



PLANNING & DEVELOPMENT
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February 2, 2017

Doug Yost
600 Main, Inc
PO Box 2160
Spokane, WA 99210

Re: Macy's Design Departure
File No. # Z16-914CUP2

Dear Mr. Yost:

In accordance with the provisions of the Spokane Municipal Code 17C.124.500 (A), 600 Main, Inc is hereby granted a Design Departure, subject to conditions, to depart from the design standards related to required glazing percentages and blank walls greater than 25 feet in length for the renovation of the Macy's Building located at 608 W Main.

Approval, subject to conditions of the above mentioned project, shall be substantially in conformance with the plans and application on file in the Planning & Development Department. This Design Departure shall become effective on **February 15, 2017**, unless an appeal is filed by this date. This permit shall expire on **February 15, 2020**, if a building permit has not been issued by the City of Spokane Building Department for this work.

This is not a construction permit. Any permits required by the Development Services or Engineering Services Department or other City/County departments for any construction must be obtained from the proper agency before proceeding with work.

Enclosed are the decision and a copy of the covenant that must be signed by the property owner(s) and **filled with the Spokane County Auditor's Office** after February 15th, 2017 in order to fulfill the requirements of the approval given for the design departure application for the above property. A conformed copy of that agreement must be filed with this office prior to the issuance of building permits.

Please feel free to contact Ali Brast at (509) 625-6638 or abrast@spokanecity.org, if you have any further questions related to this matter.

Sincerely,

A handwritten signature in black ink that reads "Lisa D. Key".

Lisa D. Key
Planning Director

By: Ali Brast, Assistant Planner
Planning and Development

**DECISION ON
DESIGN DEPARTURE APPLICATION
FILE NO. Z16-914CUP2**

I. SUMMARY OF REQUEST AND RECOMMENDATIONS:

DESCRIPTION OF PROPOSAL: The Applicant has requested approval of a Design Departure (Type II) from the Planning Director to allow a departure from the design standards related to required glazing percentages and blank walls greater than 25 feet in length.

Recommendation: Staff recommends approval of this application, with conditions.

II. GENERAL INFORMATION:

- | | | |
|----|-------------------------------|--|
| A. | Applicant/
Property Owner: | 600 Main, Inc
PO Box 2160
Spokane, WA 99210 |
| B. | Agent: | Doug Yost
600 Main, Inc
PO Box 2160
Spokane, WA 99210 |
| C. | Location of Proposal: | The subject property is located at 608 W Main, 618 W Main and 223 N Howard; Parcel #'s: 35184.1807, 35184.1806, and 35184.1802 |
| D. | Existing Zoning: | Downtown General (DTG) |
| E. | Land Use Plan Designation: | Downtown |
| F. | SEPA Status: | Exempt |
| G. | Enabling Zoning: | SMC 17C.124.500 (A), Design Standards Implementation; SMC 17G.030, Design Departures |
| H. | Staff Contact: | Ali Brast, Assistant Planner, 625-6638
abrast@spokanecity.org |
| I. | Date of Decision: | February 2, 2017 |

III. FINDINGS OF FACT:

- A. **Site Description:** The site is located on Main Ave, between Howard St and Wall St. This is the previous Macy's Building and before that it was the Bon Marche.
- B. **Project Description:** 600 Main bought the old Macy's Building on Main Street, between Wall St. and Howard St, in the Downtown. Per 17G.040.020.E, because the building is within the downtown central area and is greater than 25,000 square feet, the exterior renovations triggered Design Review. During the design review process, it was determined that the proposed building elevations on Main St, Howard St, and Wall St will not meet the code requirements for percent glazing, nor the limitation on blank walls greater than 25ft in length.

SMC 17C.124.510 states that for buildings fronting on a complete street (which Main Ave, Howard St, and Wall St are all designated as), Table 17C.124-4 window glazing requirements apply. All three frontages are designated as Type I complete streets. Per Table 17C.124-4, non-residential uses in the DTG zone require 60% glazing for ground floor facades between two and ten feet. Additionally, between 10 and 40 feet, 40% glazing is required for non-residential uses. SMC 17C.124.510.B.5 also states that blank wall areas on street facing facades may not extend more than 25 feet without a window, glass-covered display area, entryway, or recessed area of a minimum size of two feet deep by six feet wide by ten feet high.

