

BACKGROUND DATA

Project Description

The applicant proposes a six-story office building containing offices, ground-level retail, and parking located within the structure.

Vicinity and Site

The site is located in the South Lake Union neighborhood, between Aurora Ave N and Dexter Ave N, midblock between Highland Dr and Aloha St. Aurora Ave N is a principal arterial and Dexter Ave N is a minor arterial. The site is comprised of all or portions of five existing parcels. As proposed, site boundaries are subject to an approved Lot Boundary Adjustment (DPD project #3007812); illustrations are therefore approximate. The site and vicinity slope down to the east toward Lake Union. The property is located in the South Lake Union Hub Urban Village.

The site is zoned Seattle Mixed with a 65-foot base height limit (SM-65, see Figure 2). Properties to the north, south, and east of the site are also zoned SM-65. Land to the west across Aurora Ave N is zoned Lowrise 3 Residential-Commerical (L3-RC), and to the southwest is zoned Commercial 1 with a 65' base height limit (C1-65).

Development in the vicinity reflects its zoning, though much does not approach full zoning potential, suggesting that the area could experience substantial future redevelopment. The Aurora Ave N corridor's east side is characterized primarily by low commercial buildings in varying states of repair and newer midrise residential condominiums. Several businesses have large accessory surface parking lots. Aurora Ave's west side is mostly developed with older lowrise apartment buildings and some commercial uses. The Dexter Ave N corridor is characterized primarily by newer midrise office buildings (Casey Family Program, Battelle Memorial Institute) on its east side, and on the west side a mixture of low commercial buildings and newer midrise mixed use and residential buildings (The Dexter, The Nautica). Dexter Ave N. is also a principal route for bicyclists.

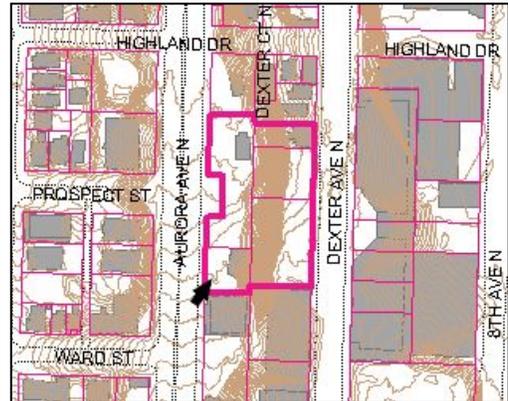


Figure 1. Local topography



Figure 2. Vicinity zoning



Figure 3. Aerial View

The site measures about 350' N-S, and about 210' E-W. It is roughly rectangular, with somewhat more street frontage along Aurora Ave N. A 1983 ordinance ([111187](#)) vacated Prospect Street, but reserved a portion of the original right of way (80' x 30'), apparently to provide for a future pedestrian bridge. The site is about 130,500 sq.ft, or 3.0 acres². There is no alley. Much of the site is level subject to historic grading associated with the adjacent rights of way. A topographic break of roughly 60' bisects the site N-S (See Figure 1). The site's "anomalous topography" is eligible for consideration under Director's Rule [12-2005](#). Portions of the site are designated as Environmentally Critical Areas on City maps (steep slope, potential slide).

Facing Aurora, the site is currently occupied by a tire sales lot (the Tire Exchange). Facing Dexter is a large, paved surface parking lot and a two-story restaurant (formerly the Adriatica). The site's steep slope is heavily vegetated with a variety of deciduous trees. A few trees also border the existing restaurant structure. The remainder of the site is largely paved and unvegetated. On both frontages, there are existing curbs and sufficient width to accommodate full sidewalk improvements, but the sidewalk is not currently improved to City standards. Street trees along Aurora Ave N are scarlet oaks; along Dexter there are three existing London planes.

Future development in the vicinity includes proposed structures located across Dexter and to the north, representing approximately 500,000 sq.ft. of commercial space (DPD project #3004381 and 3008245)

The site is served by public transit. Metro routes 16 (outbound) and 5 pass by the site along Aurora Ave N. Routes 16 (inbound), 26, and 28 pass by the site along Dexter Ave N.

DESIGN REVIEW PROCESS

The project's first Early Design Guidance meeting took place on May 16, 2007, in the Queen Anne Community Center. Five Board members attended, with one absentee. The second Early Design Meeting took place on July 11, 2007, in the same location, with five board members in attendance and one absentee. The initial Design Recommendations meeting took place on December 19, 2007, in the same location, with three Board members in attendance and two absences. A second Design Recommendations took place on February 13, 2008, with three board members in attendance, and two absences. Design illustrations are located in the project file, available for public review at DPD's Public Resource Center, floor 20 of Seattle Municipal Tower.

5/16/2007: Architect's Presentation

Mike Hubbard of [Capstone Partners LLC](#) introduced the project team, and identified some of the firm's other recent work.

² The site has expanded since the first EDG meeting. It now encompasses the site of the former Adriatica restaurant at 1107 Dexter Ave N. The lot area described above includes the recent expansion.

Walt Niehoff of [LMN Architects](#) presented the project's program and described the site and vicinity, referring to some of the information presented above. He pointed out several larger buildings in the vicinity, including the 1000 Dexter office building (1996), the Dexter Lake Union Apartments (2003), the Neptune Apartments (2005), and the Alterra condominiums (1999). He noted the site's complex topographic challenges.

