



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: 3005432
Applicant Name: William Harrison
Address of Proposal: 802 Pine Street

SUMMARY OF PROPOSED ACTION

Land Use Application to establish the use for the future construction of a 39-story, 213 unit apartment building, 190 hotel units, with 9,042 square feet of retail at ground level. Parking to be provided in below and above grade garages for 296 vehicles. Project includes demolition of one structure totaling 11,440 square feet.

The following approvals are required:

- SEPA - Environmental Determination** – Chapter 25.05 SMC
- Design Review** – Chapter 23.41 SMC - Five Departures.

1. SMC 23.49.009B1. Street Level Use.
2. SMC 23.49.009B3. Street Level Use.
3. SMC 23.49.018B. Overhead Weather Protection.
4. SMC 23.49.022. Sidewalk Width.
5. SMC 23.49.022. Sidewalk Width.

SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

* Early DNS Notice published September 6, 2007 and re-noticed September 27, 2007

BACKGROUND DATA

Site and Area Description

The proposal site, zoned Downtown Office Core 2 with a 300 to 500-foot height limit (DOC2 500/300-500), is located on the southwestern portion of the block bounded by Olive Way, Pine Street, Eighth and Ninth Avenues. A public alley divides the block; approved aerial and subterranean vacations allow construction above and below the alley on the block’s northern portion.

The 27,480 square foot site extends approximately 120 feet on Pine Street and approximately 240 feet on Eighth Avenue. A 16 foot wide alley separates the two parcels from those facing Ninth Avenue. The site slopes approximately 14 feet from the southeast corner at Pine St. and the alley to the property's northern edge at Eighth Ave. The Sound Transit Tunnel extension, now under construction, creates a roughly 60 foot wide swath underneath the southern most quarter of the site. The tunnel's presence will place considerable restraints on building directly above it. The tunnel passes underneath the alley and through the parcels (presently surface parking) to the south of the Worldmark Resort (aka Camlin hotel).

The Worldmark Resort (built 1926) owned by Trendwest Resorts occupies a city designated landmark on the other side of the alley. Other structures in the vicinity include the Roffe Building, 1800 Ninth Ave. (both office buildings) and the Greyhound bus terminal to the north; the cylindrical shaped 801 Pine apartments, the Paramount Theater and the Convention Center complex to the south; the Convention Center Metro bus tunnel station to the east; and the Paramount Hotel and the 1600 Bell Plaza Building occupied by Qwest (formerly Pacific Northwest Bell) and Pacific Place (retail) to the west. New development in the area includes the Olive 8, a hotel/condominium structure under construction to stand across Eighth Ave. and the proposed Olivian Tower, an apartment building, directly to the north.

Within the project vicinity, a principal arterial Olive Way runs one-way eastbound, and Pine Street, also a principal arterial, is one-way westbound west of Eighth Ave. Eighth Avenue carries vehicular traffic one-way northbound. Pursuant to the Seattle Land Use Code, Pine Street and 8th Avenue are Class I Pedestrian streets. The project area is well served by transit. In addition to surface bus routes, the property lies one block from the Transit Tunnel Convention Center Station. Olive Way is a Class II pedestrian street and a principal transit street.

Proposal Description

The applicant proposes to design and construct a 445 foot tower (39 floors) comprising six floors of hotel, 24 floors of residential, ground floor commercial /lobby, three above grade parking levels, and four levels of sub-grade parking. The applicant proposes to demolish a former four-story hotel constructed in 1961 as an annex to the former Camlin Hotel (Worldmark Resort).

At the Early Design Guidance stage, the applicant presented four massing volumes and several alternative configurations for parking access. Ground floor programming included residential and hotel lobbies (possibly combined) retail and restaurant uses as well as back of the house functions and a residential drop off and loading adjacent to the alley. Potential access variations to the parking garage focused on whether access should occur directly from Eighth Ave. or from the alley connecting Olive Way and Pine Street. The early design guidance packet showed three configurations with Eighth Ave. access and one circulation pattern with ingress / egress from only the alley. Hotel valets would have been the primary users of the proposed driveway from Eighth Ave. The proposal also illustrated a drop off lane along Eighth Ave. to facilitate hotel registration.

Preliminary landscaping showed paving patterns matching those approved for the adjacent Olivian Tower project.