The applicant's proposal identifies the following glazing for each elevation:

	<u>Between 2 and 10 feet</u>	<u>Between 10 and 40 feet</u>
<u>Southern Elevation:</u>	54.3%	32.7%
<u>West Elevation:</u>	34.7%	35.7%
<u>East Elevation:</u>	29%	38%

Additionally, the applicant's proposal shows blank walls greater than 25 feet in length. Because the applicant's proposal does not meet the percent glazing requirements or the limitation on blank walls greater than 25ft in length, the code indicates that a design departure may be requested, which is processed as Type II application.

- C. **Surrounding Zoning:** The surrounding zoning to the west, south, and east is all DTC (Downtown Core). North of the alley, all property is zoned DTC, but with a height limit of 100ft.
- D. **Adjacent Land Use:** All surrounding land use designations are classified as Downtown.
- E. **Applicable Zoning Regulations:** Spokane Municipal Code (SMC) 17C.124, Downtown Zones; SMC 17G.030, Design Departures
- F. **Procedural Requirements:**
- Design Review – Collaborative Workshop on September 28th, 2016;
 - Application was submitted on November 16th, 2016;
 - A Request for Comments notice was sent to Departments and Agencies on November 17th, 2016;
 - Design Review – Recommendation Meeting on November 30th, 2016;

- Revised Elevations and Corresponding Narrative (from DRB Recommendation) Submitted on January 6th, 2017;
- A Notice of Application was mailed and posted on the subject property on January 11th, 2017, which began the 15-day public comment period; and
- The Public Comment Period closed on January 25th, 2017.

IV. DEPARTMENT REPORTS:

Notice of this proposal was sent to City departments and outside agencies for their review and comments on November 17th, 2016. Their comments are included with the file and are made part of this application by reference.

V. PUBLIC COMMENT:

Staff received one public comment letter, after the close of the comment period. That letter can be found in the file.

VI. CONCLUSIONS:

SMC 17G.030.040 Decision Criteria

1. *Has the applicant's design team thoroughly examined how the Requirement (R) and/or Presumption (P) could be applied as written?*

Relevant Facts: The applicant submitted alternative elevations which show the three facades meeting the glazing requirements and avoiding blank walls longer than 25ft in length. While this alternative meets the design requirements, the text of the application indicates that this level of glazing doesn't work for the overall building. The Washington State Energy Code limits glazing for the entire building to 40%, which when contrasted with the Spokane Municipal Code's 60% glazing requirement between two and ten feet and the 40% glazing requirement between 10 and 40 feet for all three street frontages, the alternative design would severely limit the amount of glazing able to be provided for the residential units above. The application indicates that the design attempts to balance this glazing between the two priorities – retail and residential.

Additionally, the supplemental Narrative explains that existing structural elements which support the skywalks on both Wall St and Howard St limit any type of openings into those bays, affecting the inclusion of additional windows along those corridors.

Staff Comments: It does appear that the applicant has thoroughly examined how the design standards could be applied as written. However, taking in to consideration the Washington State Energy Code, as well as the structural components of the building (support of the skywalks), the design has worked to balance all competing elements. The applicant has proposed a design that enhances facades where structural alterations are not feasible, as well as taking in to consideration the necessary windows for residential units on the upper floors.

Staff finds this criterion is met.

2. *Does the proposal meet the intent and the general direction set forth by the Requirement (R) and/or Presumption (P) as written?*

Relevant Facts: To supplement the lack of glazing and to enhance the portions of walls that are longer than 25 feet in length along Wall St and Howard St, the applicant shows articulated masonry veneer with vertical reveals and horizontal rustications, wall mounted light fixtures, and pedestrian-scale canopies. Additionally, on a portion of the blank wall on both Wall St and Howard St, commissioned artwork will be provided to further enhance the facades, providing a sort of bookend to the retail space along the ground floor.

Staff Comments: In reviewing the proposal as a whole, it appears that all the design elements mentioned above – the horizontally rusticated masonry veneer, the light fixtures, the pedestrian scale canopies, and the commissioned artwork – coupled with the large high-bay windows along Main and around each corner on Wall St and Howard St, are working to provide a rich pedestrian experience for the overall façade of the retail space.

Staff finds that this criterion is met.

3. *Is the specific change superior in design quality to that potentially achieved by the Requirement (R) and/or Presumption (P) as written?*

Relevant Facts: As indicated above, the Washington State Energy Code has a limitation of 40% glazing for an entire building. If the applicant were to adhere to the Spokane Municipal Code's design requirement of 60% glazing between two and ten feet and 40% glazing between 10 and 40 feet, the residential units on the upper floors would have significantly decreased glazing allowances. In the applicant's view, providing a balance across the entire building does provide a superior product overall.

Staff Comment: It does appear that in looking at the building as a whole, the overall end product would be superior in terms of providing adequate light and code-required windows for the residential units on the upper floors.

