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

Record Number: 3038668-LU

Applicant: Handy Poppi, Third Place Design

Address of Proposal: 2033 4th Ave

SUMMARY OF PROPOSAL

Land Use Application to allow a 45-story, 400-unit apartment building with retail. Parking for 24 vehicles proposed. Existing building to be demolished. Early Design Guidance conducted under 30838667-EG.

The following approvals are required:

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

SEPA - Environmental Determination (SMC 25.05)

SEPA DETERMINATION
:

Determination of Non-significance

☐ No mitigating conditions of approval are imposed with the DNS but are recommended for consideration by City Council.

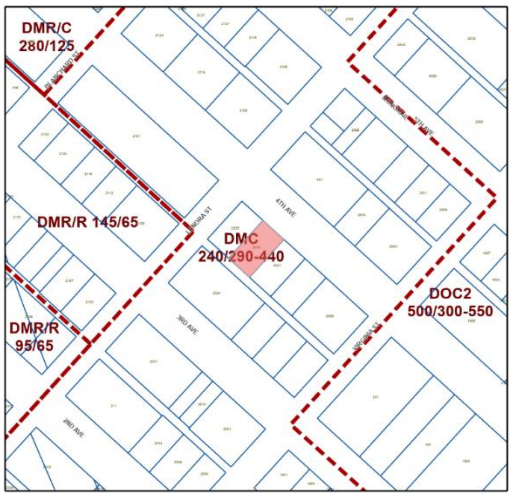
☒ Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts.

SITE & VICINITY

Site Zone: Downtown Mixed Commercial 240/290-440

Nearby Zoning: (North) Downtown Mixed Commercial 240/290-440
(South) Downtown Mixed Commercial 240/290-440
(East) Downtown Mixed Commercial 240/290-440
(West) Downtown Mixed Residential/R 145/65

Project Area: 6,482 square feet (sq. ft.)



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 file will control.

Environmentally Critical Areas (ECA): There are no mapped environmentally critical areas located on the subject site.

Current and Surrounding Development; Neighborhood Character; Access:

The proposal site, located on the south side of 4th Ave, midblock between Lenora St to the north and Virginia St to the south, lies within the Belltown neighborhood of the Downtown Urban Center. An improved alley at the rear of the site runs parallel to Fourth Ave.

The relatively flat 60' x 100' site is currently occupied by a single-story concrete masonry structure (CMU) of approximately 3,000 square feet in size, measuring 60' in the north south direction and 50' in the east west direction. The CMU structure is situated on the westerly most section of the site along the alley with a parking lot to the east portion of the site, accessed directly from 4th Avenue. The current use is a Jiffy Lube mechanic shop primarily performing oil changes for automobiles.

Adjacent to the site are a parking structure to the northeast, a pharmacy to the northwest, a multifamily residential structure to the southeast, and a mixed-use structure to the southwest. The surrounding blocks comprise an assortment of uses, including multifamily residential, commercial, mixed-use, entertainment venues, dining, and office uses. 4th Ave is a northbound principal arterial and transit corridor within proximity of the Westlake Link light rail and Seattle Monorail stations. The street grid shifts south of Stewart St two blocks to the east, marking the transition to the Downtown business area to the south. Neighborhood recreation spaces Victor Steinbrueck Park and Pier 62 to the southwest offer views of Elliott Bay.

The neighborhood fabric consists of historic and City Landmark structures dating from the early- to mid-1900s, including the Securities Building, the Danahoe Building, Palladian Apartments, Moore Theatre and Hotel, the Josephinum. The historic character of the block manifests itself by strong pedestal bases, rhythmic fenestration patterns, and decorative secondary architectural elements. The area is experiencing a redevelopment to create housing and hospitality

accommodations by increasing density and building heights. The addition of recent contemporary highrise developments results in varied scales ranging from low- to highrise. Multiple projects in the vicinity are currently in review or under construction, including 1915 3rd Ave, 1931 3rd Ave, 2000 3rd Ave, and 2031 3rd Ave.

PUBLIC COMMENT:

The public comment period ended on February 7, 2022, and extended to February 21, 2022. 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 the following concerns that the most recent project plan set shows the probability of environmental impacts from transportation and waste plans have deficiencies in terms of loading, delivery, parking. Other comments related to the lack of a Transportation Impact Analysis, no estimation on how long cars waiting for valet parking may which would result in blocking the alley and truck accessing the loading berth would encumber other vehicles attempting to gain entry into the alley. Finally, there was also a request to extend the public comment period.

There were also comments provided by the Washington State Department of Ecology (Ecology) expressing appreciating that the applicant acknowledges the existing environmental covenant that relates to known contamination on site. Ecology also stated that there are a number of activities that would occur during redevelopment that per the terms require Ecology approval. The agency verbalized their concern that contaminated soil remains under the current building on the property and requested that the applicant work with environmental professionals experienced in MTCA clean-ups to ensure any activities on the property meet MTCA requirements. The department also stated that they could not find a notification of the property sale in their files, as required by the covenant, and requested the applicant submit this information as quickly as possible.

Comments were also received that were beyond the scope of this review and analysis pertaining to waste and recycling receptacles permanently stationed opposite and adjacent to the project site for buildings without internal storage facilities and a University of Washington study on delivery truck patterns.

I. ANALYSIS – DESIGN REVIEW

EARLY DESIGN GUIDANCE November 23, 2021

The design packet includes information presented at the meeting, and is available online by entering the record number 3034348-EG at this website:
http://www.seattle.gov/DPD/aboutus/news/events/DesignReview/SearchPastReviews/default.aspx
Any recording of the Board meeting is available in the project file. This meeting report summarizes the meeting and is not a meeting transcript.

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

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

PUBLIC COMMENT

The following public comments were offered at this meeting:

- Stated that the project needs functioning loading berths due to delivery vehicles spending time searching for delivery parking due to the incumbrance of bus and bike lanes and limited on street parking.
- Stated that a turn radius study needs to show solid waste staging off the alley and truck turning radius as requested at the community outreach meeting.
- Suggested that the loading plans provided in the EDG packet are not to scale and no matter the result, it needs to be code compliant and meet the demands of a 450-foot tower with residents and hotel guests.
- Suggested that the loading and drop-offs area in front of the project would not be possible per SDOT comment letter due to the existing bike lane and dedicated left turn lane.
- Suggested that the proposed parking elevator will results in traffic delays due to queuing in the alley.
- Suggested that the proposed loading design and access need to take into consideration dumpsters that are staged in the alley by buildings that do not have internal storage areas.
- Stated that all three design alternatives lack transition and sympathetic treatment to the historic building and residents to the south.
- Requested that the project be built as there is a need for more housing units and it would be a welcome addition to the City.
- Stated that the project will have an impact on the neighboring building.
- Suggested that the any reflected sunlight off the building's glazing will be intrusive to adjacent residential units.

SDCI staff also summarized design related comments received in writing prior to the meeting which in most cases were duplicative of comments offered at the time of the meeting:

- Encouraged retaining the large existing street trees.
- Requested light and privacy diagrams to understand impacts to the historic residence on the project's south lot line.
- Requested drawings and a turn radius study that shows solid waste will be staged off the alley and trucks can access the loading berth.
- Favored a design which considers alley width and functionality given current use and the impacts of historical structures on the limited alley width.
- Stressed the need to plan ahead for delivery and service vehicle parking so it does not impede the public right-of-way.