Mr. Niehoff summarized three conceptual diagrams to illustrate potential design alternatives. Concept 1 involves the maximum floor area ratio ([FAR](#)) otherwise allowed, consisting of about 370,000 gross square feet (gsf), and six-story façades fronting on both streets. This concept's design intent is to maximize development on the site, within zoning limits.

Concept 2 steps the design back from the property lines – 30' from the north end, 15' from the south end. The intent is to suggest two distinct structures at the top and toe of the slope, connected by a central core.

Concept 3 references the site's topography by terracing its levels to step down the slope. On its east side, facing Dexter, the design features a "winter garden". On its west side, facing Aurora, an on-site walkway parallels the sidewalk through an arcade, and it passes through a landscaped court in and around the Prospect Street remnant.

Figure 4. Concept sketches of sidewalk treatment on Dexter Ave N.

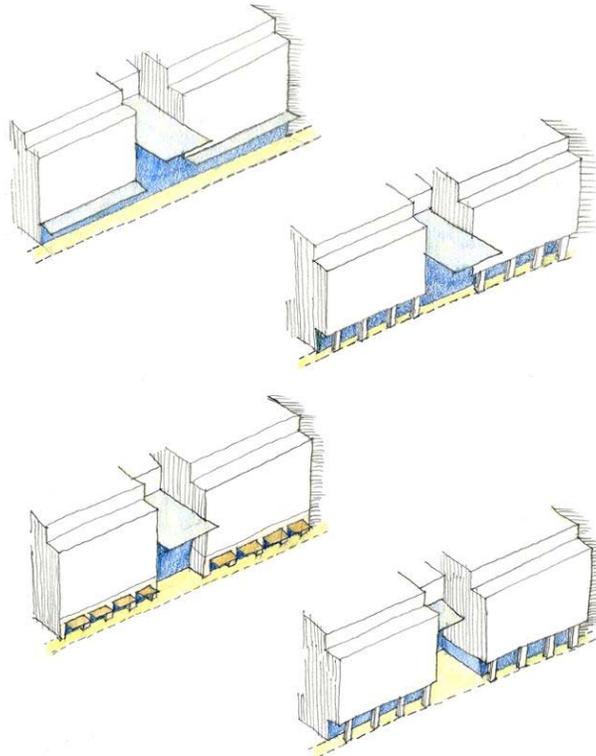
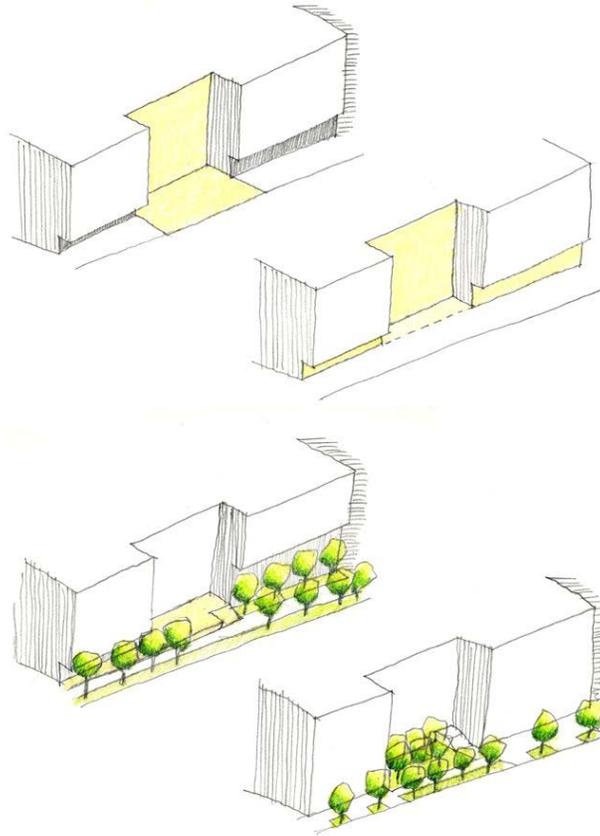


Figure 5. Concept sketches of sidewalk treatment on Aurora Ave N.



The design team's current goal is to achieve a LEED rating, either "certified" or "silver". Another primary design concern is to relate indoor and outdoor spaces, particularly at the two principal entries. Retail connections are important along Dexter Ave N, which is a strong pedestrian and bicycle corridor. The building's scale along Aurora should be very different from its perceived scale along Dexter. The design intent is to engage pedestrians with convenient and attractive access to buildings, no blank walls, and diminished visual impact from parking structures. Quality landscaping will be a priority, especially around the main entrances.

Regarding the winter garden, Mr. Niehoff referenced the lobby of the LMN-designed [Bellevue Civica Office Commons](#), stating that its dimensions and overall scale are similar. He also showed images of 1101 Madison on First Hill, and images of Redmond Town Center, noting their successful use of lighting under pedestrian canopies. He showed rough sketches of how the building might relate to sidewalks on Dexter and on Aurora (see **Figure 4** and **Figure 5**). Two sketches feature pedestrian arcades along Dexter, which the architect disfavors.

