emphasis on ensuring compliance with the policy and provisions of the Act. As a result of this Act, the City of Seattle adopted a local shoreline master program, codified in the Seattle Municipal Code at Chapter 23.60A that also incorporates the provisions of Chapter 173-27, WAC. Title 23 of the Municipal Code is also referred to as the Land Use Code. Development on the shorelines of the state is not to be undertaken unless it is consistent with the policies and provisions of the Act, and with the local master program. The Act sets out procedures, such as public notice and appeal requirements, and penalties for violating its provisions which have also been set forth in the Land Use Code.

In evaluating requests for substantial development permits, the Director must determine that a proposed use and subsequent development meets the relevant criteria set forth in the Land Use Code. The Shoreline Goals and Policies, part of the Seattle Comprehensive Plan, and the purpose and location criteria for each shoreline environment must be considered and this project with its upland location was found to comply. The purpose of the UH Environment (SMC 23.60A.220.D.6.) is to encourage economically viable water-dependent and water-related uses to meet the needs of waterborne commerce, facilitate the revitalization of the city's central waterfront, provide opportunities for public access and recreational enjoyment of the shoreline, preserve elements of historic and cultural significance and protect ecological functions. A proposal must also be consistent with the general development standards of SMC 23.60A.152, the specific standards of the UH shoreline environment (SMC 23.60A,

Subchapter XII, Part 2) and underlying zoning designation (DMC-170), which are discussed below.

SMC 23.60A.152 - Development Standards for all Environments
These general standards apply to all uses in the shoreline environments. The standards require that design and construction of all uses be conducted in an environmentally sound manner, consistent with the Shoreline Management Program and with best management practices for the specific use or activity. Compliance with applicable codes and ordinances for construction of the project (e.g., Building Code, Stormwater Code, Grading Code) will reduce or eliminate most potential adverse long-term impacts to the shoreline environment. The applicant will implement Best Management Practices during development to ensure, in part, protection of water quality and potential adverse impacts to the shoreline environment and nearby Elliott Bay during construction.

Standards for UC Environment and the DMC-170 underlying zone
The subject property is classified as an upland lot and is located within an Urban Harborfront (UH) Environment, as designated by the Seattle Shoreline Master Program. Pursuant to SMC 23.60A.442, Commercial uses (including sales/retail and offices), residential and accessory parking uses are permitted outright on upland lots in the UH Environment. The project has been reviewed by SDCI staff and found to be consistent with all applicable use and development standards such as height and rooftop features. The mixed uses proposed are also consistent with all applicable standards in the underlying zone (SMC 23.49) where this project will be located. This criterion has been met.

4. *If the development, shoreline modification, or use requires a special use approval, shoreline conditional use permit, or shoreline variance permit, the project meets the criteria for the same established in Sections 23.60A.032, 23.60A.034, or 23.60A.036, respectively.*

The proposed project does not require special use approval, a shoreline conditional use permit or a shoreline variance permit. This criterion is not applicable.

CONCLUSION

SMC Section 23.60A.063 provides authority for conditioning of shoreline substantial development permits as necessary to carry out the spirit and purpose of and assure compliance with the Seattle Shoreline Code, Chapter 23.60A, and with RCW 90.58.020 (State policy and legislative findings). To be consistent with shoreline general development standards for protection of the aquatic environment (SMC 23.60A.152), the project will be required to employ Best Management Practices during construction and installation to protect the shoreline environment. Thus, the proposal is consistent with the criteria for a shoreline substantial development permit and may be approved.

DECISION - SHORELINE SUBSTANTIAL DEVELOPMENT

The Director has determined that the proposal satisfies the criteria of SMC 23.60A.030 and therefore recommends to the Department of Ecology that the Shoreline Substantial Development Permit be APPROVED.

III. 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 March 28, 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 greenhouse gas emissions, construction parking and traffic, construction-related noise, earth and soils, air quality, 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 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 Downtown zones.

If extended construction hours are needed to address an emergency, the applicant may seek approval from SDCI through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated.