Three of the four massing options centered the shaft on the site to avoid the structural complexity of building over the Sound Transit tunnel. In each of these options, the tower façade would have interrupted or visually broke the podium allowing the shaft to express itself at street level. A three to four level podium embraced the shaft on either side. Each option had a centralized service core. The distinctions among the tower shaft relate, in part, to the extent in which the residential and hotel functions were separately defined. The architect's preferred choice (option # 4) described a tripartite shaft with a curved central element that extends vertically from street to roof top. The hotel, located in the six or seven floors between the podium and the residential floors, was subtly expressed by a series of pilotis lifting the mass above the podium. The podium on all of the options echoed in height the lower curved element of the Olivian Tower along Eighth Ave. and the podium of the Olive Eight project across the street. The third option allowed the tower to impinge upon the tunnel's air space. Its salient feature, a dramatic curve, would have swept above Eighth Ave. toward Pine St. where it would have descended at the alley. The podium and the hotel were represented as solid masses supporting but engaged in the curved façade.

Accompanying the development team's preferred option were podium level and building top studies. The applicant identified ways of stepping up or terracing the south podium wing as it approaches the alley. It also defined opportunities for a small plaza or forecourt at the Eighth and Pine corner. Building top schemes showed versions of an irregularly terraced roof.

The applicant presented significant revisions at the Design Review Board Recommendation meeting. A base composed of several volumes with staggered heights appears like an aggregation of small structures clustered to the side of and below a hotel and residential tower that rises from street level to approximately 445 feet. The shaft slightly curves above Eighth Ave. as if completing the sweep of The Olivian's façade. The sculpted roofscape has a series of outdoor terraces beneath a glazed, mechanical screen. The six story base contains residential and hotel lobbies, restaurants, two story residential units, parking, and amenity areas. A significant revision to the site plan is the use of the alley for all vehicular access. Drop-off lanes are proposed for both Eighth Ave. and Pine St. The building materials include primarily vision glass and opaque spandrel glass for the tower shaft; pre-cast concrete, prodema wood, glazing and dichroic glass panels at the base.

Public Comments

Eight people signed in at the Early Design Guidance meeting. One individual suggested that traffic should not be added to Olive Way.

ANALYSIS-DESIGN REVIEW

Design Guidelines Priorities

The project proponents presented their initial ideas at an Early Design Guidance meeting on September 26, 2006. 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 identified the following Downtown Design Guidelines as high priorities to be considered in the final proposed design.

A. Site Planning & Massing

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

The proposal's solar impacts on the surrounding area should be more thoroughly explored by the development team.

A-2 Enhance the skyline. Design the upper portion of the building to promote visual interest and variety in the downtown skyline.

Because the proposal would likely be the tallest building in the immediate vicinity (including others under construction or in the MUP process), it would be seen from the freeway and other vantage points on Capitol Hill and First Hill. The top should evolve from its site, program and other considerations but doesn't need a special trick or gimmick to announce itself. The Board prefers an elegantly expressed roof line.

B. Architectural Expression

B-1 Respond to the neighborhood context. Develop an architectural concept and compose the major building elements to reinforce desirable urban features existing in the surrounding neighborhood.

Several recent development proposals on and around the Camlin block ensure dramatic changes to this gateway to downtown. The designer should review the adjacent projects and allow their influence on the proposal.

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

The proposal should relate to the various datum lines to be created by new neighbors and ones that already exist in the area.

B-3 Reinforce the positive urban form & architectural attributes of the immediate area. Consider the predominant attributes of the immediate neighborhood and reinforce desirable siting patterns, massing arrangements, and streetscape characteristics of nearby development.

Older buildings such as the Worldmark have a pleasant scale and possess significant urban and architectural attributes. The proposal should strive to reinforce the humane urban scale of the earlier structures.

B-4 Design a well-proportioned & unified building. Compose the massing and organize the publicly accessible 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.

C. The Streetscape

C-1 Promote pedestrian interaction. Spaces for street level uses should be designed to engage pedestrians with the activities occurring within them. Sidewalk-related spaces should be open to the general public and appear safe and welcoming.

The Board signaled this guideline as critical to the project. The residential and hotel lobby (ies) should be active places. The windows into the lobby and the commercial uses should be highly transparent.

C-2 Design facades of many scales. Design architectural features, fenestration patterns, and materials 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.

The design of the facades should relate to its context and to the future buildings in the area. Its four significant uses (hotel, residential, retail and restaurant) should be expressed on the façades.

C-3 Provide active—not blank—facades. Buildings should not have large blank walls facing the street, especially near sidewalks.

