



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3005085
Applicant Name: Brenda Barnes, Clark Design Group for Kauri Investments
Address of Proposal: 612 2nd Avenue

SUMMARY OF PROPOSED ACTION

Land Use Application to change the use of an existing administrative office and retail building to a hotel and 26-unit residential building with 3,667 sq. ft. of ground level restaurant use. Project includes a 37,377 sq. ft. addition to the existing building (Alaska Building). No parking is proposed.

The following approvals are required:

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

Certificate of Approval – Pioneer Square Preservation Board (SMC 23.66)

SEPA DETERMINATION: Exempt DNS MDNS EIS

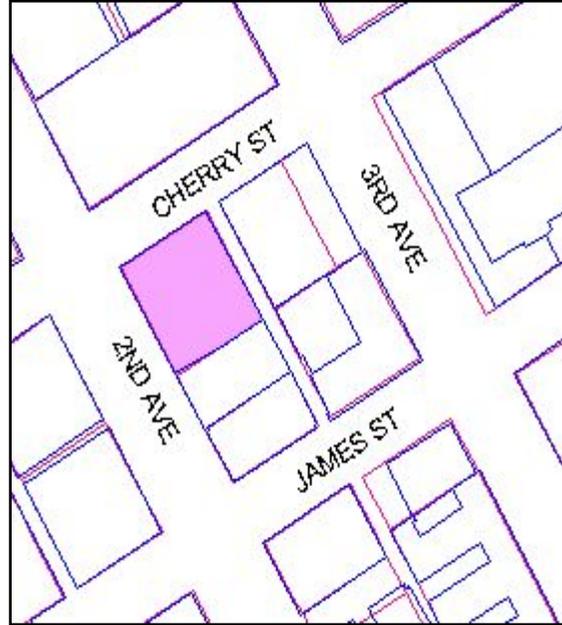
DNS with conditions*

DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

* A Determination of Non-Significance was originally published on January 25, 2007 and March 15, 2007; both of these notices included a contract re-zone component. The revised project (without the contract rezone component) was re-noticed on August 16, 2007.

BACKGROUND DATA

The proposal is located on the east side of Second Avenue, between the intersections of Cherry Street to the north and James Street to the south. The proposal is located in the Pioneer Square Mixed (PSM) zone and has a 100-foot height limit. The existing structure is 177'-4" high along Second Avenue with an elevator penthouse that reaches an additional 19 feet above the existing roof. The immediate area is marked by structures typical of the Pioneer Square Historic District with extensive use of brick, fenestration, storefront windows at the ground floor, strong cornice lines and other similar features. The lot area of the project site is approximately 12,960 square feet. The existing building located on this site, the Alaska Building, is proposed to undergo interior renovations with very few minor exterior changes along the street fronts as a result of the proposed change of use. The existing building base and top are a terra cotta veneer and the building middle is a buff-colored brick. An addition to the L-shaped building is proposed and would match the height of the existing building and would be entirely within the silhouette of the existing L-shaped structure.



Public Comments

Two comment periods were held prior to the project revisions. These comment periods ran between January 25, 2007 and February 7, 2007 and between March 15, 2007 and March 28th, 2007. No comment letters were received.

Final notice of the project was published on August 16, 2007. The required public comment period ended on August 29, 2007. One letter was received requesting to be a party of record.

Additional notice concerning the review of the project also occurred through the Pioneer Square Preservation Board for meetings held on 6/16/06 (ARC project briefing), 11/1/06 (Full Board code amendment briefing), 1/10/07 (ARC briefing on rooftop equipment), 5/9/07 (ARC review of existing building and addition), 5/16/07 (Full Board - Approval of Certificate of Approval for change of use from retail/office to hotel and restaurant over 3,000 sf, and for changes to existing building), 5/25/07 (ARC review of design of main entry to existing building) and 6/6/07 (Full Board briefing on proposed addition). Future meetings will be held for review and approval of the proposed addition to the existing structure.

ANALYSIS – SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated November 16, 2006. Along with the project revisions, a revised checklist dated July 16, 2007 was submitted and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by construction activities; increased traffic and demand for parking from construction equipment and personnel; conflicts with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. No excavation or grading activity is anticipated. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794). Although not significant, these impacts are adverse, and in some cases, mitigation is warranted.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of the pedestrian right-of-way); the Building Code (construction measures in general); and the Noise Ordinance (construction noise). Compliance with these applicable codes and ordinances will reduce or eliminate most of the short-term impacts to the environment.