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

Earth / Soils

The ECA Ordinance requires submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in Liquefaction Prone Areas. Pursuant to this requirement the applicant submitted geotechnical engineering studies (Geotechnical Master Use Permit Report Addendum, GeoEngineers, January 8. 2020; Geotechnical Master Use Permit Report, GeoEngineers, July 26, 2019). As stated in the submitted report, "the planned foundation elevation will require removal of the potentially liquefiable soils. As a result of excavating to the planned foundation elevation, the liquefaction hazard will be effectively mitigated." The study has been reviewed and approved by SDCI's geotechnical experts, who will require what is needed for the proposed work to proceed without undue risk to the property or to adjacent properties. The existing Grading and Stormwater Codes will sufficiently mitigate adverse impacts to the ECAs. No additional conditioning is warranted pursuant to SEPA policies (SMC 25.05.675.D).

Environmental Health

If not properly handled, existing contamination could have an adverse impact on 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: greenhouse gas emissions; parking; potential blockage of designated sites from the Scenic Routes nearby; 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, cultural resources, height, bulk and scale, light and glare, parking, public views, and traffic warrant further analysis.

Greenhouse Gas Emissions

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

Historic Preservation

The site is located south of a designated historic landmark, the Maritime Building located at 911 Alaskan Way and adjacent to the Pioneer Square Preservation District. 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 letters, reference number LPB 220/22). 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.

Cultural Resources

The project is located seaward of 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; as the site was below the low tide elevation, it would have been inaccessible for human settlement. By the mid-late 19th century, filling activity and wharf construction began in the area of the waterfront and this is the period when historic archeological material may be deposited. The applicant submitted a Cultural Resources Overview Assessment report, dated May 29, 2019 by Perteet, which indicated the high potential for buried historical archaeological material to be present within 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. The report included further analysis and recommendations prepared by a professional archaeologist, consistent with Section B of the Director's Rule.

The report recommended any project excavations with the potential to reach below modern fill be monitored by a professional archaeologist. In addition, the report recommended a project specific Monitory and Inadvertent Discovery Plan (MIDP) be developed that identifies the specific locations and

depths that should be monitored. The MIDP should describe the steps to take in the event of the discovery of archaeological material during construction and will include contact information for all involved parties including affected Tribes and State Department of Archaeology and Historic Preservation (DAHP). These recommendations will be required prior to issuance of a building permit and are listed as conditions at the end of this report.

In addition to the condition of monitoring during construction, 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 Demolition, Excavation/Shoring, or Construction Permit:

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:

- Stop work immediately and notify the SDCI Land Use Planner 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.

- 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.

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.

Light and Glare

SMC 25.05.675.K provides policies to minimize or prevent hazards and other adverse impacts created by light and glare. The applicant provided a Solar Glare Analysis (SEPA Attachment 1: Appendix C, EA Engineering, Science and Technology, Inc., March 2019) and Supplemental Solar Glare Analysis (uploaded April 5, 2021). The proposed development is not anticipated to have a significant adverse light and glare impact and no mitigation is warranted.

Public Views

SMC 25.05.675.P provides policies to minimize impacts to designated public views listed in this section. Alaskan Way is a SEPA Scenic Route. The applicant provided view studies showing the proposed development in relation to the designated public views in SMC 25.05.675.P. The proposed development is located in a manner that maintains a view of Elliott Bay or the Olympic Mountains along Alaskan Way.

A viewshed analysis was completed to show potential impacts to views ('Aesthetics-Viewshed Analysis for the proposed 75 Marion St Redevelopment', by EA Engineering, Science and Technology, Inc., dated March, 2019, uploaded 4/2/2019 as part of Attachment 1 to the SEPA checklist). The proposed development does not block views of Elliot Bay or any nearby historic landmarks.

Mitigation is not warranted under SMC 25.05.675.P.

Parking

Parking demand will be generated by both the residential and the commercial uses. The project is proposing to provide approximately 187 parking stalls (89 residential, 98 non-residential) in a below-grade parking garage accessed from Western Avenue. The Transportation Impact Analysis (Transpo Group, March 2019) estimated parking demand rates for each of the project's components. Based on these rates, the residential units are forecast to generate a parking demand of 57 vehicles, which would be accommodated by the 89 residential stalls. The office space is forecast to generate a demand of approximately 132 vehicles, and the retail space is expected to generate a demand of about 13 vehicles.