- Suggested limiting the structure's mass and scale to provide adequate public access.
- Stated that the project needs functioning loading berths.
- Suggested that all three design alternatives lack transition and sympathetic treatment to the historic building and residents to the south.
- Requested light and privacy studies and setbacks to provide light as mentioned at early outreach meetings, and which should be provided prior to project approval.
- Requested that the project be built as the City needs more housing units and the design would be great addition to Seattle.
- Questioned how both valet parking and commercial load zone can be installed and be functional.
- Suggested that the any reflected sunlight off the building's glazing will be obtrusive to adjacent residential units.
- Asked what the top of the building will be like in terms of type of lighting and other elements and their potential impacts to adjacent neighbors.
- Suggested that the community groups the commentor contacted did not have a recent community outreach meeting on this project proposal.

SDCI received non-design related comments concerning public outreach and the project file.

The Seattle Department of Transportation offered the following comments:

- Stated a minimum 8'-10' pedestrian clear zone, a 6'-8' landscape/furnishing zone, and a 6" curb are required for the street cross-section.
- Stated the project is required to close any unused curb cuts.
- Encouraged site improvements that facilitate pedestrian, bike, and transit access to the site.
- Encouraged coordinating short-term pick-up and drop-off functions.
- Supported the departure that reduces the width of overhead weather protection to protect the existing street trees.
- Stated a 20' wide alley and a 2' alley dedication is required.
- Strongly encouraged staging solid waste on private property.
- Requested clarification of where vehicular access for parking is proposed.
- Stated that streetlights are required to enhance the pedestrian realm.

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 (3038667-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. **Massing:**
    - **a.** The Board was unclear if the fritted glazing and infill panels could be achieved when moving up the tower, as seen in Alternative 2. The Board noted that the applicant should continue to develop the concept and demonstrate how this concept would be achieved in the Recommendation packet. **A-1.a, A-2.1, B-1.2, B-1.c, B-2.3, B-2.A, B-3.c., B.4.1, C-2.1, C-3, C-6.C.**
    - b. he Board verbalized their support for a skinny tower that would be a first of its kind in Seattle, indicated some support for alternative one, and the greatest amount of support for Alternative Three. The Board gave guidance to further develop the preferred option Alternative 3. **A-1.a, A-2.1, B-1.2, B-1.c, B.4.1, C-2.1, C-3, C-6.C.**
    - c. The Board discussed whether a flat façade for a tower this scale is appropriate but stated that given the size limitations of the site and minimal modulation, it seemed appropriate. **A-1.c, B-1.c, B-2.1, B-2.3, B-2.A, B-3.c.**
    - **d.** The Board had difficulty understanding the Frit and mural strategy designed for all four sides of the building and the differentiation of the base of the building from the tower as presented in the preferred alternative. The Board asked for further clarification in the Recommendation packet showing how the strategy will work and how the material elements will be applied. The Board also gave guidance to explore other options that are simpler in concept and application colors, forms, and textures, targeting three different approaches applied to the tower skin. **A-1.c, B-1.c, B-2.1, B-2.3, B-2.A, B-4.**
    - e. The Board acknowledged the similarities of all three alternatives given the extremely small site and were compelled by the preferred alternative, especially in relationship to the rooftop and strategies for concealing elements of the building core, and especially if the strategy can be executed well. A-**1.a, A-2.1, B-1.2, B-1.c, B.4, C-2.1, C-3, C-6.C.**
    - f. The Board stated that alternatives one and three embraced the idea of a slender tower while alternative two seems to have more tension that pulls away from the slender concept. The Board supported development of Alternative 3. **A-1.c, B-1.c, B-2.1, B-1.c, B-2.3, B-2.2, B-3.c, C-6.1**
    - g. The Board requested additional clarification in the Recommendation packet specifying the location and application of vision glass versus spandrel glass, tectonics of facade articulation, and glare and solar reflection for façade treatments. **C-1.3, D-1, D-5.1, D-5.c**

2. **Street Level**:
    - a. The Board asked for additional information in the Recommendation packet showing how the loading and valet parking would work with the street level design, in relationship to the bike lane and the left turn only on Lenora Street, as mentioned in both SDOT and public comments. **C-6.A, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1**

b. The board suggested that the applicant team modified the massing and identified and prioritized the appropriate design guidelines along the 4th Avenue building façade in terms of providing opportunities for human interaction, creating a unique and identifiable residential entry, and giving their support for the canopy departure request. B-3.c, **C-1, C-4.1, C-4.2, D-2.a, D-2.b, D-3.2.**
c. The Board stated the glassy insert expression at the building's southeast corner helps to reinforce the residential entry which they supported. **C-1, C-4.1, C-4.2, D-2.a, D-2.b, D-3.2.**
d. The Board appreciated the street sections and insets at the sidewalk along 4th Avenue that depict the potential for a sidewalk café. **C-6.A, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1**
e. The Board verbalized their concern about the relationship between the building massing at grade and design details that will affect the valet parking and loading zone along 4th Avenue, which appear not to be coordinated with SDOT, and the possibility of a massing change if the current loading and valet approach are not approved. The Board requested additional details and confirmation from SDOT that proposed approach is both coordinated with their offices and is a viable approach. **C-6.A, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1.**
f. The Board requested additional information about the valet parking, queuing and other information contained in the pending traffic study discussed by the design team. **C-6.A, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1**

3. Alley:

a. The Board suggested that the design team provided the required amount of space to accommodate the solid waste and loading dock area for such a narrow site as specified in their design. **C-6.A, C-6.1, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1.**
b. The Board discussed and supported changes to the building massing at grade and along the alley to provide any necessary setbacks for compliant waste removal per SPU design requirements. **C-6.A, C-6.1, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1.**
c. The Board also stated that other wasted staging areas for any adjacent building should be referenced in all subsequent packet submittals. **C-6.A, C-6.1, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1.**
d. The Board requested more zoomed in views of the alley in terms of materials and openings; including doors, gates, vents, louvers, etc., that are required to support the program. **C-6.A, C-6.1, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1.**

4. Top of Tower:

a. In their discussions, the Board acknowledged that the design team identified specific priority guidelines that generally relate to their design approach of the tower, however the Board also suggested that there is not enough information provided in the packet concerning the mechanical spaces, plan view diagrams, and other elements and how they related to the buildings overall massing. The requested that this information be provided in the next packet submission. **A.2, A-2.2, B-1.c, B-2.2, B.4, C-2.1, C-3, C-6.C, D-4.4, D-5.c.**
b. The Board reinforced the need to see the integration of rooftop equipment into a seamless building design and not an afterthought with a bunch of 'stuff' plopped on top. **A.2, A-2.2, B-1.c, B-2.2, B.4, C-2.1, C-3, C-6.C, D-4.4, D-5.c.**

INITIAL RECOMMENDATION September 6, 2022

The packet includes materials presented at the meeting, and is available online by entering the record number (3038668-LU) at the following website:
http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/SearchPastReviews/default.aspx

PUBLIC COMMENT

At the Initial Recommendation meeting, the following public comments were provided:

- Stated that the current design does not include the required amount of space to accommodate solid waste and loading dock functions.
- Stated that onsite loading must work as it is a design function.
- Stated that the project has not yet met design objectives from 8 months ago.
- Suggested that the tower footprint cannot support a design that includes loading and waste storage off alley can be sustainable.
- Stated that information on loading and turning radius studies was not used where it was needed the most.
- Requested that the departure for the width of the building not be granted.
- Requested that the 8-foot *'setback'* be applied to the north part of the property if it is approved so it is adjacent to the development at 2035 4th Ave.
- Suggested that there is no consideration or accommodation of development of the parcel at 2035 4th Ave in terms of window placement and building height and therefore should be re-oriented to the south, east and west.
- Interested in how the glass, mullions and window wall system come together.
- Very interested in the ceramic frit and how it will play out over the entire building façade.
- Generally, supports the departure request for more floor space in the upper parts of the tower.
- Asked if the building will have an IGU or insulated glass unit at the floor line which would give more depth to the ceramic frit pattern.
- Stated that they would like to see more color on the overall façade and more wood tones and accents as it moves up the building.