Due to the parking lot on the opposite side of the alley and the future tunnel, which will inhibit large scale construction on the surface lot, most of the alley façade will likely be exposed along Pine St. It may be the proposal's most visible façade due to its prominence on Pine St. Particular design attention should be directed toward the portion of the alley façade that contains residential drop-off and garage parking. The design scenarios also expose several levels off the parking plinth on Eighth Avenue and Pine Street. The Board requested resolution of this in order to prevent blank facades on either Eighth Ave. or Pine St.

C-4 Reinforce building entries. To promote pedestrian comfort, safety, and orientation, reinforce the building's entry.

The residential drop-off on the alley will need a high level of design effort to ensure its distinction amidst back of house uses.

Design a welcoming transitional space between the street and the lobby that exudes openness and transparency.

C-5 Encourage overhead weather protection. Encourage project applicants to provide continuous, well-lit, overhead weather protection to improve pedestrian comfort and safety along major pedestrian routes.

C-6 Develop the alley facade. To increase pedestrian safety, comfort, and interest, develop portions of the alley facade in response to the unique conditions of the site or project.

Mentioned earlier in the guidelines, the alley façade will be visible and open to Pine Street. Glazing should wrap the corner from Pine St. to the alley.

Future presentations to the Board should show the presence of the alley in plan and the buildings on either side of it. Show details of the Olivian Tower alley improvements.

D. Public Amenities

D-2 Enhance the building with landscaping. Enhance the building and site with substantial landscaping—which includes special pavements, trellises, screen walls, planters, and site furniture, as well as living plant material.

Landscaping elements should extend the approved design for the Olivian Tower’s right of way toward Pine St. yet may exhibit some distinct characteristics.

Well developed landscape plans should be completed for all levels of the building that possess terraces.

D-3 Provide elements that define the place. Provide special elements on the facades, within public open spaces, or on the sidewalk to create a distinct, attractive, and memorable “sense of place” associated with the building.

The Board liked the idea of the tower shaft rising from street level rather than resting on the podium.

In addition, the Board members favored option C of the podium studies. This option cuts back or inflects the proposed facades at the Eighth and Pine corner to increase slightly the amount of open space at the corner and possibly to define an entrance. The small kiosk (option D) detached from the podium seemed less convincing to the Board.

The story of the tunnel should be expressed in the landscape design.

E Vehicular Access and Parking

E-1 Minimize curb cut impacts. Minimize adverse impacts of curb cuts on the safety and comfort of pedestrians.

The Board expressed its reservation about the curb cut and driveway emanating from Eighth Ave. A traffic study and its impact on higher pedestrian activity will need to be reviewed by DPD staff and the Board. If the driveway causes a significant reduction in the required amount of street level use as suggested by the project team (75% to 55%), the Board would be disinclined to approve the departure. In any case, a single one-way driveway would be preferable to a two lane driveway.

Staff note: Since the Early Design Guidance meeting, the development team has decided to eliminate the proposed curb cut and take all access from the alley.

E-2 Integrate Parking Facilities. Minimize the visual impact of parking by integrating parking facilities with surrounding development. Incorporate architectural treatments or suitable landscaping to provide for the safety and comfort of people using the facility as well as those walking by.

The Board noted the relationship of the upper floor parking garage to the vertical elements of the building. Portions of the parking podium exposed to Eighth Ave. should have an active use (residences or workshops for example) that create a layer between the exterior and the parking garage.

E-3 Minimize the presence of service areas. Locate service areas for trash dumpsters, loading docks, mechanical equipment, and the like away from the street front where possible. Screen from view those elements which for programmatic reasons cannot be located away from the street front.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a design review component on January 3, 2007.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation Meeting on July 31, 2007 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meeting, site plans, elevations, floor plans, landscaping plans and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

Public Comments

Four members of the public signed-in at the Recommendation meeting. The public did not offer comments.

Development Standard Departures

The applicant requested departures from the following standards of the Land Use Code:

1. Street Level Use. 75% of street frontage to be occupied by listed uses.
2. Street Level Use. Required street level uses to be located within 10 feet of the street property line.
3. Sidewalk width. Minimum sidewalk width on Eighth Ave. is 15 feet.
4. Sidewalk width. Minimum sidewalk width on Pine St. is 18 feet.
5. Overhead Weather Protection. Lower edge of canopy must be a maximum of 15 feet above the sidewalk.

Recommendations

A. Site Planning & Massing

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

The Board did not offer further guidance.

A-2 Enhance the skyline. Design the upper portion of the building to promote visual interest and variety in the downtown skyline.

The Board did not offer further guidance.

