Seattle Department of Construction & Inspections

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

Project Number: 3018037-LU

Applicant Name: Ted Caloger

Address of Proposal: 1903 5th Avenue

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 54-story building with hotel, 233 apartment units and retail. Parking for 140 vehicles proposed. Addendum to Downtown Height and Density Environmental Impact Statement has been prepared.

The following approvals are required:

I. Land Use Code
- Design Review with no Departures (Seattle Municipal Code 23.41)

II. SEPA

A. SEPA Procedural Component: Adoption of EIS

Title of document being adopted:	Downtown Height and Density Draft EIS and Final EIS
Agency that prepared document being adopted:	City of Seattle
Date adopted document was prepared:	2003 and 2005

SDCI used an Addendum that adds analyses and information about the proposal but does not substantially change the analysis of significant impacts and alternatives beyond that contained in the Downtown Height and Density EIS.

B. SEPA Substantive decisions (to approve, condition or deny on the basis of SEPA policies)

☐ Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal is approved, and no mitigating conditions of approval are imposed.

☒ Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal is approved subject to compliance with the conditions identified below.

BACKGROUND

An early determination letter was issued for this project related to vehicular access to the site directly from the street in addition to alley access under Record No. 3018596-AN. An interpretation request related to this letter has been received by SDCI (Record No. 3022929-IR). The completed interpretation is published concurrently with this MUP decision.

In 2018, SMC Sections 23.49.008 was amended to encourage voluntary setbacks in the Downtown Office Core 2 zone between existing residential towers and new towers by authorizing additional height and density. The proposal takes advantage of additional height in compliance with the amended Land Use Code provision.

The proposal was modified after the final Design Recommendation meeting on 10/14/2018. The revisions included 5 additional levels of non-residential (hotel) use. SDCI made a Type I decision per SMC 23.58B.055, which included a determination that the changes were consistent with the design recommended for approval by the Design Review Board pursuant to SMC 23.41.012.

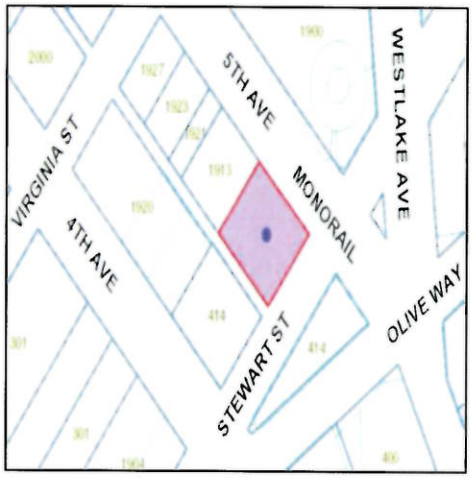
Site and Vicinity

Site Zone: Downtown Office Core 2-500/ 300-500 (DOC2 500/300-550)

Nearby Zones: Northwest: DOC2 500/300-550
Southeast: DOC2 500/300-550
Southwest: DOC2 500/300-550
Northeast: DOC2 500/300-550

ECAs: None mapped.

Site Size: 12,960 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 files will control.

Public Comment:

The public comment period ended on 10/24/17. 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 air quality, soils, energy, environmental health, height/bulk/scale, historic resources, housing, land use, light and glare, noise, parking, plants and animals, public services, view impacts, shadows, traffic and transportation, and SEPA procedural issues. Comments were also received that are beyond the scope of this review and analysis per SMC 23.41 and SMC 25.05.

I. ANALYSIS – DESIGN REVIEW

CURRENT AND SURROUNDING DEVELOPMENT; NEIGHBORHOOD CHARACTER

The site is currently developed as a commercial, pay–by-the-hour surface parking lot, striped to accommodate 56 vehicles. The lot slopes downwards from the northwest corner to the southeast corner approximately 11 feet.

The site is located at the southeast edge of the Belltown, a downtown neighborhood, lying between 5th Avenue and the intervening alley running west of 5th Avenue between Stewart and Virginia Streets. It occupies the corner formed by the intersection of 5th Avenue and Stewart Street. The project site lies across the street from the twin 400-foot towers of the Westin Hotel which is located on the east side of 5th Avenue. The project site lies north/northwest of the five-

story Times Square Building, a Registered Historic Landmark dating from 1916, and directly across the alley from the three-story Centennial Building (1925). The nearly square lot constitutes the southern terminus of a block occupied by a series of two and three story commercial buildings, aligned along 5th Avenue and facing the support structure of the Seattle Monorail.

In addition, the site lies directly diagonally across 5th Avenue from McGraw Square, a Seattle Landmark, and diagonally across the alley from the Escala condominiums. Westlake Center Tower, Westlake Center Park, and the light-rail underground tunnel and station lie approximately a block south, as does the Mayflower Hotel, one of Seattle's oldest hotels.

FIRST EARLY DESIGN GUIDANCE December 16, 2014
The packet includes materials presented at the meeting, and is available online by entering the record number at this website:
http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/SearchPastReviews/default.aspx

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

FIRST EARLY DESIGN GUIDANCE December 16, 2014

Early Design Development

The design team presented three options for the mixed-use structure proposed for the site. The first was described as being fully compliant with the Land Use Code, showed no defined podium and offered minimal façade modulation. The second scheme likewise showed no defined podium, but displayed a penthouse roof that gave shape to the top of the shaft and added balcony projections at the upper levels, said to provide a visual clue of the change from apartment to condominium uses. A third, "preferred" option provided what was referred to as a "podium" resting above the largely transparent ground floor, concealing the parking layers, and introducing an incised belt or notch around the shaft at the top of the podium. This option, similar to the second, showed balconies and bays extruded from the body of the shaft at the upper levels. Both the second and third options would not be doable without benefit of departures championed by the Board and granted by the Department. (See the discussion below, under "Departures").

PUBLIC COMMENT

Among the issues identified by the public during the first meeting were the following:

- The proposed design does not give evidence of being the "gateway" to Belltown";
- The program appeared to be too ambitious for the lot size;
- There is nothing engaging in the designs shown—the site deserves "to come alive";
- The suggestions for papering over the above-grade parking seem too "ultramodern" and out of place given both the classical and modern flavor of the neighborhood;

- The ground plane needs to be safe, comfortable and inviting—the curb cut on 5th Avenue takes the project in a different direction;
- Reducing the sidewalk widths, as proposed, likewise takes the project in the direction away from safe, comfortable and inviting;
- Reducing the number of loading berths is unrealistic and would further burden an alley overburdened with service and loading demands;
- The departure requests in no way improve the design—they are self-serving, not neighborhood serving, and counter-productive;
- A study needs to be done to evaluate the glare effects of the building's skin;
- Locating the residential and hotel lobbies above the ground floor would free up the space for retail space and not require departures that appear to serve the applicants' program rather than the neighborhood and public;
- Neighbors should not try to micro manage the project; the above ground garage structure should be more open, not less, for security's sake.

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.

The Board indicated concerns regarding several issues:

- Intention to reduce the amount of retail space at the ground level of the proposed structure;
- Intention to reduce the required sidewalk widths around the proposal;
- Whether the proposed above-grade parking could be integrated into a well-proportioned and unified structure;
- Whether reducing the loading capacity serving the structure would not adversely affect the functioning of the proposed building or create impacts on neighboring structures.

Some of the Board's specific concerns are contained in notes following the guidelines listed below. The Board also stressed the importance of working with the neighboring Escala condominium residents to attempt to resolve their concerns regarding impacts of the proposed new structure at this location.

The priority Citywide and Neighborhood guidelines identified by the Board as Priority Guidelines at the First Early Design Guidance meeting are summarized below, while all guidelines remain applicable. For the full text please visit the Design Review website.

SITE PLANNING AND MASSING

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

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

c. patterns of urban form, such as nearby buildings that have employed distinctive and effective massing compositions;

e. views from the site of noteworthy structures or natural features, (i.e.: the Space Needle, Smith Tower, port facilities, Puget Sound, Mount Rainier, the Olympic Mountains);
f. views of the site from other parts of the city or region; and
g. proximity to a regional transportation corridor (the monorail, light rail, freight rail, major arterial, state highway, ferry routes, bicycle trail, etc.).

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

At the Early Design Guidance Meeting, the Board discussed:

- Despite a fairly lengthy Urban Design Analysis in the proposal packets, none of the design schemes seemed to take cues from the architectural context. There were superb examples nearby of rhythmic structural bays, windows, etc., for instance in the Centennial Building across the alley and Times Square Building across Stewart Street. The question was not one of being deferential, or even referential, but there was a noticeable lack of any clear sense of rhythm in the treatment of the ground floor or levels above in what the packets had shown.