Staff finds this criterion is met.

4. *Is the departure necessary to better address aspects of the site or its surroundings?*

Relevant Facts: The applicant does not dispute that the proposal does not meet the ground floor glazing requirements. The Design Departure Application discusses that the design works to congregate the clear vision windows toward the retail entry at the corners and along the retail corridor along Main Ave.

The applicant's Narrative, which was submitted with the revised building elevations, discusses why the inclusion of display windows would not be feasible in their design along Wall St nor Howard St, where the glazing is lacking. The Narrative describes that display windows require a minimum of five feet of depth in to the retail floor plate to provide adequate access and buildout. By the architect's calculations, in order to provide the amount of display windows to supplement the clear vision glass to meet the glazing requirements of 60% on all sides, the display windows would impact the available interior retail space by 300 to 400 square feet on both Howard St and Wall St.

As the intention is to have two retailers on the ground floor and each retailer fronts on two streets, the design placed an emphasis on glazing along Main Ave and around each of the corners, in order to leave room along the interior walls along Wall St and Howard St for retail display.

Additionally, according to the applicant's Narrative, the structural design supporting the skywalks on Howard St and Wall St, as well as existing concrete walls along Howard between Grids G & H limit any type of opening into the interior at those bays.

Staff Comment: Based on the information provided relating to structural components within the walls along Howard and Wall and the need for usable display space within the retail floor plate for the retailers, the application appears to provide reasonable justifications for the applicant's inability to meet the glazing requirements.

Staff finds that this criterion is met.

5. *Is the proposed departure part of an overall, thoughtful and comprehensive approach to the design of the project as a whole?*

Relevant Facts: As has been mentioned above, if both the Municipal Code's glazing requirements and the Washington State Energy Code's glazing limitations were both adhered to, the overall design would be significantly affected, limiting the amount of windows able to be provided for the residential units on the upper floors. Commissioned Art Work is incorporated into the ground level design to provide visual interest and pedestrian engagement in order to balance the reduced ground floor glazing.

Staff Comment: It appears that the applicant has thoroughly and thoughtfully weighed all requirements and limitations in this renovation and has proposed a design that looks at the overall building in a comprehensive manner.

Staff finds that this criterion is met.

6. *Has the applicant responded to the optional Considerations (C), if any, found within the design guideline? Including Considerations may assist in gaining acceptance for the plan.*

Relevant Facts: Not applicable; there are not optional Considerations (C) in this portion of the code.

Staff finds that this criterion is met.

VI. DECISION

TO APPROVE the Design Departure from the design standards related to required glazing percentages and blank walls greater than 25 feet in length; substantially in conformance with the plans and application on file in Planning and Development, and the following conditions of approval:

1. The project will be developed in substantial conformance with SMC 17C.124.500-590, Land Use Standards, Downtown Zones, Design Standards Implementation, to maintain compatibility with, and limit the negative impacts on surrounding residential areas.
2. Avista requests that any grade changes over their facilities or masonry structures with footings/foundations over their facilities would need to be reviewed and approved by their downtown network engineering department before construction approval.
3. The proposed commissioned artwork attached to the walls on both Wall St and Howard St will be included as a part of the final design for building permit.
4. Spokane Tribe requests that if any artifacts or human remains are found upon excavation, this office should be immediately notified and the work in the immediate area cease.
5. Adhere to any additional performance and development standards documented in comment or required by City of Spokane, Spokane County, Washington Stat, and/or any Federal agency.

Time Limitation.

A CUP (Type I or Type II) application automatically expires and becomes void if the applicant fails to apply for a building permit within **three years** of the effective date of the CUP.

NOTICE OF RIGHT TO APPEAL

Appeals or requests for reconsideration of decisions by the Planning Director are governed by Spokane Municipal Code 17G.060.210 – Appeals. Decisions of the Planning Director regarding Type I or II applications are final unless appealed to the City of Spokane Hearing Examiner. All appeals must be filed with the Planning and Development Services Department within fourteen (14) calendar days of the date of the decision. All requests for reconsideration must be filed with Planning and Development Services within seven (7) days of the date of the decision. The date of the decision is February 2, 2017. **THE DATE OF THE LAST DAY TO APPEAL IS February 15, 2017 AT 5:00 P.M.** In addition to paying the appeal fee (\$250) to appeal the decision, the ordinance requires payment of a transcript fee to the City of Spokane to cover the costs of preparing any required transcripts.

Sincerely,



Lisa D. Key
City of Spokane
Planning Director

By: Ali Brast, Assistant Planner
Planning and Development