Environmental Health

With respect to air quality and environmental health impacts, no demolition of the structure is proposed. However, the interior renovations have the potential for the presence of asbestos materials that could be released to the air/environment during renovation activities. The Puget Sound Clean Air Agency has jurisdiction over this impact, but there is no reliable means of triggering their involvement other than by requiring the proponent to notify the agency of the proposal. Hence, project approval has been made contingent upon such notification.

Noise

Noise impacts will result during the renovation activities associated with this project. As these interior renovations proceed, noise associated with construction could adversely affect the surrounding uses. In the immediate area are several commercial and residential uses. Due to the proximity of these uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B), mitigation is warranted. The hours of construction activity shall be limited. Limit the hours of any construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. Limited work on weekdays between 6:00 p.m. and 8:00 p.m. and on Saturdays between 9:00 a.m. and 6:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner (or successor). Such after-hours work is limited to emergency construction necessitated by safety or street use (traffic) concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g. planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be strictly conditioned upon the owner(s) and or responsible party(s) providing at least three working days' notice to allow DPD to evaluate the request.

Transportation: Truck & Equipment

The proposed construction will occur over several months and will generate significant truck trips. The Seattle Municipal Code (SMC 11.74.160) states that material hauled in trucks shall be loaded so no debris falls onto the street or alley during transport. The Seattle Municipal Code (SMC 11.62.060) also requires truck-trailer or truck semi-trailer used for hauling to use major truck streets and take the most direct route to or from one of the major truck streets to their destination. The area around the construction site is marked by primary arterials, non-arterial streets and limited access routes, coupled by two sports stadiums that generate large amounts of traffic. Furthermore, the ingress and egress of trucks, personnel and equipment may adversely impact circulation on the surrounding streets at the project location. These construction activities may generate adverse impacts, therefore pursuant to SMC 25.05.675 B (Construction Impacts Policy) and SMC 25.05.675 R (Traffic and Transportation) additional mitigation is warranted. Accordingly, the applicant shall be required to submit a construction phase transportation plan to DPD for review and approval by Seattle Transportation to mitigate these impacts. The plan shall identify approximate phases and duration of construction activities, haul routes to and from the site, address ingress/egress of trucks/personnel/equipment and construction worker parking. The transportation plan shall also include plans to mitigate trips and construction related activities during regularly scheduled events at the adjacent sports stadiums, based on trip mitigation plans developed by these facilities as part of their SEPA mitigation plans.

Construction Parking

Construction of the project is proposed to last for several months. On street parking in the vicinity is limited and the demand for parking by construction workers during construction could adversely impact the demand for on-street parking, traffic flow or other aspects of downtown circulation. The owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site for the term of construction whenever possible. To

further facilitate this effort, the owner and/or responsible party shall submit a construction phase transportation plan as discussed above. These conditions will be posted at the construction site for the duration of construction activity. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA ordinance.

Historic and Cultural Preservation

The Alaska Building is located within the Pioneer Square Historic District. The proposed building alterations were reviewed and approved by the Pioneer Square Preservation Board. The proposed addition was not included in the approval by the Pioneer Square Preservation Board and will undergo future review by the Board. Therefore, no further mitigation pursuant to SEPA authority at SMC Section 25.05.675.A is warranted.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased traffic in the area and increased demand for parking; increased demand for public services and utilities; and increased light and glare. The existing building is to remain; and the addition will be enclosed by the existing building; therefore the bulk and scale impacts will remain unchanged.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control, the City Energy Code will require insulation for outside walls and energy efficient windows. The Land Use Code controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. A Certificate of Approval from the Pioneer Square Preservation Board has been obtained, which includes code provisions to address materials, bulk and scale and other features of the built environment. A Certificate of Approval from the Pioneer Square Preservation Board will be required for the proposed addition. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts that are not considered significant.

Air Quality

Seattle's air quality is adversely affected primarily by vehicular emissions, and the proposed project is expected to have an adverse impact on air quality, due to its associated increases vehicular traffic. However, the project-related increases in traffic on streets in the project vicinity do not appear great relative to the existing and projected background traffic. Current federal and state regulations are likely to provide adequate mitigation for impacts on air quality through restrictions on vehicular emissions. No further mitigation pursuant to SEPA authority at SMC Section 25.05.675.A is warranted.