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

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

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

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

At the Early Design Guidance Meeting, the Board discussed:

- There was a lack of clarity of why each of the schemes presented a different top treatment. There was no clear expression of a guiding concept to each of the schemes. Indeed, bases, shafts, and tops appeared entirely interchangeable. The tower needs to be a unified, elegant building and have a 360 degree look. It is clearly not there and will require a great deal of work to get there.

ARCHITECTURAL EXPRESSION

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

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

a. a surrounding district of distinct and noteworthy character;
b. an adjacent landmark or noteworthy building;
c. a major public amenity or institution nearby;

d. neighboring buildings that have employed distinctive and effective massing compositions;
e. elements of the pedestrian network nearby, (i.e.: green street, hillclimb, mid-block crossing, through-block passageway); and
f. direct access to one or more components of the regional transportation system.

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

At the Early Design Guidance Meeting, the Board discussed:

- Contemplate gestures that acknowledge this is the gateway to Belltown. Height isn't always analogous to gateway. The site is a great site, but some diminishment of program and scale might be necessary to convey the sense of gateway. Again, despite a fairly lengthy Urban Design Analysis in the proposal packets, none of the design schemes seemed to take cues from the architectural context. There were superb examples nearby of rhythmic structural bays, windows, etc., for instance in the Centennial Building across the alley and Times Square Building across Stewart Street.
  Establish a more harmonious transition between newer and older buildings (see Belltown guideline, B-1). *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.*

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

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

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

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

a. use of architectural style, details (such as roof lines, beltcourses, cornices, or fenestration), color, or materials that derive from the less intensive zone.
b. architectural massing of building components; and
c. responding to topographic conditions in ways that minimize impacts on neighboring development, such as by stepping a project down the hillside.

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

a. articulating the building's facades vertically or horizontally in intervals that reflect to existing structures or platting pattern;

b. increasing building setbacks from the zone edge at ground level;
c. reducing the bulk of the building's upper floors; and
d. limiting the length of, or otherwise modifying, facades.

At the Early Design Guidance Meeting, the Board discussed:

- The only thing well-articulated in the proposed schemes is the above-grade parking garage. Integrate the parking podium, if kept, with canopies, etc. of the ground-floor expression. Provide intrusions as well as extrusions along the faces of the tower.

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

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

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

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

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

a. public art installations,
b. street furniture and signage systems,
c. lighting and landscaping, and
d. overhead weather protection.

At the Early Design Guidance Meeting, the Board discussed:

- The program has tremendous effect on the uses on the ground floor and the form the ground floor takes. The critique of the various schemes and discussion of the design issues should start here. Lessening the widths of the sidewalks or allowing uses at ground level not otherwise allowed by Code or allowing a curb cut on 5th Avenue do not recommend themselves at this point as gestures that result in a better design. There has been no demonstration of how these things would result in a better building.

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

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

a. setbacks, projections, and open space;

b. relative sizes and shapes of distinct building volumes; and
c. roof heights and forms.

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

a. facade modulation and articulation;
b. windows and fenestration patterns;
c. corner features;
d. streetscape and open space fixtures;
e. building and garage entries; and
f. building base and top.

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

a. exterior finish materials;
b. architectural lighting and signage;
c. grilles, railings, and downspouts;
d. window and entry trim and moldings;
e. shadow patterns; and
f. exterior lighting.

At the Early Design Guidance Meeting, the Board discussed:

- The above-the-ground-floor area given to parking needs to be carefully questioned. This 1980's attitude toward parking placement is not working in this instance and has not really worked in any downtown location where it has been attempted. It offers an immense challenge in creating any building that could be considered well-proportioned and unified. What the Board had been shown, in any of the three articulations, is not unified and does not suggest the slightest characterization of being "elegant."

THE STREETSCAPE

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

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

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

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

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

a. open facades (i.e., arcades and shop fronts);
b. multiple building entries;

c. windows that encourage pedestrians to look into the building interior;
d. merchandising display windows;
e. street front open space that features art work, street furniture, and landscaping;
f. exterior finish materials having texture, pattern, lending themselves to high quality detailing.

At the Early Design Guidance Meeting, the Board discussed:

- Explore the re-location of both residential and hotel lobbies above the ground floor and investigate a two-level ground plane of activation of retail spaces.

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

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

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

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

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

a. small retail spaces (as small as 50 square feet) for food bars, newstands, and other specialized retail tenants;
b. visibility into building interiors;
c. limited lengths of blank walls;
d. a landscaped or raised bed planted with vegetation that will grow up a vertical trellis or frame installed to obscure or screen the wall's blank surface;
e. high quality public art in the form of a mosaic, mural, decorative masonry pattern, sculpture, relief, etc., installed over a substantial portion of the blank wall surface;
f. small setbacks, indentations, or other architectural means of breaking up the wall surface;
g. different textures, colors, or materials that break up the wall's surface.
h. special lighting, a canopy, awning, horizontal trellis, or other pedestrian-oriented feature to reduce the expanse of the blank surface and add visual interest;
i. seating ledges or perches (especially on sunny facades and near bus stops);
j. merchandising display windows or regularly changing public information display cases.

At the Early Design Guidance Meeting, the Board discussed:

- Special consideration needs to be given to the alley-facing and north facades, since, given the substantial height of the proposed structure, these facades more than likely will be highly visible at considerable distances and for some time to come.

C4 Reinforce Building Entries: To promote pedestrian comfort, safety, and orientation, reinforce building entries.
C4.1. Entry Treatments: Reinforce the building's entry with one or more of the following architectural treatments:

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

C4.2. Residential Entries: To make a residential building more approachable and to create a sense of association among neighbors, entries should be clearly identifiable and visible from the street and easily accessible and inviting to pedestrians. The space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors. Provide convenient and attractive access to the building's entry. To ensure comfort and security, entry areas and adjacent open space should be sufficiently lighted and protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

At the Early Design Guidance Meeting, the Board discussed:

- As noted earlier, the residential and hotel entries should not be aggrandized at the expense of retail space which promises to be able better to activate the pedestrian sphere. Explore removing residential and hotel lobbies to the upper floors. Provide for extra-height retail space and be aware of how the mass of the proposed above-grade parking space could oppress the desired ground plane's activation both visually and psychologically.

C5 Encourage Overhead Weather Protection: Project applicants are encouraged to provide continuous, well-lit, overhead weather protection to improve pedestrian comfort and safety along major pedestrian routes.
C5.1. Overhead Weather Protection Design Elements: Overhead weather protection should be designed with consideration given to:

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

i. when opaque material is used, the illumination of light-colored undersides to increase security after dark.

At the Early Design Guidance Meeting, the Board discussed:

- There was a need to integrate the ground floor elements of overhangs and canopies within the overall development of the podium of the building, however many floors of parking, if any, it might contain.

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

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

a. extending retail space fenestration into the alley one bay;

b. providing a niche for recycling and waste receptacles to be shared with nearby, older buildings lacking such facilities; and

c. adding effective lighting to enhance visibility and safety.

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

a. locating the alley parking garage entry and/ or exit near the entrance to the alley;

b. installing highly visible signage indicating parking rates and availability on the building facade adjacent to the alley; and

c. chamfering the building corners to enhance pedestrian visibility and safety where alley is regularly used by vehicles accessing parking and loading.

At the Early Design Guidance Meeting, the Board discussed:

- There is a strong need for a careful analysis and convincing explanation of how the building could be adequately served by basically two loading berths. The analysis should provide a convincing assessment of all loading needs. Consider implications of neighbors' ongoing uses of the alley and provisions for utilization of the alley as a pedestrian corridor. As earlier noted, consider and design for a highly visible alley façade.

PUBLIC AMENITIES

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

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

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

b. Preferable open space locations are to the south and west of tower development, or where the siting of the open space would improve solar access to the sidewalk.

c. Orient public open space to receive the maximum direct sunlight possible, using trees, overhangs, and umbrellas to provide shade in the warmest months. Design such spaces to take advantage of views and solar access when available from the site.

d. The design of planters, landscaping, walls, and other street elements should allow visibility into and out of the open space.

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

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

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

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.

At the Early Design Guidance Meeting, the Board discussed:

- Open space considerations should include convincing explorations of sidewalk use and the adequacy of any proposed diminishing of sidewalk depth on the two street sides of the building. Design of decks and balconies on upper portions of the building should explore a carving away of the mass of the building as well as appendages that overhang the right-of-ways.

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

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

a. emphasize entries with special planting in conjunction with decorative paving and/or lighting;
b. include a special feature such as a courtyard, fountain, or pool;
c. incorporate a planter guard or low planter wall as part of the architecture;
d. distinctively landscape open areas created by building modulation;
e. soften the building by screening blank walls, terracing retaining walls, etc.;
f. increase privacy and security through screening and/or shading;
g. provide a framework such as a trellis or arbor for plants to grow on;
h. incorporate upper story planter boxes or roof planters;
i. provide identity and reinforce a desired feeling of intimacy and quiet;
j. provide brackets for hanging planters;

k. consider how the space will be viewed from the upper floors of nearby buildings as well as from the sidewalk; and
l. if on a designated Green Street, coordinate improvements with the local Green Street plan.