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

- Noted the tower will become part of the city skyline.
- Noted the Board previously supported a community request that waste be staged off the alley and that a proper loading berth turn radius study be provided.
- Concerned the loading berth is an inadequate size which could result in vehicles blocking the alley.
- Preferred solid waste collection receptacles be staged within the property.

SDCI received non-design related comments concerning the following:

- Stated that the extra vehicle miles traveled by delivery vehicle searching for parking have a negative effect on air quality and global warming.
- Stated that the project has not met the objectives called out by SPU and SDOT.

- State that there is no place for vehicles to drop off people related to the function of 400 units and suggested that valet parking located 300 feet away from the entrance to the building will exacerbate these problems.

SDCI received written comments from Seattle Department of Transportation (SDOT) consisting of the following:

- Requested clarification about the loading berth and ride hailing/sharing loading area.
- Supported taking vehicle access from the alley.

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

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. **Tower and Massing:**
    a. The Board stated that the applicant team responded well to EDG guidance in their continued exploration of the preferred option, alternative 3, in terms of clarifying the building's unifying aspects and addressing all four sides of the building with the glazing and window wall system. **A-1.a, A-2.1, B-1.2, B-1.c, B.4.1, C-2.1, C-3, C-6.C.**
    b. The Board acknowledged that the proposal site is an interior lot and that a small slender tower is most appropriate for a mid-block site and that the design is an appropriate massing response. **A-1.a, A-2.1, B-1.2, B-1.c, B.4.1, C-2.1, C-3, C-6.C.**
    c. The Board supported the slender building on an internal lot and admired the concept of undulating colors and how it pays respect to the imagery of the Pacific Northwest. **A-1.c, B-1.c, B-2.1, B-2.3, B-2.A, B-4.**
    d. Board members verbalized their concern about the distances between the proposal and adjacent buildings and the need to respect the neighboring buildings, and future development to the north and the effects of lighting to the neighbors to the south. As such, the Board requested additional information demonstrating how the south façade of the proposed building relates to the north façade of the Stratford Apartments and how the proposed building's north façade will respect potential future development up to 160 feet on the CVS property to the north. The Board also specifically requested a lighting concept plan that includes street level café, rooftop, and other proposed lighting. **A-1.a, A-2.1, B-1.2, B-1.c, B.4.1, C-2.1, C-3, C-6.C.**

2. **Architectural Concept:**
    a. The Board supported the new approach of frit patterns and mullions, and the subtle use of color which they felt was a better unifying strategy moving from the bottom of the building to the top than over the mural concept presented previously at EDG. **A-1.c, B-1.c, B-2.1, B-2.3, B-2.A, B-4.**
    b. Board members verbalized their concerns about the darker frit patterns near the base of the building potentially becoming opaque party walls and wanted to make sure the living spaces behind these walls that include studio units and kitchens receive proper natural light. As such, the Board requested additional detailed diagrams that depict a higher degree of transparency at the subject building's northeast and southeast corners. **A-1.c, B-1.c, B-2.1, B-2.3, B-2.A, B-4.**
    c. The Board discussed the possibility of viewing actual mockups of the mullion and frit patterns rather than relying solely on the artist's depiction of these important design elements. With the intent of better understanding the appearance of said design elements, the Board requested that the applicant team provide actual mockups of what the mullion and frit patterns will look like. The Board was okay with the applicant team using photographs to present this material at the next meeting. **B-1.c, B-2.1, B-2.3, B-2.A, B-4.**
    d. In discussing the warmness and the materiality of the streetscape which features wood and lighting designed to enhance the overall pedestrian experience along the street edge, the Board suggested that the street edge doesn't necessarily blend well with the much darker and cooler toned frit patterning of the tower. As such, the Board requested additional renderings which demonstrate better integration between the lower ground elements and the upper cooler tower tones. **B-2.1, B-2.3, B-2.A, B-4., C-3.1, C-4**

3. **Street Level**:
    a. The Board was supportive of the Café feature with the overhead weather protection and seating, and its potential for inviting and encouraging pedestrian use, as well as the lobby entrances that they suggested are easily identifiable considering such a narrow building. However, upon further discussion, the Board suggested that the current design does not draw a clear enough distinction between what is public and what is private and which users are allowed in which spaces. As such the Board requested additional information that helps identify the different realms and the applicant's intent of how they envision the spaces will be used. **C-6.A, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1**
    b. The Board stated that some of the design guidelines address residential entries, but the project proposal doesn't appear to have a very clear distinction between public vs private space, the location of the front entry to the residential use or whether the coffee shop, and/or the lobby is open to the public. The Board requested greater clarity on the tower entrance which would better help define pedestrian movements. **B-3.c, C-1, C-4.1, C-4.2, D-2.a, D-2.b, D-3.2**
    c. In discussing Design Guidelines which address illuminating distinctive features and sidewalk, the Board pointed out that the precedent imagery presented in the Recommendation packet are the opposite of the intent of the guidelines- specifically they are rather dark and unwelcoming and doesn't light the design feature being

discussed in the packet. The Board requested that the design team do a better job illuminating those specific design features paying closer attention to guidelines. **D-5.a. and D-5.b and B-3.3, B-4.3, C-1.c, D-5.a, D-5.b**

d. Echoing public and City agency comments, the Board verbalized their concerns about how deliveries, ride hailing services and valet parking would work considering traffic flow along 4th Ave moves in northern direction and many of the building's functions are projected to take place in or from the alley. While the Board understood that traffic flow, parking and vehicular movement were not in their purview, they did ask for an update on how the remaining traffic-related issues are resolved and what effect they will have on the building design. **C-6.A, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1**

4. **Alley**:
   a. The Board acknowledged the numerous public and City agency comments and verbalized their own concerns about the proposed heavy use of the alley for valet parking, solid waste storage and removal, pick up and drop offs and loading. **C-6.A, C-6.1, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1.**
   b. The Board asked how all the proposed uses and services will operate in relationship to each other and how these users will ultimately inform the overall building design- but more specifically the design of the west facing building façade. The Board requested additional information including detailed façade plans and elevation that depict the varying City requirements/solutions for alley operations and how they affect the over design of the west façade. **C-6.A, C-6.1, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1.**
   c. Recognizing that the alley will potentially be used for drop-off and pickups for residents and other patrons, the Board requested the design team provide design details on how users will navigate through the building from the alley to 4th Ave and vice versa. **C-6.A, C-6.1, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1.**

5. **Top of Tower:**
   a. The Board acknowledged that the design team provided a greater amount of detail of the rooftop in terms of amenities as requested at EDG. The Board did, however, request additional information about how the rooftop facilities will be lit in the evenings and how a lighting scheme will affect the adjacent properties. **A.2, A-2.2, B-1.c, B-2.2, B.4, C-2.1, C-3, C-6.C, D-4.4, D-5.c.**
   b. The Board asked for additional details of what the views of the building will be like as seen from the west and how the building will affect the skyline. **A.2, A-2.2, B-1.c, B-2.2, B.4, C-2.1, C-3, C-6.C, D-4.4, D-5.c.**

6. **Materials:**
   a. In their deliberations, the Board stated that the revised design approach to all four sides of the building and revised fritted glass panels and mullions were an elegant solution for a tall slender building. **B-3.2, B-3.c, B-4.3, C-2.1**
   b. The Board verbalized their concern about some of the party walls potentially being too opaque hampering the amount of light transition through those panels. To get a better sense that enough light will enter the studio units and kitchens, the Board

requested additional design details of the fritted glass panels on the northeast and southeast corners of the buildings. **B-3.2, B-3.c, B-4.3, C-2.1**

FINAL RECOMMENDATION OCTOBER 11, 2022

The packet includes materials presented at the meeting, and is available online by entering the record number (3038668-LU) at the following website: http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/SearchPastReviews/default.aspx

PUBLIC COMMENT

At the final Recommendation meeting, the following public comments were provided:

- Stated that the current design does not provide sufficient details for the loading dock and solid waste storage and staging.
- Suggested that the drawings for the project are woefully incomplete as it is not known where the building is located on the site.
- Suggested that there is no recognition of development that is very likely to take place on the adjacent parcel as the Board had asked for elevation and additional drawings showing (this relationship) which has not yet happened.