Historic and Cultural Preservation

The subject building is included within the City of Seattle's and the National Park Service's Pioneer Square Historic District. As such, any changes to this structure are subject to review and approval by the Pioneer Square Preservation Board. An application for Certificate of Approval was submitted to the Department of Neighborhoods Historic Preservation Program. On May 16, 2007, the Board reviewed and approved the proposed renovations. For these reviews, plans, elevations, renderings, and information on materials were supplied. The Board reviewed the

proposed design, commenting on how the design will be best integrated into the greater historic district. Future Board approval of the proposed addition must be obtained. Given the review by this designated body, no further conditions pursuant to SMC 25.05.675 are warranted.

Traffic

Based on data from the Institute of Traffic Engineers (ITE), the SEPA checklist projected that proposed project will generate an additional 450 net new daily vehicle trips than the current office use. The analysis concludes, however, that there will be a net decrease of approximately 45 less trips in the a.m. peak hour and 40 less trips in the p.m. peak hour due to the proposed change of use. As such, the additional cars would not be expected to have a noticeable impact on traffic operations at the intersections. No significant impacts are expected from the change of use from office to residential. Therefore, no further mitigation pursuant to SEPA authority is warranted.

Parking

There is no parking on the site, either under existing or proposed conditions. Based on the requirement for zero parking for residential uses downtown and the exemptions for certain commercial uses, the zoning code requires zero parking spaces for the proposed uses. Given the building's neighborhood oriented focus, downtown location, the extensive availability of transit in the immediate vicinity as well as the presence of several parking garages within close proximity to the subject site should adequately address any parking demands associated with the proposed uses. However, no code authority exists to condition the project for additional parking, as the project is located in a downtown zone and under SMC 25.05.675M such conditioning is prohibited.

DECISION - SEPA

The application is **CONDITIONALLY GRANTED.**

CONDITIONS – SEPA

Prior to the Issuance of a Construction Permit

1. To ensure that the project adequately addresses the impacts of Height, Bulk and Scale on the adjacent neighborhood, additional meetings before the Pioneer Square Preservation Board are required that highlight specific design of the proposed addition. Further, information concerning the proposed massing, roofline and use of materials in relation to the adjacent Landmark should also be considered. These conditions may be fulfilled through the Certificate of Approval process required for new construction by the Department of Neighborhoods and the Pioneer Square Preservation Board.
2. The owner(s) and/or responsible party(s) shall secure DPD Land Use Division approval of construction phase transportation and pedestrian circulation plans. These plans should consider impacts during construction activities. Appropriate Seattle Transportation and King County METRO participation in development of the plans shall be documented prior to DPD Land Use Division approval. The plans shall address the following:
 - Ingress/egress of construction equipment and trucks

- Truck access routes, to and from the site, for the construction phases.
 - Street and sidewalk closures, including locations of re-routing pedestrian movement
 - Potential temporary displacement/relocation of any nearby bus stops.
 - Impacts and mitigation of trips associated with construction activities during events at nearby stadiums.
3. A Certificate of Approval for Use and Preliminary Design from the Pioneer Square Preservation Board/Department of Neighborhoods Director for the proposed addition must be obtained

During Construction

The following condition(s) are to be enforced during construction and will be posted in a location on the property line that is visible and accessible to the public and construction personnel from the street right-of-way. If more than one street abuts the site, conditions will be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards will be laminated with clear plastic or other weatherproofing material and will remain in place for the duration of construction. It is the proponent's responsibility to ensure that the sub-contractors are informed of the conditions listed below:

4. Limit the hours of any construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. Limited work on weekdays between 6:00 p.m. and 8:00 p.m. and on Saturdays between 9:00 a.m. and 6:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner (or successor). Such after-hours work is limited to emergency construction necessitated by safety or street use (traffic) concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g. planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be strictly conditioned upon the owner(s) and or responsible party(s) providing at least three working days' notice to allow DPD to evaluate the request.

Signature: _____ (signature on file) Date: September 10, 2007
Lisa Rutzick, Land Use Planner
Department of Planning and Development

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