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

a. plant street trees that match the existing planting pattern or species;
b. use similar landscape materials; and
c. extend a low wall, use paving similar to that found nearby, or employ similar stairway construction methods.

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

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

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

At the Early Design Guidance Meeting, the Board discussed:

- The Board asked the design team to "Show your work". What, for instance, in any of the proposed designs suggested that this building is located at the "gateway to Belltown?"

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

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

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

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

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

a. provide adequate lighting;
b. retain clear lines of sight into and out of entries and open spaces;

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

- **At the Early Design Guidance Meeting, the Board discussed the items immediately above as being of highest priority for a successful project, but without further detail.**

VEHICULAR ACCESS AND PARKING

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

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

a. minimize the number of curb cuts and locate them away from street intersections;
b. minimize the width of the curb cut, driveway, and garage opening;
c. provide specialty paving where the driveway crosses the sidewalk;
d. share the driveway with an adjacent property owner;
e. locate the driveway to be visually less dominant;
f. enhance the garage opening with specialty lighting, artwork, or materials having distinctive texture, pattern, or color
g. provide sufficient queueing space on site.

E1.2. 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.

- **At the Early Design Guidance Meeting, the Board discussed their reluctance at this stage to express support for allowing the curb cut along 5th Avenue.**

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

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

a. Incorporate pedestrian-oriented uses at street level to reduce the visual impact of parking structures. A depth of only 10 feet along the front of the building is sufficient to provide space for newsstands, ticket booths, flower shops, and other viable uses.

b. Use the site topography to help reduce the visibility of the parking facility.
c. Set the parking facility back from the sidewalk and install dense landscaping.
d. Incorporate any of the blank wall treatments listed in Guideline C-3.
e. Visually integrate the parking structure with building volumes above, below, and adjacent.
f. Incorporate artwork into the facades.
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.

E2.2. 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:

a. Enhance the pedestrian entry to reduce the relative importance of the garage entry.
b. Recess the garage entry portion of the facade or extend portions of the structure over the garage entry to help conceal it.
c. Emphasize other facade elements to reduce the visual prominence of the garage entry.
d. Use landscaping or artwork to soften the appearance of the garage entry from the street.
e. Locate the garage entry where the topography of the site can help conceal it.

- **At the Early Design Guidance Meeting, the Board noted that this was an issue of prime importance for a successful project at this location. The above grade parking had a way of severely deadening the life of any building as perceived from outside the building. The Board could not identify any structures where an above-grade parking component had really been successfully integrated into a downtown tower. The decision to locate parking above the ground floor provided a critical challenge to the task of designing a well-proportioned and unified building.**

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

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

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

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 the design guidelines priorities and achieve a better overall project design than could be achieved without the departure(s). The Board's final recommendation will be reserved until the final Board meeting.

At the time of the **First** Early Design Guidance, the following departures from development standards were requested:

1. **(SMC 23.49.022):** The Code requires a minimum with of 18 feet along Stewart Street. The applicant proposes a minimum width of 15 feet on Stewart Street, allowing, as explained, for a deeper, more functional retail space.

2. **(SMC 23.49.009):** The Code requires a minimum of 75% of each street frontage at street level to be in approved uses. Hotel and residential lobbies are not approved street-level uses since they are not regarded as optimally enlivening the pedestrian realm along the street. The applicant proposes hotel and residential lobbies at street level, and therefore does not meet the 75% requirement for approved uses.

3. **(SMC 23.54. 035):** Three loading berths, with minimum widths of 10 feet, 14 feet of height, and 35 feet in length are required. The applicant proposes a reduced depth for the two loading berths off the alley and a van-size stall near the residential elevators.

   At the time of the first Early Design Guidance meeting the Board indicated a reluctance to grant departures for diminished sidewalk widths. They indicated a reluctance as well to grant a departure in the amount of approved uses at the first floor level, as well as to reduce the size of one of the required loading berths without a clear and convincing demonstration of the adequacy of the reduced loading capabilities to conveniently serve the needs of the building. At any rate, the Board's recommendations of granting any requested departures would await the Recommendation phase of review and the clear demonstration that a granting of the departures would result in a better design.

BOARD DIRECTION
At the conclusion of the First Early Design Guidance meeting, the Board recommended, by a vote of 5-0, that the project return for another meeting in response to the guidance provided.

SECOND EARLY DESIGN GUIDANCE MEETING – September 29, 2015

DESIGN DEVELOPMENT

Ron Mitchell of MG2 Architects made the presentation on behalf of the applicants. While the proposed structure was still a 500-foot tall building, with approximately 200 hotel rooms and 229 apartment units, with 3000 square feet of retail proposed at ground level and nearly 200 parking spaces intended, with half above and half below ground, some significant changes had been made as design development had progressed. These could be summed up as follows:

- Four departures had been requested at the earlier meeting; none were now requested.
- The hotel lobby and various amenities had been moved to the very top floors.
- The building had been pushed back on both 5rh Avenue and Stewart Street to allow for a curb to building width of 18 feet.
- Outdoor café seating 10-feet in width, and not encroaching into the 18-foot sidewalk area was provided for at the corner of 5th and Stewart.

- Seventy-five percent of the ground floor street frontage on Stewart Street would be dedicated to retail; 50 percent of the ground floor street frontage on 5th Avenue would be dedicated to retail.
- Artist lofts had been added at the southeast corner of the above-grade parking levels.
- A curvilinear façade had been applied to the east, south (and partially to the south end of the alley) above-grade parking floors.
- The design eliminated projections beyond the property lines and added recessed curved balconies and stepped notches at the northwest and southeast corners of the structure, this circularization gesture said to be referential to nearby curvilinear buildings.
- Residential amenity areas, including leasing office, mailroom, fitness and yoga facilities were located on a portion of the 7th floor and an entire floor dedicated to residential amenities occupied the 31st floor.
- The transformer room has been relocated to a 6th floor; recessed on two sides and filled with electrical and mechanical equipment, the floor is seen as an impermeable gasket located between the parking levels and the main shaft of residential and hotel floors.
- The hotel lobby and related functions were located on the 50th floor, with hotel amenities, including meeting rooms, fitness center and spa occupying the 49th floor.
- A public bar and dining space, both indoor and outdoor, had been located on the building's rooftop which is said to "step down" on the north side.

PUBLIC COMMENT

The majority of those offering comments or affirming others' comments regarding the proposal were residents of the Escala, a condominium apartment building located north and west of the proposal site, across the alley.

Several of the public comments were directed at concerns outside the jurisdiction or purview of the Design Review Board. Among these were some observations and opinions more germane to SEPA review. Design issues communicated to the Board included the following: the overall massing of the proposal, a lack of more fully realized massing alternatives; the design and screening of the above-grade parking levels; scale as a component of adjacency considerations; the overall integration of base, tower and top in the preferred option; and, a lack of design gestures appropriate to impart gateway status to the structure.

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

BOARD DELIBERATIONS

The Board expressed a number of concerns, namely that:

- the design and development team still had only presented them with but minor variations in overall massing design;
- the perception of a "gateway" building remained problematic;
- the viability of the so-called "artist lofts" was questioned, but more importantly, they needed to be pushed forward to the skin of the building, not recessed, so as to provide a perceptible sense of depth into the spaces they occupy and to activate the corner during both daytime and nighttime hours;
- the balconies proposed on the tower seemed "too small to really texturize the tower";

- the generally blank north façade remains troublesome and tends to vitiate the Board's earlier guidance to design a 360-degree structure;
- while the curvilinear screening of the parking levels offers some promise, the five stories above the retail base still play out as a dead zone; this is the area of the building clearly perceived from the sidewalk level, an area that needs to say "gateway" in some manner, the area of the building that is to be viewed up close and personal from those riding the monorail; "true urban buildings don't start at the 7th floor";
- there is still no real clarity in the composition of the building, no clear parti; the tower does not tie in neatly with its base; it is not at this point a building that realizes its potential;
- the Board is waiting for the big gesture, or bigger gesture that will convincingly make it work and achieve a certain elegance of design.

The Board acknowledged elements of the refined design that had been presented:

- the more generous sidewalks along both 5th Avenue and Stewart Street that enhanced the public realm and the pedestrian experience;
- the move of the hotel lobby to the upper (?) floor and residential functions to the 6th floor that allowed for a reduction in size of the ground floor elevator lobby and increases in the size of retail functions; in complimenting these moves, the Board mentioned a willingness to grant a departure, should any be needed, to enable an even more open but integrated plan for elevator and residential entries and retail spaces at street level.