SDCI received non-design related comments concerning the following:

- Stated that the extra vehicle miles traveled by delivery vehicle searching for parking have a negative effect on air quality and global warming.
- Stated that solid waste staging will preclude truck loading operations.
- Suggested that the project needs vehicle turn study for this revised design.
- Suggested that the turning radius studies provided by the applicant demonstrate that trucks cannot access loading berth without colliding with internal or external garbage storage or wall of adjacent building.

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

- Requested incorporating a Coast Salish design similar to the Duwamish Longhouse and the UW Intellectual House with communal gathering areas and Coast Salish artwork where it makes sense.
- Highly recommended only using native vegetation for the landscaping.
- Opined the design is thoughtful, harmonious with the surrounding uses, and will provide great activation and visual appeal of the street.
- Four additional comments (containing photographs) were uploaded to support a previously submitted comment.

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

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. **Tower:**
    a. The Board stated that design team responded well to previous Board guidance and supported how the design team provided additional building details that better demonstrates the tower's layering concept and the mullion details that show just enough depth and texture without overwhelming the simplicity of the building form. **A-1.a, A-2.1, B-1.2, B-1.c, B.4.1, C-2.1, C-3, C-6.C**
    b. The Board supported the slender tower form and agreed with previous Recommendation 2 (Rec 2) guidance to not support the departure request of 'changing up the mass' (widen the lower reaches of the building) as the tower now reads better as a unified volume. **A-1.a, A-2.1, B-1.2, B-1.c, B.4.1, C-2.1, C-3, C-6.C.**
    c. The Board agreed that the re-designed building is an elegant design solution to a very slender tower but had specific question about window treatments and suggested that a condition of approval to make window treatments uniform in appearance despite there not being specific design guideline to address this or within the Board's purview. While not giving specific guidance, the Board did suggest that a comprehensive approach to window treatments should be taken into consideration. **B-3.c, B-4, C-1.3**

2. **Architectural Concept:**
    a. The Board agreed that the frit patterns and mullions as demonstrated in the EDG 2 packet are more successful and the concern that the glass would be too opaque in relationship to how it might be perceived from inside and out was no longer a major concern. **A-1.c, B-1.c, B-2.1, B-2.3, B-2.A, B-4.**
    b. The Board agree that the variations in the mullions and their associated geometry, a part of the project design from the very beginning looked good as they read as one unified tower element. **A-1.c, B-1.c, B-2.1, B-2.3, B-2.A, B-4.**
    c. The Board supported the previous Board's decision from Rec 1 to not approve the departure request for the added building width and changing up of the mass as the current design reads well as a uniform volume which responds well to the guidance given at the previous meeting. **A-1.c, B-1.c, B-2.1, B-2.3, B-2.A, B-4.**

3. **Street Level**:
    a. In meeting specific guidance provided at Rec 1, the Board agreed that the revised entry transition depicted in the street elevations in the recommendation packet does a better job making distinction between the residential and café entrances. **B-3.c, C-1, C-4.1, C-4.2, D-2.a, D-2.b, D-3.2**
    b. The Board had concerns about the circular elements of the café railing and whether they were for short-term bike parking or not. The Board felt that parking bikes on the building side of the sidewalk against the railing is possibly distracting and physically

problematic and suggested that the design team to rethink their approach to the short-term bike but declined to make this a condition of final approval. **C-6.A, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1**

4. **Alley**:
    a. The Board acknowledged the inclusion of the loading dock area which is not required and the fact that the solid waste is being stored on site and staged in the alley on collection days and felt that there concerns about alley access and use had been alleviated. **C-6.A, C-6.1, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1.**
    b. In their discussions the Board also acknowledged the use of the valet parking approach which they suggested could work given size limitations of the proposal and encouraged the design team to continue to work with SDOT and other City agencies to satisfy requirements to make the system work. **C-6.A, C-6.1, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1.**
    c. The Board stated that the alley façade provided in the Rec 2 packet was helpful in gaining a better understanding of how the valet and other aspects in terms of solid waste and loading associated with the building will work. **C-6.A, C-6.1, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1.**
    d. The Board agreed that the service entries and parking as it relates to design review guidelines have been carefully considered but recognized that their success is dependent upon building management taking care of these areas. The Board understood that any further analysis related to parking and service access would be reviewed through the SEPA process. **C-6.A, C-6.1, C-6.2, D-1.1, E-1.1, E-2.1, E-3.1.**

5. **Roof scape:**
    a. The Board appreciated how the building color lightens as it moved upward to the top building but had concerns with the roof which they characterized as being visually distracting and somewhat heavy due to the greater number of wall surfaces unlike the rest of the building which relies on four planes. As such the Board supported a condition that the design team study ways of using fixtures that are less intrusive, using lighting that is less bright, and de-emphasizing or reducing the mullion patterning or density so that roof becomes appearance and less pronounced and potentially lighter in appearance. **B-1.c, B-2.1, B-2.3, B-2.A, B-4.**
    b. In their discussions the Board acknowledged that the design team had provided additional details along with varying views of the building as seen from the west and its relationship to the skyline and therefore had no further comment. **A.2, A-2.2, B-1.c, B-2.2, B.4, C-2.1, C-3, C-6.C, D-4.4, D-5.c.**

6. **Materials:**
    a. In their deliberations, the Board reaffirmed that the revised design approach to the building using fritted glass panels and mullions was an elegant solution for a tall slender building. **B-3.2, B-3.c, B-4.3, C-2.1**
    b. The Board in continuing the previous discussion about party walls becoming too opaque, hampering the ability for light infiltration through fritted panels agreed that

the revised approach using a gradient of darker to lighter color as demonstrated in the recommendation packet is no longer an issue. **B-3.2, B-3.c, B-4.3, C-2.1**

DEVELOPMENT STANDARD DEPARTURES

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

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

1. **Overhead Weather Protection (SMC 23.49.018.B):** The Code requires that overhead weather protection shall 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 to reduce the width of the overhead weather protection by 2 feet to reduce potential impacts to the existing street trees along 4th Ave. The justification as stated is the desire to maintain healthy tree coverage along 4th Ave.

   The Board recognized the applicant's rationale and unanimously supported the departure request. As such the Board recommended approval of the departure request as the proposed departure better meets the intent of Design Guidelines. **B-3.3. Pedestrian Amenities at the Ground Level**, **C-1.3. Street Level Articulation for Pedestrian Activity, C.4 Reinforce Building Entries, C.5 Encourage Overhead Weather Protection, D-1.1. Pedestrian Enhancements, C-5.A, Overhead Weather Protection Design Considerations.**

2. **Street Setback at Street level - Facade Setback Limits: (SMC 23.49.056.B.2):** The Code says the following:
   A.1) if structure is >15-0 ft high, setback limit applies to the façade between 15-0 ft above the sidewalk and min. Façade height
   B. Max area of all setbacks between street lot line & facade along each street frontage shall not exceed area derived by multiplying averaging factor by width of street front along the street. Averaging factor is 5 on class I pedestrian streets.
   C. Max. Width of any setback exceeding 15-0 ft depth from lot line shall not exceed 80-0 ft or 30% of the lot frontage on that street, whichever is less.