B. Architectural Expression

B-1 Respond to the neighborhood context. Develop an architectural concept and compose the major building elements to reinforce desirable urban features existing in the surrounding neighborhood.

The appearance of the base as an aggregation of small buildings met with the Board's approval. The northern portion of the base closely matches the height of its neighbors the Olivian's parking volume and Olive 8's plinth.

B-2 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 neighboring or nearby less-intensive zones.

The use of datum lines from other new buildings in the vicinity to inform the structure's massing buildings should help to establish a special sense of precinct in this portion of downtown.

B-3 Reinforce the positive urban form & architectural attributes of the immediate area. Consider the predominant attributes of the immediate neighborhood and reinforce desirable siting patterns, massing arrangements, and streetscape characteristics of nearby development.

Variations in the height of the base as well as changes in materials differentiating separate programmatic functions should contribute to an overall sense of human scale and provide a sense of dynamism to the neighborhood once mostly comprised of parking lots.

B-4 Design a well-proportioned & unified building. Compose the massing and organize the publicly accessible 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.

The continuity of the shaft rising from street level to roof top is embraced or framed by both the base which creates bookends at the lower levels and the corner treatment of the hotel. The latter relates to a somewhat similar strategy at Olive 8 across Eighth Avenue by differentiating the hotel façade from the condominiums. The technique provides a vertical layering beginning at a pedestrian level, rising to a mid-range (approximately 165 feet) and then terracing again at the upper levels. The thick concrete frames, which gradually dissolve as the structure rises, emphasize this technique. Above the corner of Eighth and Pine streets, the frames turn at right angles to create a cornice above the hotel and announce the condominium levels above. The terracing at the upper floors mirrors the stepping back of the base along Pine St.

C. The Streetscape

C-1 Promote pedestrian interaction. Spaces for street level uses should be designed to engage pedestrians with the activities occurring within them. Sidewalk-related spaces should be open to the general public and appear safe and welcoming, and open to the public.

The applicant proposes retail and restaurant uses along Eighth and Pine streets. The size of the residential and hotel lobbies triggers the departure request from street use requirements. The addition of a hotel lounge with bar service near the restaurant should increase the amount of activity in the hotel lobby. Private open space visible to the public at the corner of Eighth and Pine streets and the possibility of an outdoor café there and along Eighth near the restaurant should further engage pedestrians.

C-2 Design facades of many scales. Design architectural features, fenestration patterns, and materials 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.

The image of the base as an aggregation of small buildings with variations in textures, materials, sizing of windows and architectural elements reinforces the sense of the city as an urban collage. The Board generally approved the strategy. The Board members encouraged the architect to better express the townhouses (levels four and five) on the exterior. This could be done by several methods: adding balconies and altering the fenestration to emphasize the double height space among others. The Board left the final decision in the hands of the applicant.

C-3 Provide active—not blank—facades. Buildings should not have large blank walls facing the street, especially near sidewalks.

The upper level garage facing Eighth Ave. will be hidden by a concrete frame and a series of dichroic glass panels that will emit a changing iridescent light. The Board members expressed their satisfaction that vehicles would not be seen from behind the glass. The Board also complimented the applicant on placing townhouses between the garage and the exterior on both Eighth Ave. and Pine St.

C-4 Reinforce building entries. To promote pedestrian comfort, safety, and orientation, reinforce the building's entry.

The hotel's entrance is more prominent than the relatively discreet residential entry. The Board did not comment on the entry sequences.

C-5 Encourage overhead weather protection. Encourage project applicants to provide continuous, well-lit, overhead weather protection to improve pedestrian comfort and safety along major pedestrian routes.

The Board did not offer further guidance except to grant a departure request for the height of the hotel entrance canopy.

C-6 Develop the alley facade. To increase pedestrian safety, comfort, and interest, develop portions of the alley facade in response to the unique conditions of the site or project.

The Board questioned whether the porte cochere would adequately serve most passenger vehicles. The Board members did not offer any guidance or recommendation.

D. Public Amenities

D-2 Enhance the building with landscaping. Enhance the building and site with substantial landscaping—which includes special pavements, trellises, screen walls, planters, and site furniture, as well as living plant material.

The applicant extended the paving pattern of The Olivian’s landscaping along Eighth Ave. and around the corner to Pine St. This should create a sense of continuity unmatched on city blocks that have multiple owners. The Board asked whether the open space at the corner would be public or private space. The architect implied that this would be private space for restaurant use.

D-3 Provide elements that define the place. Provide special elements on the facades, within public open spaces, or on the sidewalk to create a distinct, attractive, and memorable “sense of place” associated with the building.