BOARD DIRECTIONS

While the design proposed might be Code compliant and considered by the applicants as relatively serviceable to meet development goals, it was not in its present manifestation a design for a building that demonstrated clear promise of embracing its site or of enhancing the built environment of Belltown and Downtown Seattle. At the conclusion of the second Early Design Guidance meeting, the Board recommended, by a vote of 3-0, that the project be returned for a third EDG meeting in response to the guidance given. The specific guidance, noted above, should be read and responded to in concert with the guidelines and guidance identified at the first Early Design Guidance meeting. In particular the design team was urged to revisit the considerations under the following guidelines that had been specified as being of highest importance for the success of this project: A.1 "Context"; A.2 "Enhancing the Skyline"; B.1 "Transitions in Bulk and Scale" and "Compatibility with Nearby Buildings"; B.4 "Well Proportioned & Unified Building"; C.2 "Design Facades of Many Scales"; D.3 "Elements that Define the Place"; and E.2 "Integrate Parking Facilities."

THIRD EARLY DESIGN GUIDANCE MEETING – December 15, 2015

DESIGN DEVELOPMENT

Exactly a year and a day after the first of the Early Design Guidance meetings on this proposal, the applicants returned for a third EDG meeting. Once again Ron Mitchell of MG2 Architects made the design presentation on behalf of the applicants. While the proposed structure was still a 500-foot tall building, it consisted of 49 actual stories. The hotel portion of the building would consist of approximately 220 hotel rooms in eleven floors, with 260 apartment units, contained within 21 floors with 3000 square feet of retail proposed at ground level and 160 parking spaces intended, with 76 stalls above and 84 below ground. Among the elements of the design that had

been addressed in response to the Design Review Board's earlier comments and guidance, according to the applicants, were the following:

- the tower should convey a sense of unity across all four facades: an undulation of angles in the various facades was provided in the tower above the base podium;
- a compositional concern for proportions of elements and their overall integration: the alignment of forms, base to tower, alignment of mullions base to tower, strong, further defining of the corner element at 5th and Stewart;
- the presentation of the design derivation of the basic massing schemes presented: it was noted that the three basic options were derived from at least 10 alternatives as portrayed on page 27 of the packet;
- the north and west façades had been singled out as in need of additional attention, which had been provided; see pages 13-15;
- the balconies shown earlier had been considered too small and the curvilinear design had not been considered convincing; see page 12;
- a response to superb examples of rhythmic structural bays and windows in buildings within the immediate context had been called for by the Board; see page 16 of packet.

PUBLIC COMMENT

Some of the public comments directly echoed remarks delivered at the two previous Earlier Design Guidance meetings:

- the proposed building remained troublesome; the design had not yet achieved "gateway" status;
- the public attending the meeting were not totally convinced that artist's lofts were the answer to the call for enlivening the corner of the above-grade parking structure portion of the building;
- the curb cut on 5th remained problematic; the alley remained dangerous and was thought incapable of serving both existing and future traffic; to some the loading berths appeared inadequate; the project was still considered by some to be overly large and too ambitious for the lot size.

Nonetheless, a number of the negative public comments did acknowledge at least a modicum of progress toward resolving some of the above-mentioned problems. The proposed building was thought to have been improved over earlier renditions but had not yet achieved a desired "elegance of design."

There were other public comments expressed at the meeting that conveyed the notion that the project as presented had adequately responded to community input, had listened and responded to the Design Review Board's guidance and recommendations from the earlier meetings, and should be moved along to a full-fledged MUP application.

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

BOARD DELIBERATIONS

In general, a majority of the Board members thought the design had made significant improvements and, after a brief digression examining whether the proponents should still be looking into additional massing alternatives, voted (4-1) to recommend that the proposal be

allowed to proceed to MUP application, after which it would be returned to the Board for a Recommendation Meeting. Further design development, however, should address the following specific concerns and directives:

- the design of the podium still did not provide a sufficient human scale; in particular there were concerns regarding the parking screen height which extended below the 2nd floor and above the 6th floor to provide a railing for the exterior amenity space; the screen should be reduced in height and its articulation reduced from the large panels shown to relate more comfortably to the pedestrian scale called for by the Board.
- the height of the 6th floor amenity space should be increased to provide a more defined termination to the podium and to delineate the commencement of the tower; the recess of the mechanical level at the 31st floor detracts from the integration and gracious flow of the tower and should be eliminated.
- the Board requested that a clearer logic be apparent in the choice of degrees and placement of the "undulation of angles" used to break up the façade planes, and a more dramatic, rather than subtle, scheme of determining the specific angularity should be employed.
- the termination of the tower needs to be more thoughtfully and substantially resolved (some form of crenulation was suggested by one of the Board members);
- the 5th and Stewart corner element looms as it ascends to the top of the tower and needs to be graciously resolved and absorbed into the form of the tower short of the plane that marks the tower's top.
- the north façade is not of a piece with the other three facades of the tower and prevents the 360 degree desired integrity of a unified tower in the downtown Seattle skyline; the Board conveyed a strong and unified sense that the deft addition of vision glass at the northwest corner and breaking up the contiguous solid cladding, together with other moves to integrate the north façade into a unified tower, were essential to attaining a well-designed and cohesive tower and that goal should not be sacrificed in attempts made to render the project more acceptable to residents in adjacent or nearby structures.
- additional information will need to be provided to the Board regarding a streetscape plan that presents in its developed design solutions to pedestrian safety concerns and provides mitigation for the disruption of the parking entry and curb cut on Fifth Avenue.

It was the Board's expectation that the project should undergo further design development, including responses to the major concerns expressed immediately above, proceed to MUP application, and be returned to the Board for a Recommendation Meeting.

RECOMMENDATION MEETING – August 16, 2016

DESIGN DEVELOPMENT

At the third EDG meeting the Board had made the following observations and had given the following directives. The design team's responses are noted after each of the following Board comments.

- BOARD OBSERVATION: the design of the podium did not provide a sufficient human scale; in particular there were concerns regarding the parking screen height

which extended below the 2nd floor and above the 6th floor to provide a railing for the exterior amenity space;

Board directive: the screen should be reduced in height and its articulation reduced from the large panels shown to relate more comfortably to the pedestrian scale called for by the Board.

***Response:* the podiums screen height was reduced by 3'-6" and the width of the panels reduced and increased in number. Tempered glass and handrails replaced the extension of the panels above the 6th floor floor-line.**

- BOARD OBSERVATION: due to the lack of perceived height differentiation in floors between the podium and the tower, a clear separation between podium and tower was not discernible.

  Board directive: increase the height of the 6th floor, creating more of a gasket effect and providing a more defined termination to the podium and delineation of the commencement of the tower.

  ***Response:* the height of the 6th floor was expanded from 10'-6" to 16'.**

- BOARD OBSERVATION: the recess of the mechanical level at the 31st floor detracts from the integration and gracious flow of the tower;

  Board Directive: it should be eliminated.

  Response: the recessed facades at the mechanical floor were eliminated.

- BOARD OBSERVATION: there was no clear or compelling logic to the choice in degrees or in the placement of the "undulation of angles" to enliven the otherwise rectilinear planes of the facades;

  Board Directive: provide a more dramatic, rather than subtle, scheme of determining the specific angularity of these faceted facades.

  Response: the angles of the facades were shown as a direct response to views to the nearby towers with each façade angled towards an improved outward view, and balconies were added to the residential floors to further sculpt the tower.

- BOARD OBSERVATION: the upward termination of the tower-top- is awkward and unresolved;

  Board Directive: the top needs to be more thoughtfully and substantially resolved;

  Response: the rectilinear "Core" mass of the building as the unifying element of the building was allowed to emerge and reassert itself at the top.

- BOARD OBSERVATION: the 5th and Stewart corner element looms as it ascends to the top of the tower;

Board directive: the corner needs to be graciously resolved and absorbed into the form of the tower short of the plane that marks the tower's top.

Response: the corner element was offset inwards instead of outwards, becoming a part and manifestation of the "Core" mass of the building.

- BOARD OBSERVATION: the north façade is not of a piece with the other three facades of the tower and prevents the 360-degree desired integrity of a unified tower in the downtown Seattle skyline;

  Board Directive: the deft addition of vision glass at the northwest corner and breaking up the contiguous solid cladding, together with other moves to integrate the north façade into a unified tower, were essential to attaining a well-designed and cohesive tower.

  Response: the northwest corner was wrapped in a grid of metal panels until above a line commensurate with the top floor of the neighboring Escala where the grid was composed of spandrel and vision glass.

- BOARD OBSERVATION: the safety of pedestrians moving along the sidewalk on 5th Avenue remains a concern;

  Board Directive: provide a streetscape plan that presents design solutions to pedestrian safety and provides mitigation for the disruption of the parking entry and curb-cut on Fifth Avenue.