5/16/2007: EDG: Clarifying questions by the Board

Do you envision any requests for departures? There are outstanding questions about how development standards apply to the design. We might request a departure to reduce the required size or location of loading berths. We'd like to minimize the number of curbcuts.

Why have you chosen a 40' width for the winter garden? During initial planning, we looked at reasonable office widths. The garden at Civica happens to be 42'. Somewhere in that range allows a space where you can walk on either side, with something in the center, such as a fireplace. The walls on either side of the Civica lobby are 7-8 floors.

Are you proposing to set back the street level retail along Dexter? We'll bring it out to the sidewalk. The "zero point" will be at the lobby, then we'll stagger the floorplate slightly up and down to match grade on either side.

Is the building in fact 6 stories? In order to utilize a 20' height bonus, we are limited to six stories above grade at any given point.

Access to parking is proposed on both streets? Yes, access is on both streetfronts, to underground garages.

Some existing structures haven't given attention to their sides facing Aurora. What do you envision for that side? The way you view a building at 55 mph is different from when you're walking by it. The skin might be somewhat less textured. We realize it will be visible, so it should have the right proportions and scale.

Do you think the building could become an ad-hoc hillclimb? They might, but right now it's unclear about how best to control the space so it doesn't become a safety issue.

In one or two of the concepts, it looks like there might be shear walls on the north and south sides. How does that affect adjacent residents? The first concepts are studies and are not our preferred solution. *In the preferred concept, what will the people in the building to the south [Alterra condominiums] be looking at?* Their building is set back 15', our design is also set back 15', so there would be a 30' space between the two. The south façade would be office windows: maybe punched, maybe strip windows – we're not sure yet.

Is there any gain if the Adriatica site is developed? How would that affect the north side? We would still be able to see around it. [Staff note: the updated design incorporates the Adriatica site].

Along Aurora, there's the indentation at the Prospect St. right of way. Do you think a pedestrian bridge will ever happen there? Not likely. The remainder of the street has been vacated, and the Galer Street overpass has since been developed

5/16/2007: EDG: Public Comment

Several members of the public attended the Early Design Guidance meeting on May 16, 2007. Comments from the meeting focused largely on how the project would affect views of nearby neighbors, and how building massing would respect adjacent sites. Other comments related to future tenancy, environmental impacts and compliance with the Land Use Code: these comments will be considered as DPD reviews the upcoming Master Use Permit application. Comments related to design review included the following:

- Alterra residents would far prefer Concept 2 [which is expressed as two principal masses, 6-stories each, facing their respective streets], because it affords them the best access to light and air. It's the most compatible with the neighboring structure.
- This may be a great building in isolation. The architect states that "respect for adjacent sites" is a low priority.
- Recently developed condominium projects are a pre-existing condition that the developer needs to take into account.
- We're concerned that a driveway might occupy the space between this structure and the Alterra.
- This project should minimize disruption of privacy for adjacent buildings. If this were an office building next door, it wouldn't be an issue. There are bedroom windows and residential decks facing the new project. The massing you review will affect that existing condition.
- The design doesn't consider "compatibility". Please ask the architect to go back and pay heed to the adjacent neighbors.
- This will be higher than many new buildings in the area, a big bulk that affects the whole neighborhood character.

DPD also received two letters from community members and one letter from legal counsel representing Alterra condominium residents. One comment focused on construction impacts and street use, others focused on potential environmental impacts. DPD will consider these issues in its environmental review.

- "Please consider *north* side of project and its relationship to adjacent houses or *future* development of *north* side. This side needs adequate space to property line and need for massing. Allow light and air to *north* as well as south. Both sides need to be treated equally."
- Pay attention to South Lake Union neighborhood design guideline B1: "*Encourage stepping back an elevation at upper levels for development taller than 55 feet to take advantage of views and increase sunlight at street level. Where stepping back upper floors is not practical or appropriate other design considerations may be considered, such as modulations or separations between structures.*"
- The proposal could not be more incompatible with Alterra.
- The minimal separation will block sunlight from entering the north façade of Alterra residences.
- Reflective glass could cause glare issues.
- The design should respect guideline A5: "Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings".
- Any mechanical equipment should be adequately screened.

7/11/2007 EDG: Architect's Presentation

Mike Hubbard of [Capstone Partners LLC](#) introduced the project team, and identified the main design changes in response to earlier guidance. Walt Niehoff of LMN elaborated.

The site is now larger, including the property occupied by the former Adriatica restaurant. The Dexter Avenue façade is therefore 45' longer than originally shown.

The design's Aurora elevation is now five stories.

The design now erodes at its top southeast corner, stepping away from the condominiums neighboring to the south. The development team has met twice with the board of the Alterra.

Fenestration on the design's south side is organized to minimize line-of-sight privacy issues with the southern neighbors. The intent is to choose materials, window scale and patterning that will complement the residential use. Materials might include [Rheinzink](#) or some other material of a residential scale. A punched look is likely.

The design now steps down the hillside in two-floor increments, providing clearer visual relief.

Access to parking is from single points of entry/egress on both frontages (on Dexter at the northeast corner and on Aurora at the southwest.) Apart from garage entries, parking is located almost entirely below grade on Aurora, and entirely screened from Dexter by intervening office space.