This combined demand of 145 vehicles would not be fully accommodated by the 98 non-residential parking stalls on-site. Short-term (primarily retail) demand likely would be met by on-street spaces near the project, while longer-term parking demand would be accommodated by off-street lots. The study identified six such lots with approximately 1,500 parking stalls within 800' of the project site. This parking supply is anticipated to be able to accommodate the project's spillover parking, and no significant parking impacts are expected from the proposed development pursuant to SMC 25.05.675 M.

Transportation

The Transportation Impact Analysis was prepared for this project in March 2019 (Transpo Group). It forecast that the project would generate roughly 1,100 net new daily trips, with 73 new trips in the AM peak hour and 85 new trips in the PM peak hour. The study analyzed the expected traffic impacts at five nearby intersections, and forecast that project traffic would result in only very minor increases in average delay (two seconds or less) during peak hours. Project modifications since the Transportation Impact Analysis was conducted have slightly reduced the proposed number of residential units and amount of

commercial floor area; these changes would result in slightly fewer trips being generated than noted above, and a slightly smaller impact at study intersections.

The project is proposing two loading berths, one fewer than the three required by the Land Use Code. This reduction request is analyzed in the memo titled Loading Dock Analysis Update (Transpo Group, April 6, 2022). This reduction request was reviewed by SDOT and SDCI staff, who identified potential impacts to pedestrians on the Western Avenue sidewalk as well as possible vehicle congestion on Western Avenue when the loading berths are occupied. The analysis describes the following mitigation measures. To increase visibility between vehicles leaving the parking garage and pedestrians, windows or sight triangles shall be added on either side of the garage driveway and planter boxes shall be placed on either side of the driveway to prevent pedestrians from walking next to the building. Potential congestion due to occupied loading berths shall be mitigated through a Loading Dock Management Plan, which will include an electronic message sign that will be activated when both berths are occupied. With these conditions, no significant transportation impacts are anticipated from the proposed development pursuant to SMC 25.05.675 R.

DECISION – SEPA

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

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

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

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

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

CONDITIONS – DESIGN REVIEW

For the Life of the Project

1. Maintain balcony projections and gaskets depths as presented at the Recommendation meeting.

2. 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.

CONDITIONS – SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

None.

CONDITIONS – SEPA

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

3. 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

4. Provide a Monitoring and Inadvertent Discovery Plan (MIDP) prepared by a qualified professional; MIDP shall be consistent with the recommendations of the Cultural Resources Overview Assessment (Perteet, May 29, 2019).

5. 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.

6. Update the plan set to include the planter boxes as described in the Loading Dock Analysis Update memo (Transpo Group, April 6, 2022). Planter boxes shall be installed on the sidewalk on either side of the driveway to improve sight lines by preventing pedestrians from walking immediately next to the building.

7. Update the plan set to include sight triangles or windows as described in the Loading Dock Analysis Update memo (Transpo Group, April 6, 2022). Sight triangles or windows shall be placed on both sides of the driveway to increase visibility of vehicles exiting the driveway.

8. Provide a Loading Dock Management Plan substantially similar to the one in Attachment 2 of the Loading Dock Analysis Update memo (Transpo Group, April 6, 2022). The reference to "blank out message signs" shall clarify that these will be electronic message signs visible to truck drivers before they enter the parking garage that will alert drivers when both loading berths are occupied.

During Construction

9. Monitoring for cultural resources shall be conducted in accordance with the Monitoring and Inadvertent Discovery Plan. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:

    - Stop work immediately and notify the SDCI Land Use Planner 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.

- 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.

For the Life of the Project

10. Implement a Loading Dock Management Plan substantially similar to the one in Attachment 2 of the Loading Dock Analysis Update memo (Transpo Group, April 6, 2022).

Crystal Torres, Senior Land Use Planner Date: September 6 2022
Seattle Department of Construction and Inspections

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