  Response: tactile warning strips and pedestrian alert signs would be provided on either side of the garage entry on 5th Avenue, and the overhead garage door would be located well within the building to heighten safety and mitigate for blockage of the pedestrian way.

The design guidelines identified by the Board as Priority Guidelines for this project at the First Early Design Guidance meeting are summarized in notes from the first Early Design Guidance meeting. For the full text of the guidelines please visit the Design Review website.

DEVELOPMENT STANDARD DEPARTURES

No departures from development standards were requested.

PUBLIC COMMENT

As they had at earlier meetings, individuals representing residents of the Escala, a residential building located north and west of the proposal site, , involving several individuals offering an organized and collective comment regarding their concerns regarding the proposal. The presentation was welcomed, as it had been at previous meetings, since it avoided the repetition of identical comments and enabled a succinct and focused presentation of neighbors' concerns.

Several of the public comments, while stressing that significant issues regarding the proposed development remained, acknowledged progress toward resolving some of the perceived

problems, and several of the commenters expressed gratitude for the applicant team's willingness to establish dialogue with concerned neighbors. Among the other compliments extended were the following:

- a thank you for reducing the mass on the north side of the tower;
- a thank you for angling windows away from the Escala;
- improvements to the "Gateway Destination" look from McGraw Square.

The major concerns remained those that had been expressed at earlier meetings:

- The building is too big for the site;
- The above-grade parking remains an annoyance;
- The building needs full-sized loading berths; ground floor retail space should be sacrificed in favor of greater loading berth space;
- The alley is functionally inadequate to accommodate the service needs of this building or the service needs of other buildings on the block.

Other public comments expressed at the meeting conveyed the notion that the project as presented had adequately responded to community input, had listened and responded to the Design Review Board's guidance and recommendations from the earlier meetings, and should be moved along to approval. Selected as special assets of the proposal were the following: the "unique" and "valuable" artist lofts which few developers would invest in.

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

Additionally, written comments submitted to the planner at the Recommendation meeting, for the most part texts of comments delivered orally at the meeting, have been uploaded and are also available online.

BOARD DELIBERATIONS

Board members noted that the resolution of the tower had generally been done graciously and effectively (although the top was still in need of some further refinement). They complimented the design team on the clarity of the basic compositional diagram and the explanation of the angles and the faceted metal panel wall system.

Still in need of further refinement and resolution, however, were the following items:

1. THE NORTHWEST CORNER: The design team presented a northwest corner of the building that offered considerable opacity of materials up to the height of the top of the Escala, at which point the material pallet became increasingly transparent; this was said to address privacy concerns of neighboring residents. One of the Board members cautioned that the gesture might well be overly obeisant and a "long term mistake," and suggested that the design team revisit and re-evaluate the radical reduction in the amount of transparent glazing along the lower northwest corner of the structure.

2. THE ARTIST STUDIOS: The Board was in general agreement that the artist studio concept was a positive element of the proposal, but that the studios did not materially and compositionally announce themselves very well; they did not appear as "special as they ought to be"; their articulation could be considered was that of a "run-of-the mill

office building façade"; the studios bordered on "boring," and were in need of additional thought and attention (which might well include operable windows).

3. THE PARKING SCREENS: The reduction in the height of the screens was received positively, as was the increase in the number of the panels, resulting in the thinner, taller appearance of the individual screens. The "organic," curvilinear motifs embracing the panels, however, were a matter of concern and some discussion. The question posed was whether the organic curves introduced a whole new vocabulary to the building, one less syncretic than the diagonal tracery earlier espoused for the panels. Willy-nilly the panels suggested a story, and it was important to get the geometric story right.

4. THE ROOFTOP: The Board members were agreed that the rooftop needed simplifying; as articulated, it had moved away from the directness of expression of the formal massing analysis and concept diagram presented by the design team. The set of boxes that comprised the "top," while not totally randomly aligned, did suggest an arbitrariness and disjointedness, particularly as individual elements related to the "core" mass and the facades at the perimeter of the tower.

The Board discussed whether to require a return of the project for another Recommendation Meeting, or to allow the concerns stated above to be addressed and resolved, by the applicant team interacting with the Department and the Land Use Planner assigned to the project. Encouraged by the responsiveness of the design team to the Board's directives over the course of three Early Design Guidance meetings, two of the three Board members present voted to recommend approval of the proposal. Their approval was dependent upon the critical issues noted being addressed by the applicants and undergoing approval by the Land Use Planner and SDCI prior to the publication of a decision and issuance of a Master Use Permit by the Department.

Addendum to the notes from the Downtown Design Review Board Recommendation Meeting for #3018037, conducted on August 16, 2016.

At the meeting the Board members present also stated their apprehensions regarding adequacy of the otherwise Code-compliant proposed loading berths and the safe and effective functioning of the existing alley, given additional development along its length. Although the Board regarded these matters not within their official purview, they desired that the Land Use Planner should convey their concerns to functionaries within the City who would have the competence and responsibility to address them.

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 or more members of the Design Review Board agree in their recommendation to the Director, and if the Director otherwise approves a Master Use Permit application, the Director shall make compliance with the recommendation of the Design Review

Board a condition of permit approval, unless the Director concludes that the recommendation of 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 local, state or federal law.

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

At the conclusion of the Recommendation meeting held on August 16, 2016, two of the three Board members present at the meeting recommended approval of the project with the conditions described in the summary of the Recommendation meeting above.

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

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

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

Applicant response to Recommended Design Review Conditions:

1. The applicant responded with a memo on June 11, 2018, noting, "Vision glass was added at the Northwest corner below elevation of the top of Escala to match the upper floors, providing a more unified expression at this corner of the tower as well as additional natural light to the guestrooms and residential units. Please refer to the north and west elevation on sheets A2.01, A2.03, A2.06 and A2.07 of MUP revision no. 8 submittal." The response satisfies the recommended condition for the MUP decision. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy, as conditioned below.
2. The applicant responded with a memo on June 11, 2018, noting, "The mullion spacing of the curtainwall treatment at the Southeast corner where the artist studio occur was revised to provide a more varied pattern suggesting residential rather than office use. Operable windows were added to provide natural ventilation and further articulate this facade. Please refer to east and south elevations on sheets A2.01, A2.02, A2/A2.04 and A1/A2.05 of MUP revision no. 8 submittal." The response satisfies the recommended condition for the MUP decision. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy, as conditioned below.

3. The applicant responded with a memo on June 11, 2018, noting, "The parking screens have been revised to reflect the diagonal tracery initially proposed. Please refer to east and south elevations on sheets A2.01, A2.02, A2/A2.04 and A1/A2.05 of MUP revision no. 8 submittal." The response satisfies the recommended condition for the MUP decision. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy, as conditioned below.
4. The applicant responded with a memo on June 11, 2018, noting, "Two separate 'boxes' at the top of the tower along the East façade were revised to a single 'box', providing a more cohesive expression (in concert with the South elevation) at the top of tower at the important Southeast corner. Please refer to east and south elevations on sheets A2.01, A2.02, A10/A2.04 and A10/2.05 of MUP revision no. 8 submittal." The response satisfies the recommended condition for the MUP decision. This item shall be shown on the construction plans, and the installation of this item will be confirmed by the Land Use Planner prior to the final Certificate of Occupancy, as conditioned below.

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

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

DIRECTOR'S DECISION

The Director accepts the Design Review Board's recommendations and APPROVES the proposed design subject to the conditions set forth in this Decision.

II. ANALYSIS – SEPA

A. Procedural Component

SEPA Procedural Component: Adoption of EIS

Title of document being adopted:	Downtown Height and Density Draft EIS and Final EIS
Agency that prepared document being adopted:	City of Seattle
Date adopted document was prepared:	2003 and 2005

Pursuant to SMC 25.05.360, the Director of the Seattle Department of Construction and Inspections (SDCI) previously determined that the referenced proposal could have potential significant adverse environmental impacts under the State Environmental Policy Act (SEPA) on the land use, environmental health, energy/greenhouse gas emissions, aesthetics (height, bulk and scale, light, glare and shadows, views), wind, historic and cultural resources, transportation and parking and construction elements of the environment.

SDCI decided to use existing environmental documents, the Draft and Final Environmental Impact Statement (EIS) published for the Seattle Downtown Height and Density Changes (DEIS published in 2003 and FEIS published in 2005) that had previously been prepared in order to evaluate proposed actions, alternatives, or environmental impacts to meet its responsibilities under SEPA under SMC 25.05.600. The EIS evaluated the probable significant environmental impacts that could result from redevelopment following a change in zoning to allow additional height and density in the Downtown zones. That analysis evaluated the direct, indirect and cumulative impacts of the Preferred Alternative and other alternatives.