On the Dexter (east) side, the overall massing is organized into three parts. The southern 90' of the Dexter façade cantilevers 10' out over the ground level, two stories up, achieving a 23'-wide sidewalk here. The cantilevered element would be clad in curtainwall with specialized snapcaps and mullions. The recessed winter garden and the northern half of the Dexter façade have distinct patterns composed of panelized storefront system and curtain wall.

The proposed winter garden is now larger (50' wide) and aligns better with the open space across Dexter. The main pedestrian entry on Aurora is also aligned with the winter garden below. The intent is to provide a view through the structure and out to an open deck, so that someone entering on Aurora will see blue sky beyond.

The northern portion of the Aurora façade is stepped back, providing for an arcade. In response to concerns from the southern neighbors, no such arcade is proposed on the elevation's southern portion. A small remnant of the Prospect street right of way remains unvacated, and the design intent is to develop it into a landscaped area, so that it feels like a courtyard integral to the overall design.

The architect showed a plexiglass model composed of stacked floorplans, suggesting the design's overall massing without any sense of proposed exterior cladding.

The following is the architect's statement, excerpted from the design packet.

Dexter Avenue is the more pedestrian-oriented of the two street elevations as well as the most visible from a distance. It can be viewed from Capitol Hill, Gasworks Park, and downtown. It is therefore receiving the richest material palette and detail. The cantilevered portion of the

façade is singled out for enhanced treatment and will have custom extrusions and maximum transparency.

The [Dexter] entry to the building is through the winter garden, which will also be of curtain wall construction. Beneath the cantilevered space, a widened sidewalk allows the winter garden to extend beyond the confines of the building, creating a space that will welcome both building users and passersby. Canopies along the northern portion of Dexter Avenue elevation provide weather protection, as will the cantilever.

The southern and northern facades balance two important considerations: relating to the current and potential neighboring residential, and presenting an elegant [architectural expression as the design cascades] down the slope. In sympathy with the residential, the windows directly across from the condominium to the south will have a punched opening look, reflecting those often found in housing. The remainder of the façade will provide a mix in window sizes, in addition to sunshades, adding variety that works with both the residential precedent and the cascading appearance of the precast concrete.

Aurora Avenue merits special consideration, as it is the longest of the elevations, as well as being on the street [with most vehicles and least pedestrian activity]. The window variety along the southern and northern façades is incorporated along Aurora, but in a more random pattern in order to add variety. The [inset at the] Prospect St right of way is expressed in an entirely different palette; that of the metal panel occurring predominantly along the Dexter façade. This sharp contrast in material and expression provide a welcome break in the elevations, as well as marking this secondary entry into the building. Enhancing the contrast will be a richly planted landscape, offering an oasis to the otherwise automobile dominated Aurora environment.

The northern portion of the [west] elevation has an enclosed colonnade, providing weather protection for pedestrians coming from the north, the location of both of the primary neighborhood bus stops along Aurora. A canopy projected from the building will continue the protection along the building's edge along the Prospect right of way

7/11/2007 EDG: Clarifying questions by the Board

Describe the two levels of the winter garden. Are they entirely separate? On the Dexter Avenue level, the proposed volume is three stories. Of a scale similar to the [Civica](#) in Bellevue. The second garden is above, at the same elevation as the Aurora entry. Tenants should be able to look out at it and South Lake Union beyond.

At the main entrance on Dexter, is there a different curtain wall treatment there? Considering the east elevation, treatment #1 is at the top left, #2 runs along the ground level from left to middle, #3 is at to the right.

What is the dimension of the Prospect St right-of-way inset? The right of way is 30'x80'. We're extending the space to 30'x100'.

Is there a canopy proposed over the main entry? On Dexter, the cantilevered three-story mass is important, and we don't want to break that up. On Aurora, there's an arcade covering the extended sidewalk on the northern portion.

What cladding are you considering for the north façade? We haven't fully developed the north elevation. We'll probably be looking at rhinzink there too. There will probably be another residential building there eventually.

Are you aiming for a LEED rating? Yes, silver if possible. We'll provide for bicycles, showers, etc.

Are you proposing decks on the southwest roof? Yes. In the end, it depends on what the tenant wants. Some occupiable deck is likely.

7/11/2007 EDG: Public Comment

Eighteen members of the public attended the second Early Design Guidance meeting on July 11, 2007. Comments from the meeting focused largely on issues within the Board's purview, and included the following:

- At the last meeting, the Board sent a clear message that you're not doing enough. They gave clear guidance that you need to better implement the design criteria. There should be an appropriate setback, because decks and residences are literally within feet of the new development.
- We feel the parking issue has been adequately addressed.
- We're not really satisfied with the stair-stepping down the hill.
- We think the design should step back 20' more on levels 5 and 4, and 10' more on the lower levels.
- Alterra decks are three feet from the property line. There's an assumption that our setback is 15'. The decks are 3', and the building is 8' from the line.
- We question how the zoned height limit applies to the middle section. It appears you're getting additional height there.
- Landscaping on Dexter is important. There's now an opportunity to landscape the south side.
- The model should more accurately represent what's proposed. It's open and transparent. If the model looked like what it represents, it would seem bigger.
- The site plan in the notice includes the property downhill from the Alterra, but this plan shows only 1101 Dexter. Phase II will further dwarf our buildings.
- The design should incorporate a bus-rapid-transit stop on Aurora.
- The proposed retail space is beneficial. It should be flexible enough that it could break down into smaller retail spaces.