   The applicant is requesting a setback of 9 feet deep by 45 feet long by 21 feet tall. The justification is that this departure will aid in providing a larger outdoor seating area along with the main entry along 4th Ave. The higher notch at the street allows for what is being characterized as a 'more dramatic' outdoor seating area – which allows for a layering of the ceiling plane to create an outdoor further distinguishing the main entry from the outdoor seating area. The opening behind the canopy will allow light to infiltrate while subtlety dividing the space.

The Board recommended approval of the departure, agreeing that it better meets the intent of Design Guidelines **B-3.3. Pedestrian Amenities at the Ground Level**, **C-1.3. Street Level Articulation for Pedestrian Activity, C.4 Reinforce Building Entries, C.5 Encourage Overhead Weather Protection, D-1.1. Pedestrian Enhancements, C-5.A, Overhead Weather Protection Design Considerations.**

Postscript – *Briefly discussed PRIORITIES & BOARD RECOMMENDATIONS Item 2.c:*

3. *Upper-Level Development Standards (SMC 23.49.058): departure request was removed by applicant prior to Final Recommendation meeting.*

DESIGN REVIEW GUIDELINES

The Seattle Design Guidelines and Neighborhood 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

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.

Belltown Supplemental Guidance:

A-1.a. Views: Develop the architectural concept and arrange the building mass to enhance views. This includes views of the water and mountains, and noteworthy structures such as the Space Needle;

A-1.b. Street Grid: The architecture and building mass should respond to sites having nonstandard shapes. There are several changes in the street grid alignment in Belltown, resulting

in triangular sites and chamfered corners. Examples of this include: 1st, Western and Elliott between Battery and Lenora, and along Denny;

A-1.c. Topography: The topography of the neighborhood lends to its unique character. Design buildings to take advantage of this condition as an opportunity, rather than a constraint. Along the streets, single entry, blank facades are discouraged. Consider providing multiple entries and windows at street level on sloping streets.

A-2 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.

A-2.1. 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; and
c. provide or enhance a specific architectural rooftop element.

A-2.2. Rooftop Mechanical Equipment: In doing so, enclose and integrate any rooftop mechanical equipment into the design of the building as a whole.

ARCHITECTURAL EXPRESSION

B-1 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.

B-1.1. 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, hill climb, mid-block crossing, through-block passageway); and
f. direct access to one or more components of the regional transportation system.

B-1.2. Land Uses: Also, consider the design implications of the predominant land uses in the area surrounding the site.

Belltown Supplemental Guidance:

B-1.a. Compatible Design: Establish a harmonious transition between newer and older buildings. Compatible design should respect the scale, massing and materials of adjacent buildings and landscape.

B-1.b. Historic Style: Complement the architectural character of an adjacent historic building or area; however, imitation of historical styles is discouraged. References to period architecture should be interpreted in a contemporary manner.

B-1.c. Visual Interest: Design visually attractive buildings that add richness and variety to Belltown, including creative contemporary architectural solutions.

B-1.d. Reinforce Neighborhood Qualities: Employ design strategies and incorporate architectural elements that reinforce Belltown's unique qualities. In particular, the neighborhood's best buildings tend to support an active street life.

B-2 Create a Transition in Bulk & Scale: Compose the massing of the building to create a transition to the height, bulk, and scale of development in nearby less-intensive zones.

B-2.1. 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.

B-2.2. 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, belt courses, 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.

B-2.3. 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.

Belltown Supplemental Guidance:

B-2.A. Discourage Bulky Structures: The objective of this guideline is to discourage overly massive, bulky or unmodulated structures that are unsympathetic to the surrounding context.

B-3 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.

B-3.1. 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.
B-3.2. 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.

B-3.3. 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.

Belltown Supplemental Guidance:

B-3.a. Regulating Lines & Rhythms: Respond to the regulating lines and rhythms of adjacent buildings that also support a street-level environment; regulating lines and rhythms include vertical and horizontal patterns as expressed by cornice lines, belt lines, doors, windows, structural bays and modulation.
B-3.b. Context: Use regulating lines to promote contextual harmony, solidify the relationship between new and old buildings, and lead the eye down the street.
B-3.c. Fenestration Patterns: Pay attention to excellent fenestration patterns and detailing in the vicinity. The use of recessed windows that create shadow lines, and suggest solidity, is encouraged.

B-4 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.

B-4.1. 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.

B-4.2. 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.

B-4.3. 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

C-1 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.

C-1.1. 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.

C-1.2. 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).

C-1.3. 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 artwork, street furniture, and landscaping;
j. exterior finish materials having texture, pattern, lending themselves to high quality detailing.

Belltown Supplemental Guidance:

C-1.a. Retail: Reinforce existing retail concentrations;

C-1.b. Commercial Space Size: Vary in size, width, and depth of commercial spaces, accommodating for smaller businesses, where feasible;

C-1.c. Public Realm Elements: Incorporate the following elements in the adjacent public realm and in open spaces around the building: unique hardscape treatments, pedestrian-scale sidewalk

lighting, accent paving (especially at corners, entries and passageways), creative landscape treatments (planting, planters, trellises, arbors), seating, gathering spaces, water features, inclusion of art elements.

C-1.d. Building/Site Corners: Building corners are places of convergence. The following considerations help reinforce site and building corners: provide meaningful setbacks/open space, if feasible, provide seating as gathering spaces, incorporate street/pedestrian amenities in these spaces, make these spaces safe (good visibility), iconic corner identifiers to create wayfinders that draw people to the site.

C-1.e. Pedestrian Attraction: 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. 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).

C-2 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.

C-2.1. 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.

C-3 Provide Active — Not Blank — Facades: Buildings should not have large blank walls facing the street, especially near sidewalks.

C-3.1. 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); and
j. merchandising display windows or regularly changing public information display cases.

C-4 Reinforce Building Entries: To promote pedestrian comfort, safety, and orientation, reinforce building entries.

C-4.1. 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; and
j. ornamental glazing, railings, and balustrades.

C-4.2. 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.

C-5 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.

C-5.1. 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.

Belltown Supplemental Guidance:

C-5.A. Overhead Weather Protection Design Considerations: 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.

C-6 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.

C-6.1. 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.

C-6.2. 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.

Belltown Supplemental Guidance:

C-6.A. Services & Utilities:
a. Services and utilities, while essential to urban development, should be screened or otherwise hidden from the view of the pedestrian.
b. Exterior trash receptacles should be screened on three sides, with a gate on the fourth side that also screens the receptacles from view. Provide a niche to recess the receptacle.
c. Screen loading docks and truck parking from public view using building massing, architectural elements and/or landscaping.
d. Ensure that all utility equipment is located, sized, and designed to be as inconspicuous as possible. Consider ways to reduce the noise impacts of HVAC equipment on the alley environment.

C-6.B. Pedestrian Environment:
e. Pedestrian circulation is an integral part of the site layout. Where possible and feasible, provide elements, such as landscaping and special paving, that help define a pedestrian-friendly environment in the alley.
f. Create a comfortably scaled and thoughtfully detailed urban environment in the alley through the use of well-designed architectural forms and details, particularly at street level.

C-6.C. Architectural Concept:

g. In designing a well-proportioned and unified building, the alley facade should not be ignored. An alley facade should be treated with form, scale, and materials similar to rest of the building to create a coherent architectural concept.

PUBLIC AMENITIES

D-1 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.

D-1.1. 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.

D-1.2. Open Space Features: Open spaces can feature artwork, 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

D-1.3. 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.