The subject site lies within the geographic area analyzed in that EIS. Potential impacts from the project proposed here are within the range of significant impacts that were evaluated in that FEIS. Therefore, as authorized by State and local SEPA rules, SDCI determined that it should adopt that EIS.

In addition, an Addendum to that EIS (Addendum to the Environmental Impact Statement for the Downtown Height and Density Changes EIS prepared for the 1903 5th Avenue Development Master Use Permit No, 3018037, dated September 14, 2017) has been prepared to add more project-specific information and identify and analyze new potential environmental impacts from the proposed project (referred to below as "Addendum").

The Addendum adds analysis or information about the proposal and does not substantively change the analysis of significant impacts and alternatives in the EIS. The project produces no probable, significant, adverse environmental impacts that were not already studied in the EIS.

The Addendum for the proposed project considered four possible scenarios for a development at this site: Option A and Option B for both Alternatives 1 and 2 of the EIS. The proposal is within the range of options and alternatives described in the Addendum.

The Addendum addresses the following areas of environmental impact:

- Land Use
- Environmental Health
- Energy/Greenhouse Gas Emissions
- Aesthetics: Height, Bulk and Scale
- Aesthetics: Light, Glare, and Shadow
- Aesthetics: Viewshed
- Historic Resources
- Wind
- Transportation, Circulation and Parking, and
- Construction

The Notice of Adoption of the EIS and Addendum was first published in the City's Land Use Information Bulletin (LUIB) on September 14, 2017. An updated notice was published in the LUIB on October 9, 2017. A third updated notice was published on August 5, 2019. Notices were issued consistent with SMC 25.05.630.C.1.

B. SEPA Substantive Analysis

Short Term Impacts

The following is a discussion of the impacts identified in each element of the environment either in the EIS or in the addendum, along with indication of any required mitigation for the impacts disclosed. The Addendum includes a discussion of the proposal, as well as disclosure of the environmental impacts of the proposal including the following areas of the environment.

Greenhouse Gas Emissions

The Seattle Downtown Height and Density Changes (January 2005) did not identify impacts or mitigation related to Air Quality or Greenhouse Gas Emissions.

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. The Addendum identified potential mitigation related to Greenhouse Gas emissions.

While these impacts are adverse, the impacts are not significant and no mitigation is warranted pursuant to SMC 25.05.675.A.

Construction Impacts - Parking and Traffic

SMC 25.05.675.B provides policies to minimize or prevent temporary adverse impacts associated with construction activities. The EIS did not identified potential construction impacts from new construction.

The proposal is expected to have likely temporary construction impacts including parking and traffic impacts during the construction process. The Addendum identified 32,000 cubic yards of material to be excavated from the site. The Addendum also identified potential mitigation related to Construction impacts including compliance with the existing Noise Ordinance; Puget Sound Clean Air Agency requirements; shielded lighting; and a Construction Management Plan for truck haul-routes, peak-hour restrictions for truck traffic, truck staging areas, construction employee parking areas and staging areas, measures to reduce construction worker trips, public right of way requirements during construction; construction or staging affects to transit stops, noise, air quality, and lighting. The proposal will be required to follow existing requirements for noise, lighting, and air quality.

The proposal will also be conditioned to mitigate adverse impacts of the construction process. Pursuant to SMC 25.05.675.B (Construction Impacts), SDCI requires approval of a Construction Management Plan, which will be reviewed by the Seattle Department of Transportation (SDOT). The requirements for a Construction Management Plan include a haul route and a construction parking plan, information about how construction will address pedestrian mobility, staging, transit stops, cranes, street closures, and traffic effects. The submittal information and review process for Construction Management Plans are described on the SDOT website: Construction Use in the Right of Way. The Construction Management Plan will be required prior to issuance of the first demolition, shoring/excavation, or construction permit.

Construction Impacts - Noise

The proposal is expected to have likely temporary construction impacts including noise impacts during the construction process. The EIS did not address specific impacts related to construction noise. The temporary construction impacts and potential mitigation are discussed in the Addendum.

The Addendum identified potential mitigation related to Construction impacts, including a Construction Management Plan for noise, haul route, and construction worker parking impacts among others. The Addendum also identified compliance with the Seattle Noise Code (SMC 25.08) as potential mitigation for construction noise.

SMC 25.05.675.B provides policies to minimize or prevent temporary adverse impacts associated with construction activities. To mitigate adverse construction impacts, SDCI will require a Construction Management Plan (CMP) to mitigate noise impacts of the proposal prior to issuance of the first demolition, shoring/excavation, or construction permit. The CMP includes 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 Construction Use in the Right of Way.

The limitations required in the Noise Ordinance and the requirements of the CMP are expected to be sufficient to mitigate noise impacts and no additional conditioning is necessary to mitigate noise impacts per SMC 25.05.675.B.

Construction Impacts – Mud and Dust

The proposal is expected to have likely temporary construction impacts including mud and dust during the construction process. The EIS did not include any specific information about construction-related impacts from new construction in the Downtown area.

The Addendum identifies necessary excavation to construct the structures. Excavation will remove an estimated 32,000 cubic yards of material from the development site. Soil, gravel and similar materials may be imported to or exported from the site. Transported soil is susceptible to being dropped, spilled or leaked onto City streets.

SMC 25.05.675.B provides policies to minimize or prevent temporary adverse impacts associated with construction activities. The Addendum identified potential mitigation related to construction impacts, including compliance with Puget Sound Clean Air Agency's regulations and the City of Seattle's construction best practices regarding demolition activity and fugitive dust emissions.

City of Seattle construction best practices include the City's Traffic Code (SMC 11.74.150 and .160) provides that material hauled in trucks are not 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.

The requirements of the City of Seattle construction best practices (SMC 11.74.150 and 11.74.160) and the Puget Sound Clean Air Agency's regulations are expected to sufficiently

mitigate construction impacts related to mud and dust. No further conditioning of the construction impacts of the project beyond these requirements is warranted pursuant to SEPA policies (SMC 25.05.675.B).

Environmental Health

SMC 25.05.675.F provides policies to minimize impacts to environmental health, including soil and groundwater contamination. The DEIS described potential mitigation for contamination in the South Lake Union area. The FEIS did not include any specific information about soil or groundwater contamination.

The Addendum noted a Phase II Environmental Site Assessment (Phase 2 Environmental Site Assessment Seattle Monorail Project Surface Parking Lot- 1903 5th Avenue, prepared by CDM, dated February 28, 2005) was conducted for the project site to address recognized environmental conditions identified in the Phase I assessment and associated with former site uses that included a gasoline station and an underground storage tank.

The Phase II Environmental Site Assessment found no field evidence of contamination during drilling, and no analyzed contaminant concentrations exceeding Washington State Model Toxics Control Act (MTCA) Method A cleanup levels were detected. The Phase II assessment addressed the recognized environmental conditions identified during the Phase I investigation, and no addition investigation or remediation was recommended. No other specific mitigation was identified for 1903 5th Avenue in the Addendum.

No further mitigation is warranted for impacts to environmental health, per SMC 25.05.675.F.

Long Term Impacts

The following is a discussion of the impacts identified in each element of the environment, along with indication of any required mitigation for the impacts disclosed. The Addendum includes a discussion of the proposal, as well as disclosure of the environmental impacts of the proposal including the following areas of the environment.

Greenhouse Gas Emissions

The Seattle Downtown Height and Density Changes (January 2005) FEIS did not identify impacts or mitigation related to Air Quality or Greenhouse Gas (GHG) Emissions.

Operational activities, primarily vehicular trips associated with the project construction and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. The Addendum identified potential mitigation related to Greenhouse Gas emissions including compliance with the City's Energy Code and Land Use Code. In addition, the project is targeting LEED certification to further reduce GHG emissions.

While these impacts are adverse, they are not expected to be significant and no further mitigation is warranted pursuant to SMC 25.05.675.A.

Height, Bulk, and Scale

SMC 25.05.675.G provides policies to minimize impacts of height, bulk, and scale from proposed development.

The FEIS recommended specific strategies to mitigate the impacts of additional height, bulk, and scale for new development that conforms to the new zoning designations. Many of these strategies were integrated into the development standards for the applicable zones in the Land Use Code.

The FEIS also included analysis of potential wind impacts to the pedestrian environment, related to aesthetic impacts. The FEIS noted that taller buildings notably affect the wind environment for pedestrians by causing downwash on flat sides perpendicular to prevailing winds. New buildings within Downtown could create the potential for wind effects on pedestrians.

The Addendum described impacts related to aesthetics, including height/bulk/scale, light and glare, wind, and shadows on privately owned open spaces. The Addendum indicated no significant adverse impacts were expected, related to height/bulk/scale, light and glare, wind, or shadows on privately owned open spaces.