DPD also received six letters from neighbors in response to public notice. One letter was from legal representatives of the Alterra Condominiums, stating that the City must deny the MUP application. Comments related to Design review include the following:

- A sheer wall along the south side is unacceptable.
- Project plans contravene the design guideline of compatibility with adjacent properties.
- The development will adversely obstruct [residents'] access to sunlight and air from the north and pose glare, noise and aesthetic impacts.
- Alterra's north main building wall is set back only 6 to 7 feet, second floor decks extend nearly to the property line, and higher level decks are only 4 to 5 feet from the property line. Substantial "erosion" of proponent's south building façade is necessary to meet the architect's own initial premise of a 30-foot separation.
- South Lake Union supplemental guidance B-1 contains the following policy: *Encourage stepping back an elevation at upper levels for development taller than 55 feet to take advantage of views and increase sunlight at street level. Where stepping back upper floors is not practical or appropriate, other design considerations may be considered, such as modulations or separations between structures.*
- My concern is with pedestrian improvements. Aurora is a horrible street to walk along. I certainly hope that sidewalks will be widened.
- I'm concerned that this is going to be another bulky ugly building along Aurora.
- Please consider the north side of the project and its relationship to adjacent houses or future development of the north side. This side needs adequate space to property line and need for massing. Allow light and air to north as well as south. Both sides need to be treated equally.

12/19/2007 Recommendations: Architect's Presentation

Mike Hubbard of [Capstone Partners LLC](#) spoke generally to the guidance and the design response, mentioning a setback on the south side (15') and an introduction of wood paneling to relate to the residential neighbors.

Walt Niehoff of LMN presented the design updates, including a recap of changes that occurred between the previous two guidance meetings. These include an increased southern setback, a consolidation of several massing steps into three main steps, and a widening of the "winter garden" to 50'. Sidewalks are now expanded on Dexter, ranging from 25' to 13.5'.

Comments from the last EDG included concerns related to light, air, and provision of landscaping on the south side. The updated design sets its southern wall back an additional 5', and 6'-8" at the corners. This serves to reduce the overall length of the design's leading edge.

Updates also attempt to address the "corporate" character perceived by the Board at EDG. The team revisited the idea of how the design is organized. While the original concept clearly responded to the hillside topography, the updates reinforce the concept by allowing structural bays to read as a plate holding back the hillside. "We could soften that up," Mr. Niehoff noted.

In its earlier review, the Board had commented that the prior scheme read too horizontally. Articulation of the vertical gives the south façade's design a richer feel, but it still reads as a plate going up through the hillside and emerging again on the aurora side.

Decks on the roof structures will allow occupants to engage with the eastern views.

A loading dock access and the primary vehicular access to the garage are located near the site's northeast corner, off Dexter.

Finish materials on the south and north include [prodema](#), a resinous panel with an integral wood veneer finish. The architect considers it to be a "50-, 60-, 100-year material". Within the precast concrete frame, the prodema also becomes an accent for the zinc panel and the concrete vertical fins of the east elevation. The wood-like finish also extends into the interior of the winter garden, reinforcing the relationship of inside with outside.

On Dexter, cement elements would include a white pigment and smooth acid-etched surfaces. Precast and zinc march to the end of the building on the north side. The intent is to reinforce the façade's verticality and to emphasize its structural elements. A curtainwall system integrates spandrel and vision glass, intended to be used throughout the building with the exception of the south side.

Updates now feature an arcade where previously there had been a cantilever over the Dexter sidewalk. The colonnade would be 26' high on Dexter (illustrated with a section drawing). The design would express the columns as a rectangular element instead of as a box column, giving the sense that they run through the structure. A simple canopy system "reaches out and really grabs the pedestrians".

The Aurora elevation applies a similar palette, using the same zinc and precast concrete, but no prodema accents. A 5' window mullion is there to give a shadowline. A one-story arcade runs along the building to the center of the site, where the right-of-way indentation occurs. A portion of the façade is occupied by metal louvers, through perforated metal, allowing ventilation to the garage. At the north and south ends, prodema and the glazing system turn the corner.

On the south side, 30-32% of the design's glazing is translucent. On the north side, the area of glazing is reduced, and about 30% is intended to be translucent there too.

The design team is hoping to achieve LEED silver status with this design.

Mr. Niehoff offered this overall assessment – *I think the project fits into the neighborhood. It's straightforward-looking with a modern edge. The detail, the vertical lines, and the shadowlines really enhance the pedestrian feel of the place. On Aurora, this building would be viewed on a different speed-scale relationship. Shadowlines work well here too, and in the end it's really a fine pedestrian space.*

Steve Klein of Brumbaugh Associates presented the landscape design. On Aurora, the plan is to provide a continuous landscape strip with street trees recommended by SDoT. The intent is to provide some visual softening of this façade. Steps rise out of the sidewalk, along a seating wall, past a terraced garden.

From the lobby on Aurora, people would be drawn to views out to Lake Union, across what could be a green roof. It's not yet clear whether this space would be active decks or more passive green roof surfaces.

On the south side, the design provides for some evergreen, drought-tolerant plants, including vine maples. Any landscape screening would likely be limited to the first floors.