Belltown Supplemental Guidance:

D-1.A. Adjacent to Retail: Mixed-use developments are encouraged to provide usable open space adjacent to retail space, such as an outdoor cafe or restaurant seating, or a plaza with seating.

D-1.B. Street Grade: Locate plazas intended for public use at/or near street grade to promote physical and visual connection to the street; on-site plazas may serve as a well-defined transition from the street. Take views and sun exposure into account as well.

D-1.C. Define Spaces: Define and contain outdoor spaces through a combination of building and landscape, and discourage oversized spaces that lack containment.

D-1.D. Buffers: The space should be well-buffered from moving cars so that users can best enjoy the space.

D-1.E. Desirable 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. attractive pavers;
b. pedestrian-scaled site lighting;
c. retail spaces designed for uses that will comfortably "spill out" and enliven the open space;
d. areas for vendors in commercial areas;
e. landscaping that enhances the space and architecture;
f. pedestrian-scaled signage that identifies uses and shops; and
g. site furniture, art work, or amenities such as fountains, seating, and kiosks.

D-1.F. 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:

a. courtyards that organize architectural elements while providing a common garden;
b. entry enhancements such as landscaping along a common pathway;
c. decks, balconies, and upper level terraces;
d. play areas for children;
e. individual gardens; and
f. location of outdoor spaces to take advantage of sunlight and views.

D-2 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.

D-2.1. 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.

D-2.2. 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.

Belltown Supplemental Guidance:

D-2.a. Entries: Emphasize entries with special planting in conjunction with decorative paving and/or lighting;

D-2.b. Plazas & Courtyards: Use landscaping to make plazas and courtyards comfortable for human activity and social interaction;

D-2.c. Open Areas: Distinctively landscape open areas created by building modulation, such as entry courtyards;

D-2.d. Year-Round Greenery: Provide year-round greenery — drought tolerant species are encouraged to promote water conservation and reduce maintenance concerns; and

D-2.e. Art: Provide opportunities for installation of civic art in the landscape; designer/artist collaborations are encouraged (e.g., Growing Vine Street).

D-3 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.

D-3.1. Public Space Features and Amenities: Incorporate one or more of the following as 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.

D-3.2. 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.

Belltown Supplemental Guidance:

D-3.A. Art and Heritage: Art and History are vital to reinforcing a sense of place. Consider incorporating the following into the siting and design:

a. vestiges of Belltown Heritage, such as preserving existing stone sidewalks, curbs;
b. art that relates to the established or emerging theme of that area (e.g., Western, 1st, 2nd, 3rd Avenue street specific character; and
c. install plaques or other features on the building that pay tribute to Belltown history.

D-3.B. Green Streets: Green Streets are street rights-of-way that are enhanced for pedestrian circulation and activity with a variety of pedestrian-oriented features, such as sidewalk widening, landscaping, artwork, and traffic calming. Interesting street level uses, and pedestrian amenities enliven the Green Street and lend special identity to the surrounding area.

D-3.C: Street Furniture/Furnishings along Specific Streets: The function and character of Belltown's streetscapes are defined street by street. In defining the streetscape for various streets, the hierarchy of streets is determined by street function, adjacent land uses, and the nature of existing streetscape improvements.

a. 1st Avenue: Any new installations between Denny Way and Virginia Street should continue the established character of the street by using unique pieces of inexpensive and salvaged materials such as the Wilkenson sandstone pieces that are currently in place. South of Virginia, new installations should reflect the character of the Pike Place Market.
b. 3rd Avenue: New installations on 3rd Avenue should continue to be "civic" and substantial and be reflective of the role the street plays as a major bus route.
c. 2nd Avenue: New installations on 2nd Avenue should continue the style of "limited edition" street art that currently exists between Cedar Street and Virginia Street.
d. 4th Avenue: Street furnishings on 4th Avenue should be "off-the-shelf"/ catalogue modern to reflect the high-rise land uses existing or permitted along that corridor.
e. 1st , 2nd and 3rd Avenues: Sidewalks should be wide and pedestrian amenities like benches, kiosks and pedestrian-scale lighting are especially important on promenade streets.
f. 5th Avenue: Installations on 5th Avenue are encouraged to have a futuristic or "googie" architectural theme to reflect the presence of the monorail as part of the streetscape.
g. Emerging Multi-Use Connector Streets: Western Avenue, Elliott Avenue. These streets offer good connections between Pike Place Market and the new sculpture garden. The area is experiencing a fair amount of residential growth. Like 1st Avenue, these streets are receiving eclectic public art and varied facades, and ultimately both will become promenade-type streets.

D-3.D. Street Edge/Furnishings: Concentrate pedestrian improvements at intersections with Green Streets (Bell, Blanchard, Vine, Cedar between 1st and Elliott, Clay, Eagle, and Bay Streets). Pedestrian crossings should be "exaggerated," that is they should be marked and illuminated in a manner where they will be quickly and clearly seen by motorists.

D-4 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.

D-4.1. 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, and

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

D-4.2. 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; or

c. signs hanging underneath overhead weather protection.

D-4.3. 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; and

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

D-4.4. 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.

Belltown Supplemental Guidance:

D-4.a. Human Dimension: Use signs on an individual storefront's awning, overhang, shop entrance, or building facade to add interest and give a human dimension to street-level building facades; and

D-4.b. Creative Expression: Show creativity and individual expression in the design of signs.

D-4.c. Distinguish Levels: Use signs to help distinguish the ground level of a building from the upper levels of a building; and

D-4.d. Rhythm: Establish a rhythm of elements along the street-level facade; for instance, the regular cadence of signs with storefronts enhances the pedestrian experience.

D-5 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.

D-5.1. 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.

Belltown Supplemental Guidance:

D-5.a. Illuminate Distinctive Features: Illuminate distinctive features of the building, including entries, signage, canopies, and areas of architectural detail and interest.

D-5.b. Illuminate the Sidewalk: Install lighting in display windows that spills onto and illuminates the sidewalk.

D-5.c. Outdoor Lighting: Orient outside lighting to minimize glare within the public right-of-way.

D-6 Design for Personal Safety & Security: Design the building and site to promote the feeling of personal safety and security in the immediate area.

D-6.1. 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

E-1 Minimize Curb Cut Impacts: Minimize adverse impacts of curb cuts on the safety and comfort of pedestrians.

E-1.1. 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; and
g. provide sufficient queuing space on site.

E-1.2. Vehicle Access Location: Where possible, consider 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.

E-2 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.

E-2.1. 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.
g. Provide a frieze, cornice, canopy, overhang, trellis, or other device at the top of the parking level.
h. Use a portion of the top of the parking level as an outdoor deck, patio, or garden with a rail, bench, or other guard device around the perimeter.

E-2.2. Parking Structure Entrances: Design vehicular entries to parking structure so that they do not dominate the street frontage of a building. Subordinate the garage entrance to the pedestrian entrance in terms of size, prominence on the street-scape, location, and design emphasis. Consider one or more of the following design strategies:

i. Enhance the pedestrian entry to reduce the relative importance of the garage entry.
j. Recess the garage entry portion of the facade or extend portions of the structure over the garage entry to help conceal it.
k. Emphasize other facade elements to reduce the visual prominence of the garage entry.
l. Use landscaping or artwork to soften the appearance of the garage entry from the street.
m. Locate the garage entry where the topography of the site can help conceal it.

E-3 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.