The Addendum also listed potential mitigation for aesthetics, including height/bulk/scale, and light and glare. These mitigation strategies are incorporated through the Design Review process, as required by SMC 23.41.

The Addendum included a wind study that was prepared for the proposed development by RWDI Consulting Engineers & Scientists (dated May 8, 2017). The study found that appropriate wind conditions are expected around the proposed development at the ground level and all conditions are predicted to pass the wind criterion used to assess pedestrian wind safety. The study also noted that slightly higher than desired wind conditions may be present on the roof.

The Addendum identified potential mitigation related to managing wind impacts for the roof including installation of tall parapets around the perimeter and localized landscaping or windscreens. While these impacts may be considered adverse, they are not expected to be significant and additional mitigation for wind impacts is not warranted per SMC 25.05.675.G. 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."

SDCI concludes that the height, bulk and scale of the proposed development and relationship to nearby context have been addressed during the Design Review process for the project proposed on the site. In addition, the 5-stories added to the proposed tower per SMC 23.58B.055 are consistent with the design recommended for approval by the Design Review Board pursuant to SMC 23.41.014.E. Further, the project site does not present unusual circumstances such as

substantially different site size or shape, or topography anticipated by applicable codes or zoning; the development proposal does not present unusual features, or unforeseen design; and the project is not located at the edge of a less intensive zone, which could result in substantial problems of transition in scale. The project is located in an area of downtown Seattle that was intentionally zoned to allow and encourage greater density and additional high-rise residential and commercial towers.

Pursuant to the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate height, bulk and scale impacts are adequate and additional mitigation is not warranted under SMC 25.05.675.G.

Historic Resources

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

The 2005 FEIS indicates that there were designated City Landmark buildings in the Downtown area that could be affected by the then proposed height and density changes.

The Addendum described the landmark structures and review process required.

The Addendum noted that the project is located adjacent to the Seattle Monorail, Times Square Building, and McGraw Square/Place landmarks. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and did not recommend changes to the proposed design of the buildings at 1903 5th Avenue. (Landmarks Preservation Board letter, reference number LPB 689/16).

These reviews were described in the Addendum, and no mitigation beyond existing City Codes and regulation was identified.

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 for the development proposed with MUP 3018037-LU, and no further conditioning is warranted per SMC 25.05.675.H.

Land Use

The FEIS included a discussion of land use impacts that were anticipated as a result of height and density changes in the various EIS alternatives but concluded that the change was consistent with the Comprehensive Plan and neighborhood plans and was not a significant unavoidable adverse impact. The height, density, and intensity of use authorized by the zoning designations were contemplated in the EIS. The FEIS described potential mitigation including rezones of some areas to promote residential uses, tools to encourage retention and expansion of human service agencies and using incentives to encourage landmark preservation.

The Addendum noted that the proposed development is consistent with development expected at this site in the Belltown Neighborhood and the Downtown Urban Center. The Addendum did not identify mitigation for this item.

Pursuant to the SEPA Land Use Policy, SMC 25.05.675.J, no significant adverse land use impacts are anticipated from the proposal and no mitigation is necessary.

Light and Glare

The FEIS did not specifically address light and glare-related impacts or mitigation.

The Addendum described project-specific impacts related to light and glare. The building material reflectivity and angled facades are anticipated to have minimal glare impacts. The Addendum identified potential mitigation, including compliance with Design Review Guidelines, not using excessively-reflective surfaces, street trees to disrupt glare, pedestrian scale lighting with cut-off fixtures, and the presence of nearby buildings that will shade the proposed structure and disrupt glare. Headlights from vehicles entering and exiting the garage at both the alley and 5th Avenue are also anticipated to have minimal impacts, and the Addendum did not identify mitigation for this item.

Pursuant to the SEPA Light and Glare Policy, SMC 25.05.675.K, no significant adverse impacts are anticipated from the proposal. As described in the Addendum, the design review process considered the exterior building materials and exterior vegetation which are expected to mitigate light and glare impacts. Any remaining adverse impacts of reflected light and glare are expected to be minimal and no further mitigation is warranted.

Parking

SMC 25.05.675.M provides policies to mitigate parking impacts.

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

Traffic and parking analyses associated with the proposed development were reviewed by SDCI, as described in the Addendum (Transportation Technical Report Altitude Tower at 5th and Stewart 1903 5th Avenue by Heffron Transportation Inc., dated August 13, 2017).

The proposed development includes 140 parking spaces (96 for hotel and 44 for residential). The Transportation Technical Report identified peak parking demand of 149 vehicles for residential and 86 vehicles for hotel. The below-grade parking would accommodate the hotel demand; however, overflow residential parking could occur, resulting in potential spillover parking impacts and a demand for 105 off-site parking spaces. The City of Seattle does not require parking for residential developments. The Addendum noted many urban residents do not own a car and the lack of on-site parking may encourage more to give up their car and rely on alternatives such as transit and car-sharing. Peak residential parking demand occurs during evening hours, when parking would be available at many off-street facilities in the vicinity of the project.

In addition, impacts related to the retail use associated with the project are anticipated to be minimal as the project is located with the downtown urban center and many of the retail patrons will be passerby traffic or accommodated by transit.

The Transportation Report noted that on-street parking is very limited within 800' of the site, and demand for off-site spaces could be accommodated within nearby publicly-available parking garages. Specifically, the Seattle 2016 Downtown Off-Street Parking Survey determined that about 15,500 parking spaces were available for public use in the retail core and south Belltown areas of downtown. About 4,600 of these spaces were unused during the weekday peak period, with a greater number of spaces available for use in the evenings and on weekends, when parking demand from project residents would be greatest. The 105 vehicle increase in parking demand from this project easily could be accommodated by the existing reservoir of public parking in the area. The Transportation Report concluded that publicly-available parking garages that have parking available for rent, even during weekdays when downtown demand is the highest. Any parking impacts from spillover parking would not be significant.

Additionally, the Transportation Report noted that the location of this site in the downtown core and the increasing availability of other modes of transportation, it's likely that the peak parking demand will decrease over time.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of parking impacts in the Downtown Urban Center, where this site is located. Regardless of the parking demand impacts, no SEPA authority is provided to mitigate impacts of parking demand from this proposal.

Public Views

SMC 25.05.675.P provides policies to minimize impacts to designated public views listed in this section. The FEIS noted possible impacts to public views as a result of additional height and density that could follow the EIS alternatives. The Downtown EIS also notes that views would be altered in these sense that the number of buildings and arrangement of buildings that compose the Downtown skyline would be different as buildings are developed. The FEIS identified no significant adverse impacts and identified potential mitigation in the form of upper level setbacks on certain streets. The Land Use Code includes development standards in response to that mitigation.

The Addendum included a discussion of impacts to designated public views in SMC 25.05.675.P, as well as impacts to views from nearby private properties. SMC 25.05.675.P specifically notes the locations where impacts to public views may be mitigated. SMC 25.05.675.P does not list any policies or mitigation for impacts to views from private property.

The Addendum described view impacts and included images showing views of the proposed development from nearby sites and from the adjacent SEPA Scenic Corridor (5th Avenue).

As shown in the Addendum, the proposed development would be visible as a continuation of the Downtown skyline, as viewed from Volunteer Park, Bhy Kracke Park, Plymouth Pillars Park, and 5th Avenue and Lenora. The project would generally blend into the skyline and would be consistent with the existing buildings in this portion of the City and as allowed by the City's Land use Code. The Addendum noted no significant view impacts from protect public viewpoints are anticipated.

The site is located adjacent to a SEPA Scenic Corridor (5th Avenue). The Addendum included analysis of views from this corridor. The Addendum noted no significant impacts to the views

along 5th Avenue as a result of the proposed development. The Addendum showed impacts to views of along 5th Avenue, but no more than the impacts anticipated with the FEIS.

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

Shadows on Open Spaces

SMC 25.05.675.Q provides policies to minimize shadow impacts to designated public open spaces listed in this section. Areas in downtown where shadow impacts may be mitigated per these SEPA policies include only: 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 FEIS included consideration of shadow impacts but did not identify any necessary mitigation related to these impacts.

The Addendum included a discussion of shadow impacts to designated open spaces in SMC 25.05.675.Q, as well as shadow impacts to nearby private properties. SMC 25.05.675.Q.2.b specifically notes a limited number of public open spaces in downtown where mitigation is authorized to reduce shadow impacts. SMC 25.05.675.Q does not list any policies or mitigation for impacts to views from private property.

The Addendum included an analysis of sunlight blockage and shadow impacts, an assessment of the extent of shadows, including times of the year, hours of the day, anticipated seasonal use of open spaces, availability of other open spaces in the area, and identified the times of year and locations within the open spaces that would be most used by people. The Addendum noted that the proposed development would create no new shadow impacts in fall and winter. The proposed development would contribute to shading new portions of a public open space, McGraw Square, in spring and summer. The Addendum noted that during the spring, the weather normally leads to fewer users in McGraw Square. In the summer, the additional shading from the proposed tower will be located within a minimal area of McGraw Square. The anticipated shadow impacts are typical of Downtown high-rise development and no significant impacts are anticipated.