On Dexter, the landscape design would include enhanced paving, with some specific accent right at the main entrance. This façade might incorporate a restaurant with some interactive frontage. The winter garden would be available for when the weather isn't nice, and people could spill out to the sidewalk when the elements allow for it. This winter-garden entry experience would likely include a water feature and landscaping, though Mr. Klein stated, "we haven't been brought in to help with that yet".

As part of the Design presentation, the applicant referred to requested departures and offered a brief explanation of their rationales. This discussion is contained in the table on page 27.

12/19/2007 Recommendations: Clarifying questions by the Board

Considering the arcade proposed on Aurora with the accessible route, do you foresee control of this space as an issue? Illicit activities there? We'll incorporate appropriate lighting there, along with other more active vigilance, like a security guard for the entire structure and grounds.

Describe the sidewalk level adjacent to the two large retail spaces. We propose a slight amount of warping on our property to bring the sidewalk to the front door. These spaces can be demised into smaller spaces, right? Yes. The colonnaded area is also warped, allowing for one, two, or three retail spaces.

Describe the correlation between the design and its neighbors. How does the placement of the windows relate to the Alterra's windows facing north? Are the translucent panels correlated with the neighbors to optimize privacy? We don't have enough detail to correlate directly. The arrangement of vision and spandrel glass serves the organization of the façade. We're providing pieces of transparency. On the remainder of the south façade (not directly facing the Alterra), the façade is precast concrete with vision glass.

Is the deck above the winter garden space likely to get much light? We've studied it with sun angles, and there will be an abundance of natural light.

What's the distance between the inside of the colonnade and the retail wall? 8'. The column is 5'. The plan governs – the section drawing must be wrong. I think we'll have 8' there. Is the breadth of the column an aesthetic decision? We'll demonstrate that sight lines to the retail will be preserved.

How far is the Alterra set back from their property line? ~8' to the wall, ~3' to the decks.

12/19/2007 Recommendations: Public Comment

Ten members of the public attended the initial recommendations meeting on December 19, 2007. Comments from the meeting focused largely on issues within the Board's purview, and included the following:

- Capstone failed to heed the clear directives that we set out. I'm reading from the notes I took, because I think they're more specific than Mr. Ringgold's summary.
- The project is not responsive to Alterra. The Board instructed Capstone to move the structure back a minimum of 5'.
- We admit that Capstone has made a few concessions. They moved back the façade. It's a real imposition on the privacy of the residents.
- The Board announced a concern about landscaping. Eighteen to 20-foot-high vine maples and native shrubs are not an advantage.
- I'm grateful that you hit on the panel and window issue. They've provided fewer panels and more windows.
- The prodema is considered to be pretty radiant, reflective. [*Board member: what do you mean by radiant?*] We want muted materials.
- The middle section of the structure still exceeds the height – eight stories still exceed the six-story limit. We should be mindful of the precedent set here.
- There are 18' between the towers. This is just phase I of a two-phase project. The City of Seattle's vision for urban living can't be viable if the offices dwarf the residential spaces.
- I have some concern with the reflectivity of the material. With the renovated repo-garage [in Wallingford], this material is on the north façade, not the south façade. The glare is of concern.
- We understood there was some effort to locate these windows in relation to the windows and decks of Alterra. The previous version had far less clear glass, so [the earlier] scheme affords a lot more privacy. Aesthetically, does it provide the same benefit? Maybe not. But it's so close that people won't see it except for the people unfortunate enough to face it.
- The DRB gave some very strong direction to erode the façade. A sheer wall was unacceptable. A 5' setback is the minimum, and it's minimal.
- Some Board members aren't here.
- You can't have a building higher than you would otherwise have on a flat site.
- We'd recommend that you come back and address changes in building design resulting from staff zoning calls or hearing examiner rulings.
- The thing on the top – with most buildings I see smaller structures from the rooftop. Is there a coverage limit? 65%.
- I'm concerned about the design of the garage door as it relates to traffic safety. If someone had to stop and wait for the garage door to open, then it might back people up in that lane of traffic. You should set the door back to create one standing place for a vehicle.

- Alterra isn't just one building. Part of Capstone's site goes all the way down to the south. Phase II might put us in a box between this and Aurora, so the idea of the business buildings should be taken into consideration.
- I live in one of the corner units. In every one of these pictures, I can't get past the sheer brutality of the building. Every picture looks huge and brutal. It doesn't look compatible with anything else there, including the office buildings. There's no respect for adjacent sites. The pictures haven't addressed any of those issues.

2/13/2008 Recommendations: Architect's Presentation

Mike Hubbard of Capstone Partners spoke briefly to two issues – first, the design's south-side glazing now reflects the pattern of Alterra's facing windows, and second, the design must meet its designated height limit.

Walt Niehoff of LMN presented the design updates. He gave a quick recap of the design's progression through EDG and recommendations. The winter garden has widened, and the Board's principal focus appeared to be on the "mid-range moves" of organizing the design's architectural composition and patterning.

The primary material is a light precast concrete interspersed with "natural zinc". Where the earlier iteration showed prodema panels, the design team has substituted painted aluminum. Toward the sides of the winter garden, the materials shift to wood [prodema?] panel.