E-3.1. Methods of Integrating Service Areas: Consider incorporating one or more of the following to help minimize these impacts:

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

RECOMMENDATIONS

The recommendation summarized above was based on the design review packet dated October 11, 2022, and the materials shown and verbally described by the applicant at the Tuesday, October 11, 2022, Final Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the materials, the four Design Review Board members recommended APPROVAL of the subject design and departure with the following conditions:

1. Study ways of using fixtures that are less intrusive, lighting that is less bright, and ways of de-emphasizing or reducing the mullion patterning or density so that roof elements are less pronounced and lighter in appearance. B-1.c, B-2.1, B-2.3, B-2.A, B-4.

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 review guidelines.

At the conclusion of the Recommendation meeting held on October 11, 2022, the Board recommended approval of the project with the conditions described in the summary of the Recommendation meeting above.

Three (3) substitute members (as the five regular members were absent) of the 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 with a memo dated November 28, 2022 noting, that the MUP plan set was updated to be consistent with the recommendation packet and conditions of approval provided by the Board. The updates consist of the following items that were added to the MUP set.

1. Study ways of using fixtures that are less intrusive, lighting that is less bright, and ways of de-emphasizing or reducing the mullion patterning or density so that roof elements are less pronounced and lighter in appearance. B-1.c, B-2.1, B-2.3, B-2.A, B-4.

   Response: The roof level/upper tower design was studied and the MUP package modified to reflect the board direction. Modifications include minimizing the mullion depths to simplify the shadow lines, de-emphasizing the variance in mass and density. The lighting was modified to limit the amount of outward facing fixtures and the internal lighting to reinforce the "glow from within" has also been reduced. See updated plan set dated November 28, 2022, sheets A4.01, A4.02, A4.03, A4.04 and A4.05 for revised elevations and mullion details.

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

The Director of SDCI has reviewed the decision and recommendations of the Design Review Board made by the three (3) 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 condition one.

DIRECTOR'S DECISION

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

II. ANALYSIS – SEPA

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 11/30/2022 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 considered any pertinent comments which may have been received regarding this proposed action. The information in the environmental checklist, the supplemental information, and the experience of the lead agency with the review of similar projects, form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, 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 impacts due to construction related vehicles, exposure of hazardous materials, 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. Short term impacts, as well as mitigation, are identified in the environmental checklist annotated by SDCI with additional analysis provided below.

Air Quality – 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 (Air Quality Policy).

Construction Impacts – 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. 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 Plan. The submittal information and review process for Construction Management Plans are described on the SDOT website.

Construction Impacts - Noise

The project is expected to generate increased noise levels 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 Mixed Commercial zones.

If extended construction hours are desired, 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 mitigate noise impacts per SMC 25.05.675.B.

Construction Impacts – Mud and Dust

Approximately 94,000 cubic yards of material will be excavated and removed from the site and no fill. 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

The applicant submitted a Phase I Environmental Site Assessment prepared by SoundEarth Strategies, Inc. dated June 16, 2022, for the purpose of identifying, recognized environmental conditions that may have resulted from the use, manufacture, storage, and/or disposal of hazardous or toxic substances that could affect the future development of the Property.

The scope of work included a review of historical documents regarding the Property, review of current federal and state lists citing known and potentially contaminated sites, interviews with present owners and site managers, a property reconnaissance, and preparation of this report.

The report reveals that the current automotive service station building was originally operated by The General Tire. The Property building also appears to have been primarily used for tire fitting

and other associated services to support retail tire sales conducted out of the northwest-adjoining building. The site was used as a retail gasoline service station operated partially on the northwestern portion of the property and partially on the northwest-adjoining property between approximately 1937 and 1950. The report also indicates that the property was controlled by The General Tire until at least 1980 and was converted to use as an oil change facility by 1982. The report states that at the time of the site visit, the property was occupied by a Jiffy Lube–branded oil change facility while the adjoining properties include a mix of residential and commercial uses.

During SoundEarth's investigation the presence of an environmental covenant issued by the Washington State Department of Ecology dated December 5, 2014 for the property was discovered. The covenant included a No Further Action (NFA) determination for the Property, which was reportedly defined as the nature and extent of contamination associated with the release of diesel-range petroleum hydrocarbons (DRPH) and oil-range petroleum hydrocarbons (ORPH) in soil, as well as DRPH and lead in groundwater, according to the prior environmental reports for the Property. Due to residual impacts at concentrations above Washington State Model Toxics Control Act (MTCA) Method A cleanup levels in soil left in place beneath the property building, an environmental covenant for the property was recorded with King County. As part of the environmental covenant, the following institutional controls were implemented stating that the use of the property was restricted to commercial land use only, and an asphalt/concrete or building cap over the remaining contaminated soil was required to remain in place, and groundwater monitoring wells on the property were required to be maintained for continued sampling as part of a long-term monitoring program.

SoundEarth in their opinion stated that the historical operation of the automotive service station and ongoing operation of an oil change facility on the Property is considered a controlled recognized environmental condition. Further the Department of Ecology verbalized their concern that contaminated soil under the current building on the property and requested the applicant work with environmental professionals experienced in MTCA clean-ups to ensure any activities on the property meet MTCA requirements. Ecology also stated that there are a number of activities that would occur during redevelopment that per the terms of the covenant require Ecology's approval.

Mitigation of contamination and remediation is in the jurisdiction of Washington State Department of Ecology ("Ecology"), consistent with the City's SEPA relationship to Federal, State and Regional regulations described in SMC 25.05.665.E. This State agency program functions to mitigate risks associated with removal and transport of hazardous and toxic materials, and the agency's regulations provide sufficient impact mitigation for these materials. The City acknowledges that Ecology's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination.

Compliance with Ecology's requirements would be expected to adequately mitigate any adverse environmental impacts from the proposed development and no further mitigation would be warranted for impacts to environmental health per SMC 25.05.675.F.

Environmental Health – Asbestos and Lead

Construction activity has the potential to result in exposure to asbestos. 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 is warranted for asbestos impacts pursuant to SMC 25.05.675.F (Environmental Health Policy).

Construction activity has the potential to result in exposure to lead. 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 is warranted for lead impacts pursuant to SMC 25.05.675.F (Environmental Health Policy).

Long Term Impacts

Long term or use-related impacts are also anticipated as a result of approval of this proposal. 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. Long term impacts, as well as mitigation, are identified in the environmental checklist annotated by SDCI with additional analysis provided below.

Air Quality – 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 (Air Quality Policy).

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 letter, reference number LPB 111/23). 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 pursuant to SMC 25.05.675.H (Historic Preservation Policy).

Height, Bulk, and Scale

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

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

Pursuant to the Overview policies in SMC 25.05.665.D, the existing City Codes, and regulations to mitigate impacts to historic resources are presumed to be sufficient, and additional mitigation is not warranted under SMC 25.05.675.G.

Light and Glare

SMC 25.05.675.K (Light and Glare Policy) provides policies to minimize or prevent hazards and other adverse impacts created by light. The proposed project includes a proposed lighting program within the Recommendation packet dated October 11, 2020 which indicates that the proposed lighting is to be dark sky compliant along the facade of the building so as to not impact any of the residential units nearby. The street level streetscape facade will be well lit from above and within to provide a safe and inviting atmosphere for restaurant patrons and building tenant. In addition, the entire tower will utilize a window wall system with a selection of translucent and opaque, clear and colored glass with complementary mullion of varying depths that extend vertically across stories and horizontally across landings. Frit patterns will be applied in large areas of each facade to reflect Pacific Northwest surroundings while reducing glare.

Per the Overview policies in SMC 25.05.665.D, the existing City Codes, and regulations to mitigate impacts from light and glare are presumed to be sufficient, and additional mitigation is not warranted pursuant to SMC 25.05.675.K (Light and Glare Policy).

Public Views

SMC 25.05.675.P provides policies to minimize impacts to designated public views listed in this section, including Mount Rainer, the Olympic and Cascade Mountains, the downtown skyline, and major bodies of water including Puget Sound, from various public locations.