The impacts of shadows on designated public open spaces are anticipated to be minimal as disclosed in the addendum and mitigation is not warranted per SMC 25.05.675.Q.

Transportation

SMC 25.05.675.R provides policies to minimize transportation impacts. The FEIS analysis considered the direct, indirect and cumulative impacts of the EIS alternatives as they relate to the overall transportation system and parking demand. The subject site is within the area analyzed in the FEIS and the proposed development is within the range of actions and impacts evaluated in the FEIS.

The Addendum and the Transportation Technical report prepared by the Heffron Transportation Inc., estimated that the project would generate a total of 2,290 new daily vehicle trips. Of these, 74 would occur during the morning peak hour, and 130 would occur during the afternoon peak

hour. The study evaluated traffic operations at nearby intersections and roadway segments and on the alley adjacent to the site to determine the likely level of impact of the additional project traffic. Future-year conditions assume traffic from other developments in the vicinity of the project.

The transportation impact analysis determined that the project's likely transportation impacts were consistent with the analysis in the FEIS. Specifically, traffic operations during the afternoon peak hour were evaluated at thirteen nearby intersections, including Stewart Street and Virginia between 7th Avenue and 3rd Avenue and Olive Way between 5th and 7th Avenues and alley intersections at Steward Street and Virginia Street. The Addendum noted with or without the proposed project none of the study area intersections would operate worse than LOS D during the PM peak hour.

Alley intersection with Virginia Street is estimated to operate LOS F with or without the project. Alley intersection with Stewart Street is estimated to operate LOS E without the project and LOS F with the proposed project. These operations include increased vehicle and pedestrian traffic associated with the proposed project, traffic from the proposed 5th and Virginia hotel that would share the alley, and a 1% per year increase in existing traffic volumes to provide a cumulative analysis accounting for traffic growth from other projects in the vicinity of the site. The Transportation Technical Report noted that poor operations are common for unsignalized intersections in the downtown core, and vehicles may have to wait on the alley for pedestrians and main street traffic to clear.

The driveway on 5th Avenue is expected to operate at LOS D.

The Downtown EIS concluded that, *future development through the year 2020 would generate additional traffic volumes and increase congestion in portions of Downtown, most notably in the Denny Triangle area. Much of this impact would occur with or without zoning changes.* Key corridors where congestion was anticipated in the Downtown EIS included Stewart Street, Denny Way, Olive Way, and Howell Street. Traffic operations with the proposed project would be consistent with those in the Downtown EIS. The project is not expected to noticeably increase delay at any of the intersections, and all future levels of service are forecast to operate at a Level of Service (LOS) D or better.

Residential project access is proposed from the alley on the west side of the site. The width of the alley varies between approximately 16' and 18'. With the development of the proposed project and a nearby project at 1933 5th Avenue, portions of the alley will be widened additional 2'.

Loading and unloading activity in the alley currently block traffic. Observations over an 11-hour weekday documented a range of delays with an average of 17 minutes. This average was increased from 6 minutes to 17 minutes as a result of one 3-hour block by a moving truck. Delivery and loading for both the proposed project and the future development at 1933 5th Avenue would occur from access via the alley and could result in increased loading activity in the alley or potential short-term blockages. The project proposes three truck loading bays (one 35-foot long bay and two 25-foot long bays) anticipated to accommodate the expected loading demand and truck lengths without blocking the alley. In the occasional circumstance where a larger vehicle (such as a residential moving van) needs to access the site, they would be directed to obtain a street use permit from SDOT so that the truck could be parked on the adjacent streets during move-in or move-out.

The Addendum and the Transportation Technical Report, as well as, the Transportation memo dated May 8th, 2019 prepared by Heffron Transportation Inc., listed mitigation including "no stopping or standing" signage to be posted along the building adjacent to the alley, working with residents prior to move-in/move-out to ensure trucks fit in the building's loading dock, and working with others fronting the alley to establish more and/or longer commercial loading zones along 4th Avenue, 5th Avenue, Stewart Street and Virginia Street to accommodate the local truck loading needs. In addition, the Addendum recommended building management inform residents about move-in/move-out restrictions and permit requirements, and schedule use of the loading bays at times with multiple residents may be moving on the same day.

To mitigate potential impacts from increased delivery activity on the alley, a dock management plan will be required. The objective of the management plan will be to coordinate deliveries among the residential and the commercial tenants. The management plan will provide protocols on the scheduling and timing of deliveries to minimize alley impacts of trucks waiting to access loading berths. If dock management plans are developed for other projects taking access from the segment of the alley bounded by 4th Avenue, 5th Avenue, Virginia Street, and Stewart Street, these plans shall be taken into consideration by the dock management plan prepared for this project, with goals of avoiding delivery schedule conflicts and minimizing waiting times for trucks accessing loading berths from the alley.

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

DECISION – SEPA

SEPA Procedural Component

SDCI adopts the Draft and Final Seattle Downtown Height and Density Changes (2003 and 2005) for the proposed project, as supplemented by the EIS Addendum dated September 14, 2017.

SEPA Substantive decision

The proposed action is approved subject to compliance with the conditions identified below.

CONDITIONS – DESIGN REVIEW

For the Life of the Project

1. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials, colors, landscaping, and signage shall require prior approval by the Land Use Planner (Crystal Torres, 206-684-5887, crystal.torres@seattle.gov).

CONDITIONS – SEPA

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

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

Prior to Issuance of a Construction Permit

3. A dock management plan shall be prepared to manage deliveries at the alley and shall be reviewed and is subject to approval by the SDCI Transportation Planner and Seattle Department of Transportation. The dock management plan shall demonstrate how the Project includes the following items:

   Dock Master: The project shall designate a Dock Master to manage dock operations. The Dock Master will be the designated point of contact for ensuring the project's continuing compliance with the adopted dock management plan. The Dock Master will have the following responsibilities:

   - Ensure that trucks parked in the project's loading dock do not block the alley and are contained within the loading dock facility.
   - Be available either physically or on-call to assist trucks with maneuvering into the truck loading docks. This could include repositioning waste receptacles associated with other buildings along the alley to provide a truck maneuving path.
   - Use best efforts to coordinate with the buiding official, Dock Master, and/or staff for other buildings along the alley regarding alley operations.
   - Meet quarterly with the project's residential and commercial management staff for all tenants to discuss the operations of the dock management plan and identify any issues for improvement or coordination. Additional meetings shall be scheduled as needed for events that may relate to alley operations, such as road or alley closures, regularly scheduled maintenance, etc.

   Delivery Management:

   - All vendors, including personal parcel delivery such as Amazon, Target, or other consumer deliveries, shall deliver through the loading dock. Truck deliveries will not be accepted in the main lobby accessed from 5th Avenue.
   - Trucks shall be directed to enter the alley from Stewart Street and exit from Virginia Street. This access route will align trucks to back-in from the alley to the loading bays at the proper angle.
   - Trucks in the loading dock shall be prohibited from extending beyond the west façade into the alley.
   - Vendors shall be required to make deliveries in trucks that are no longer than 26 feet.
   - All hotel purchase orders shall include the delivery instructions and Dock Master contact information described above.
   - All hotel information sheets, website, and telephone directories will communicate delivery route and truck size limitations described above.

Signage:

- The project shall post and maintain "No Stopping or Standing" signs along the building façade adjacent to the alley.
- Signs with contact information for the Dock Master shall be posted in the alley.

Residential move-in/move-out: To reduce potential impacts associated with residential moves, building management will implement the following measures:

- Create a residential moving schedule for use of the loading docks. During weekday mornings, when hotel deliveries are expected to be greatest, no more than one of the loading docks should be made available for residents. On weekday afternoons and weekends, up to two loading docks could be made available to residents simultaneously. At all times, one loading dock should remain unscheduled to accommodate vendor and parcel deliveries.
- Residential leases will require that:
  - Residents must schedule use of the loading dock for move-in/move-out activity with the building management.
  - Residents shall use small trucks (no longer than 26' feet) in the loading dock for move-in/move-out. Management shall assign residents to the appropriate length loading bay based on the expected truck size, and will not allow more than one truck in excess of 20 feet to be scheduled at the same time.
  - If trucks longer than 26 feet are required, residents and/or their moving company will be required to secure an on-street truck loading permit through the Seattle Department of Transportation.
  - Under no circumstances will trucks be allowed to stage in the alley for any load or unload activity.

Crystal Torres, Land Use Planner
Seattle Department of Construction and Inspections

Date: October 10, 2019

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

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

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

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

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