The bays of the east elevation are now grouped differently, with two flanking bays on either side of the winter garden. The northern bay now helps the overall east façade to read as a smaller building. It steps back two feet and exhibits a shift in materials, which are continued from an upper levels and wrapped along this face. The effect is to create a clearer composition overall: base, middle, and top. This elevation view wouldn't be apparent except to those viewing from across the lake.

In response to Board guidance, the design team studied the two-story arcade. The design keeps the south arcade and sets the north side retail back three additional feet, keeping the emphasis of the two-story arcade. This two-story expression gives a little more room to the sidewalk and a grander space for the retail.

On the south side, the Board had identified a need for more excitement, less regularity, and more accent. In response, the eastern half of the south façade's fenestration is now organized in two-story modules, with opaque panel accents intended to lend warmth. Facing the Alterra condominiums, the design team has organized vision, translucent, and spandrel glass to minimize direct views from one building into the other. This façade is also generally simplified compared with its earlier patterning.

The design relies on various departures from Land Use Code development standards. These include a lower ceiling clearance for loading berths, a reduced length for one loading berth, more curbcuts than otherwise allowed, and a reduction in required façade transparency along Aurora. This report details the requested departures on page 27.

2/13/2008 Recommendations: Clarifying questions by the Board

At the garage entry, there's a column offset. Why? It's the only place where we have a transfer beam. We've thought it through carefully and have struggled with it. It's set back, and the loading bay door is set back 7'-8", and we're looking to push the auto door back to align with the loading door.

Have you considered signage at the main atrium? It would probably be a pin-mounted sign that announces the project. Hopefully a short name.

Describe the main entry. We're considering a double vestibule, with terrazzo in the first floor. We decided that the revolving door is the best way to deal with the air exchange issue and had the least impact on the winter garden.

Why have you changed from the prodema to the painted aluminum? There was a concern from neighbors about the potential reflectivity of the prodema. The aluminum offers a similar colored accent with a matte finish.

On the south side, do you incorporate vision glass up high? Right, to allow for more natural light. Where there is no privacy concern, we've integrated vision glass.

2/13/2008 Recommendations: Public Comment

One member of the public signed in at the second recommendations meeting on February 13, 2007, although several members of the public were in attendance. Comments from the meeting focused largely on issues within the Board's purview, and included the following:

- We have core issues of compatibility in compliance with the design guidelines. We don't see this proposal as being responsive. You've given consistent direction to not have a sheer wall, and to erode the wall back.
- Understand that this isn't just a concern for Alterra residents. We're also thinking about how it's going to play out throughout South Lake Union. Our living environment is vested with you.
- In the massing study, back in May, the proponent's architect said they proposed a 30' wall to wall separation. Our setback is 7'. They assumed we had 15'. We should hold them to 30', to avoid the canyonization effect. Please push that wall back another 4'. We're not asking for the moon. Another 4' would meet that original intent.
- The design criteria do call for high buildings to step back. So we ask you to do that pursuant to the neighborhood guideline.
- The Design Review report captures the prior comments. We could walk through those all again. The sheer wall has maintained its current configuration all along. [To a Board member:] Your comment was that a flat wall on the south side is unacceptable. They need to erode it back.

- [To another Board member:] Your comment was that it's a big, brutal building, not a whole lot different than a parking garage. [To a third Board member:] You said it's not speaking to the buildings around it, and that two sides of the building should be differentiated.
- Over nine months and four meetings, we're only asking for 4'-3".
- Here's a photo of the west façade of Alterra: it's stepped back from the Aurora property line. This plan is pushed all the way out to the west property line, which extends the canyon further westward than Alterra's wall.
- There's a very good project right across the street – the Neptune. There's more than a 30' separation between adjacent buildings. That's the type of separation that's important here. How do you promote a vital residential environment here?
- 30' is the minimum acceptable.
- We're also concerned about height issues. DPD is reexamining this issue. It should be no more than six stories.
- Please stick to your guns and don't let the proponent wear you down. It's easy to get enmeshed in the materials and tweaking the elements of the façades. We're not too concerned with the finish materials. We're mostly concerned with light and air. We ask that you not back away from your comments.
- They should stairstep the building to erode back the south façade. There's a whole array of decks on that side. People use them during the daytime. We're asking for modest further steps to address these issues. They need to know that you didn't forget what you told them to do.
- The City presents South Lake Union as a liveable neighborhood. It's about the lake, the neighborhood, the community. We're pioneers in a new, upscale condo. We're effectively being walled away from our neighborhood and Lake Union. Light, air, and views are going away, given to Capstone but taken away from Alterra.
- We're a two-building condo – "Aurora-friendly". Aurora is a significant view corridor. Here's a view from the corner of Highland and Aurora. Across from the tire shop and the brake place. There's a condo there [Dexter Court] – they're also Aurora-friendly, a well-modulated design.
- This building is not set back, not modulated, it's not a slender tower. Aurora unfriendly is not good thinking. Don't rob us of our light and air – we'll live in this building's shadow. We'll be completely walled in, and when Phase II comes we'll be walled in there too.
- 1101 Dexter and 1000 Dexter have an appropriate distance between two buildings. More than 30'. I'd like to think that hasn't changed and should be used as a baseline for what should happen here.