The applicant provided a view analysis and rendered drawings depicting how the very slender tower could potentially block some views from Hamilton Viewpoint, Seacrest Park and to a lesser degree Alki Beach to the west toward the Cascade Mountains and potentially slight views to the south from Kerry Park toward Mt. Rainier but with minimal affect.

The impacts to public views from the locations listed in SMC 25.05.675.P are anticipated to be minimal and additional mitigation is not warranted per SMC 25.05.675.P.

Shadows on Open Space

SMC 25.05.675.Q (Shadows on Open Space Policy) provides policies to minimize or prevent light blockage and the creation of shadows on certain open spaces most used by the public. Areas in downtown where shadow impacts may be mitigated are Freeway Park, Westlake Park and Plaza, Market (Steinbrueck) Park, Convention Center Park, and Kobe Terrace Park and the publicly owned portions of the International District Community Garden. The project site is located less than 1 mile from the Pacific Science Center, roughly half a mile from Denny Park, Westlake Park, the Seattle Waterfront, a quarter of a mile from Victor Steinbrueck Park and approximately 0.18 miles from Regrade Park.

The shadow study provided by the applicant dated 11/20/21 indicates that the longest shadows produced at 9:00 AM December 21 would not impact the nearest public open space of Regrade Park.

No adverse shadow impacts are anticipated on the designated public open space and no mitigation is warranted pursuant to SMC 25.05.675.Q (Shadows on Open Space Policy).

Transportation

A Traffic Impact Analysis TIA) was prepared by Transpo Group date July 17, 2022 for the purpose of summarizing results of a transportation and parking analysis completed for the proposed residential and address comments by SDCI on the June 2022. Contained in the TIA is an overview of the surrounding transportation network, estimated trip generation, loading and deliveries, traffic safety, parking demand, valet and alley analysis and concurrency the scope of which was coordinated with the City of Seattle Department of Construction and Inspections (SDCI).

The analysis concludes the following: Transportation Concurrency - the City of Seattle has implemented a Transportation Concurrency system to comply with requirements of the Washington State Growth Management Act. Seattle Municipal Code (SMC) 23.52 notes the

concurrency is designed to provide a mechanism that determines the level of service (LOS) standards for locally owned arterials and transit routes to help evaluate performance of the transportation system. The LOS identified by the City encourages multi-modal transportation options and establishes a reduction in the proportion of single-occupant vehicles (SOV) as the standard. Based on SMC 23.52.004 Map A, a 2035 SOV Mode Share Target of 18 percent is identified for the Downtown zone where the project is located. The proposed project is located in the Downtown Urban Center and within one-half mile walking distance of a light rail station. As described in the SMC 23.52.004.B, developments located in Urban Centers or within one-half mile of a light rail station meet concurrency standards based on the location and proximity to transit.

Further conclusion: The proposed project would generate 172 net new daily vehicle trips with 15 new trips occurring during the weekday AM peak hour and 14 trips during the weekday PM peak hour. The existing transportation infrastructure is anticipated to accommodate the proposed project and no traffic safety issues have been identified within the project vicinity. Loading and deliveries would be accommodated within the proposed loading berth or on-street using either existing loading and parking along 4th Avenue and Lenora Street or obtaining a Street Permit for larger delivery/loading needs. The applicant is considering options for valet parking on-site which the analysis shows that either passenger load zones or securing off-street parking could accommodate the proposed valet. It is recommended that management strategies be implemented with the valet parking scenario to ensure residents follow the appropriate procedures for drop-off and pick-up to avoid any queuing. However, no queuing is anticipated in the alley as a result of the proposed lift parking system. The proposal would meet the City's transportation concurrency.

SDCI staff recommends that the valet management plan described in the 2/14/23 Response to Comments and two attendants be present between the operating hours 6 AM to 9 AM and 3 PM to 6 PM on weekdays as a MUP condition of approval.

The SDCI Transportation Planner reviewed the information and determined that no further mitigation is warranted per 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).

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

Prior to Certificate of Occupancy

1. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (David Landry, david.landry@seattle.gov) or a Seattle DCI assigned Land Use Planner.

For the Life of the Project

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 (David Landry, david.landry@seattle.gov) or a Seattle DCI assigned Land Use Planner.

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: http://www.seattle.gov/transportation/permits-and-services/permits/construction-use-in-the-right-of-way

4. Add the elements of the Valet Management Plan (Transpo Group memo dated 2/14/23) to the Construction Plan set.

Prior to Certificate of Occupancy and For the Life of the Project

5. The valet management plan described in the memo from Transpo Group dated 2/14/23 elements of which are included as follows shall be implemented at the time of building occupancy.
    a. Parking Management. As required by Seattle, all project parking will be unbundled. The project parking spaces will only be leased to residents.

b. Valet Attendants. Two (2) attendants will be provided during the peak period. Providing 2 attendants will allow for stationing one attendant at the garage and one to deliver and retrieve vehicles. There will be an attendant on duty 24-hours a day and 7 days a week.
c. Vehicle Circulation. The circulation of vehicles to/from the parking will be entering the alley via Lenora Street and exiting via Virginia Street.
d. Vehicle Size. The lift system does not accommodate large/oversized vehicles. Resident parking leases will be restricted to vehicles that can be accommodated on the lift system and no oversized/large vehicles will be allowed to lease spaces.
e. Resident Parking Leases. The leases will include the valet management plan and communication and operation protocols that residents leasing parking will be required to abide. Failure to follow valet parking protocols could result in termination of the resident parking lease.
f. Communication System. The valet operator will implement a communication system such as "Flash Valet" or similar to allow residents to text or call to drop-off/pick-up vehicles. The system will allow for real-time updates on when their vehicle will be ready for pick-up and the location and time and location for vehicle drop-off.
g. Resident Communication. All residents that lease parking will be provided with an information packet about the valet communication procedures. Residents will be required to follow the protocols for dropping off and picking up vehicles. The protocols for using valet parking will include:
    i. Pick-up. Residents will use the communication system to schedule a time to pick-up vehicles. The valet attendant will provide real time updates on vehicle pick-up including the passenger load zone location where a resident vehicle can be picked up and how long the valet attendant will stay at the passenger load waiting for the resident. Valet attendants will stay with the resident vehicle until it is picked up. The valet attendant will comply with the passenger load zone time limits and if a resident does not pick-up a vehicle within the time limit, then the vehicle will be returned to the parking garage and the resident will be required to reschedule pick-up.
    ii. Drop-off. Residents will be required to use the communicate system to schedule a drop-off time for vehicles. Valet attendants will communicate the area of passenger load zone where the resident should bring the vehicle. Residents will notify the valet attendant when they arrive at the passenger load zone and confirm the location. Residents will be required to stay with the vehicle until the valet attendant arrives. The residents will comply with the passenger load zone time limits and the valet attendant will notify the resident if wait times are longer and a new drop-off location or time needs to be arranged. If the valet attendant does not arrive within the passenger load zone time limit or the load zone at the arrival time, then a new time for drop-off will be schedule or the resident will coordinate with the attendant to drop-off in the alley at the garage entrance.
h. Alley Drop-Off. Vehicle drop-off will occur in the alley in the case that there is no ability to use the on-street passenger load zones within the vicinity. There will be no idling in the alley and vehicles will be retrieved by the attendant promptly

and brought into the garage. Residents will be allowed to use the back entrance to the building and walking in the alley to access the front of the building will be discouraged.

David Landry, AICP, Senior Land Use Planner
Seattle Department of Construction and Inspections

Date: April 27, 2023

DL:bg

Landry/3038668-LU Decision