The amount of landscaping, its continuity with The Olivian next door, variations in scale and materials, and private open space visible and possibly accessible to the public at the corner should suitably define “a sense of place”. Open spaces at each end of Eighth Ave. on this block should promote a special pedestrian environment.

E. Vehicular Access & Parking

E-1 Minimize curb cut impacts. Minimize adverse impacts of curb cuts on the safety and comfort of pedestrians.

The Board praised the applicant’s decision to use the alley for vehicular access.

E-2 Integrate parking facilities. Minimize the visual impact of parking by integrating parking facilities with surrounding development. Incorporate architectural treatments or suitable landscaping to provide for the safety and comfort of people using the facility as well as those walking by.

See C-3.

E-3 Minimize the presence of service areas. Locate service areas for trash dumpsters, loading docks, mechanical equipment, and the like away from the street front where possible. Screen from view those elements which for programmatic reasons cannot be located away from the street front.

The Board did not offer further guidance.

Board Recommendations: The recommendations summarized below were based on the plans submitted at the July 31, 2007 meeting. Design, siting or architectural details not specifically

identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the July 31 public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the five Design Review Board members present unanimously recommended approval of the subject design and the requested development standard departures from the requirements of the Land Use Code (listed below).

STANDARD	REQUIREMENT	REQUEST	JUSTIFICATION	RECOMMENDATION
1. Street Level Use. SMC 23.49.009B1	A minimum of 75% of each street frontage at street level must be occupied by uses listed in subsection A.	41.6% (97') provided.	<ul style="list-style-type: none"> ▪ Hotel has a lounge near the street. ▪ A private open space is created at the corner. 	Recommended approval
2. Street Level Use. SMC 23.49.009B3	Required street level uses shall be located within 10' of the street property line or shall abut a public open space.	Street level use is greater than ten feet and abuts a private open space.	<ul style="list-style-type: none"> ▪ Well landscaped private open space at the intersection. ▪ Creates a possibility for sidewalk café at the corner to enliven pedestrian activity. 	Recommended approval
3. Sidewalk width. SMC 23.49.022 Map 1-C	Minimum sidewalk width on 8 th Ave. is 15'	12' between the curb and the outermost building columns on 8 th Ave. A three foot difference.	<ul style="list-style-type: none"> ▪ Allows for a drop-off lane for hotel parking. 	Recommended approval.
4. Sidewalk width. SMC 23.49.022 Map 1-C	Minimum sidewalk width on Pine St. is 18'.	14' between the curb and the building. A 4' difference.	<ul style="list-style-type: none"> ▪ Allows for a drop-off lane in front of the commercial use on Pine St. 	Recommended approval
5. Overhead Weather Protection. SMC 23.49.018B	The lower edge of the overhead weather protection must be a maximum of fifteen feet above the sidewalk.	A portion of the canopy is 14'9 1/2" above the sidewalk due to the sloping grade.	<ul style="list-style-type: none"> ▪ Most of the canopy is between 15' and 18' above the sidewalk to give a sense of arrival to the hotel. 	Recommended approval

The Board did not recommend **CONDITIONS** for the project.

DIRECTOR'S ANALYSIS - DESIGN REVIEW

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. In addition, the Director is bound by any condition where there was consensus by the Board and agrees with the condition recommended by the five Board members and the recommendation to approve the design, as stated above.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS-SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant's agent (dated January 3, 2007) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant, 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 25.05.665D) 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 such limitations/circumstances (SMC 25.05.665D1-7) mitigation can be considered.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise, air quality, earth, grading, streets and parking impacts as well as mitigation.

Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to these residential 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 25.05.675 B), mitigation is warranted.

Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M.:

- A. Surveying and layout.
- B. Stacking the building with remote operating crane or fork lift.
- C. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
- D. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protection, water dams and heating equipment.

In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be governed by the 802 Pine St. (Ava) Construction Impact Management Plan (revision 2) dated November 19, 2007.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule; thus the duration of associated noise impacts. DPD recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety. Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case by case basis by approval of the Land Use Planner prior to each occurrence.

As conditioned, noise impacts to nearby uses are considered adequately mitigated.

Air Quality

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the adjacent residential building.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. In order to ensure that PSCAA will be notified of the proposed demolition, a condition will be included pursuant to SEPA authority under SMC 25.05.675A which requires that a copy of the PSCAA permit be attached to the demolition permit, prior to issuance. This will assure proper handling and disposal of asbestos.

Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

An excavation to construct the lower level of the structure areas will be necessary. The maximum depth of the excavation is approximately 46 feet and will consist of an estimated 42,580 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Traffic and Parking

Construction of the project is estimated to last 28 months. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require 4,258 round trips with 10-yard hauling trucks or 2,129 round trips with 20-yard hauling trucks. Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near a major arterial and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC 11.62.

Truck access to and from the site shall be documented in a construction traffic management plan, to be submitted to DPD and SDOT prior to the beginning of construction. This plan also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular consideration given to maintaining pedestrian access along Second Avenue. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM. The 802 Pine St. (Ava) Construction Impact Management Plan (revision 2) dated November 19, 2007 will need to be reviewed by SDOT before construction to ensure safety for vehicular and pedestrians movement.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; increased light and glare; and loss of an older building.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. The Design Review process has contemplated height, bulk and scale issues. However, due to the size and location of this proposal, historic preservation and traffic and parking impacts warrant further analysis.

Traffic and Transportation

The proposed multiuse project would introduce approximately 1,700 new daily trips to the surrounding street system as estimated by the transportation consultant, The Transpo Group. Over half of the trips would be generated by the 213 residential units. The trip generation forecast for the project would generate approximately 132 PM peak hour vehicle trips.

The traffic consultant studied ten intersections in the project vicinity. 2010 Baseline Level of Service (LOS) forecasts indicate that at pm peak hour the Yale Avenue / Howell Street intersection would change from a LOS E to F. The addition of the project would only slightly increase delay at this intersection. In a similar fashion, the Stewart St. / Denny Way intersection would fall from an LOS C to a D during the peak hour. The project would not substantially alter the "D" operations. 2010 Baseline Level of Service (LOS) forecasts for the am peak hour shows the Stewart St. / Denny Way LOS would change from E to F. Again, the addition of traffic from the project is forecast to only slightly increase delay. The remaining signalized intersections within the study area would continue to operate at LOS D or better.

Parking

Two hundred and ninety-six off-street parking spaces for residential, office and retail commercial uses are provided in the proposed building, which meets the Land Use Code requirements for on-site parking. The parking policy in Section 25.05.675M of the Seattle SEPA Ordinance states that no authority is provided to mitigate the impact of development on parking availability in the downtown zones. For these reasons, no mitigation of parking impacts is necessary pursuant to SEPA.

The proposed on-site parking supply would not meet late evening / overnight parking demand. However, sufficient public parking supply is available at these times within a walkable distance of the project site, which suggests the overspill would be able to be accommodated.

Historic Preservation

A four story hotel annex for the former Camlin Hotel built in 1961 currently occupies the site. Since its age does not exceed 50 years, it does not trigger a review for historic and architectural significance. The proposal's proximity to the landmarked Worldmark Resort (built 1926 as the Camlin), however, warrants review by the Department of Neighborhoods. Based on the review of plans, drawings and photographs submitted by the applicant, DON does not require additional mitigation in the architectural design of the project.

Light and Glare

Dichroic glass panels for the above grade garage should prevent most leakage of headlights onto Eighth Avenue and Pine Street.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

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

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS-DESIGN REVIEW

Non-Appealable Conditions

1. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bruce P. Rips, 615-1392). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
2. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to

this project (Bruce P. Rips, 615-1392) or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

3. Embed the MUP conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.

CONDITIONS-SEPA

Prior to Issuance of a Demolition, Grading, or Building Permit

4. Attach a copy of the PSCAA demolition permit to the building permit set of plans.
5. Submit a construction traffic management plan to be reviewed and approved by SDOT and DPD. The plan shall, at a minimum, identify truck access to and from the site, pedestrian accommodations, and sidewalk closures. Large trucks (greater than two-axle) shall be prohibited from entering or exiting the site after 3:30 p.m.

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. 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 shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

6. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M.:
 - i. Surveying and layout.
 - ii. Stacking the building with remote operating crane or fork lift.
- C. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
- D. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

7. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:00 A.M and 6:00 P.M. The 802 Pine St. (Ava) Construction Management Impact Plan will govern noise regulations impacting hours beyond delineated times and days stipulated in the Decision.

Once the foundation work is completed and the structure is enclosed, interior construction may be done in compliance with the Noise Ordinance and is not subject to the additional noise mitigating conditions.

Signature: _____ (signature on file) Date: November 29, 2007
Bruce P. Rips, AICP, Senior Project Planner
Department of Planning and Development
Land Use Services

BPR:lc

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