GUIDELINES

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 siting and design guidance described below and identified by letter and number those siting and design guidelines of highest priority to this project, found in the City of Seattle's [Design Review: Guidelines for Multifamily and Commercial Buildings](#) and the [South Lake Union Design Guidelines](#), and they gave additional design guidance to the applicant. They invited the applicant to present a design

A. Site Planning

A-1 Responding to Site Characteristics

The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

A-2 Streetscape Compatibility

The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

SLU-specific: *The vision for street level uses in South Lake Union is a completed network of sidewalks that successfully accommodate pedestrians. Streetscape compatibility is a high priority of the neighborhood with redevelopment. Sidewalk-related spaces should appear safe, welcoming and open to the general public.*

- *Provide pedestrian-friendly streetscape amenities, such as tree grates, benches, and lighting.*
- *Encourage provision of spaces for street level uses that vary in size, width, and depth. Encourage the use of awnings and weather protection along street fronts to enhance the pedestrian environment*
- *Where appropriate, configure retail space so that it can spill-out onto the sidewalk (retaining six feet for pedestrian movement, where the sidewalk is sufficiently wide).*

A-3 Entrances Visible from the Street

Entries should be clearly identifiable and visible from the street.

A-4 Human Activity

New development should be sited and designed to encourage human activity on the street.

SLU-specific:

- *Create graceful transitions at the streetscape level between the public and private uses.*
- *Keep neighborhood connections open, and discourage closed campuses.*
- *Design facades to encourage activity to spill out from business onto the sidewalk, and vice-versa.*
- *Reinforce pedestrian connections both within the neighborhood and to other adjacent neighborhoods. Transportation infrastructure should be designed with adjacent sidewalks, as development occurs to enhance pedestrian connectivity.*
- *Reinforce retail concentrations with compatible spaces that encourage pedestrian activity.*
- *Create businesses and community activity clusters through co-location of retail and pedestrian uses as well as other high pedestrian traffic opportunities.*
- *Design for a network of safe and well-lit connections to encourage human activity and link existing high activity areas.*

A-5 Respect for Adjacent Sites

Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings

A-8 Parking and Vehicle Access

Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

5/17/2007 Guidance – Site Planning

The sloped site and its views to Lake Union will clearly drive project design.

The Board recognized the neighbors' concern about the design's responsiveness to the adjacent site to the south. They stated that a flat south wall would be unacceptable. The updated design should be appropriately modulated and should show some responsiveness to neighbors' privacy concerns.

7/11/2007 Guidance – Site Planning

Board members prioritized guideline A-5 (respect for adjacent sites) particularly as it relates to the south façade. The Board chair clarified that this guideline emphasizes privacy issues, not view protection. Board members supported a further erosion of the south side to provide for increased light, air, and appropriate intervening landscaping between this project and the adjacent Alterra condominiums. In stepping the design away, Board members cautioned against using a "staggered set of building slivers" (like the WRQ building). They stated a preference for a "clean break".

The Board applauded the combination of the parking and loading entries.

12/19/2007 Recommendations – Site Planning

The Board agreed that the interplay with prodema panels and alternating types of glass appears to be a good palette for the south-side adjacency.

One Board member noted that the lighter-colored surfaces might provide better diffracted light, and that different hours of use would likely limit most of the overlap that prompts neighbors' privacy concerns.

To further minimize any cause for privacy concerns, the Board recommended that the design team reexamine the organization of their vision and spandrel glass as it relates to the neighbors' windows and balconies.

2/13/2008 Recommendations – Site Planning

Board members considered public comment about the appropriate setback on the south side. They noted that the proposed setback allows the design to integrate windows and increase light access. One Board member noted that the adjacent condominiums integrate the same benefit (window openings along a side lot line), but were built closer to the lot line. Board members

agreed that this proximity of the neighboring building shouldn't unduly penalize owners of the subject property.

One Board member suggested that it might be effective to remove the top floor of the southern bay, in order to allow for increased light and air. The Board was divided on whether such stepping would be effective or fair, and ultimately recommended that DPD conclude whether such notching would be appropriate. DPD staff has since concluded that this measure would not likely result in a perceptible change for neighbors, considering solar access is from the south, and the suggested further setback would not appreciably affect their view of open sky.

Board members were generally satisfied that the proposed window patterning had addressed their stated privacy concerns. They asked the architect to clarify how the design's retaining walls relate to the Alterra Condominiums' concrete plinth, and they appeared to be satisfied with this relationship.

B. Height, Bulk & Scale

B-1 Height, Bulk and Scale Compatibility

Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

SLU-specific: *Address both the pedestrian and auto experience through building placement, scale and details with specific attention to regional transportation corridors such as Mercer, Aurora, Fairview and Westlake.*

These locations, pending changes in traffic patterns, may evolve with transportation improvements.

- *Encourage stepping back an elevation at upper levels for development taller than 55 feet to take advantage of views and increase sunlight at street level. Where stepping back upper floors is not practical or appropriate other design considerations may be considered, such as modulations or separations between structures.*
- *Relate proportions of buildings to the width and scale of the street.*
- *Articulate the building facades vertically or horizontally in intervals that relate to the existing structures or existing pattern of development in the vicinity.*
- *Consider using architectural features to reduce building scale such as landscaping, trellis, complementary materials, detailing, and accent trim.*

5/17/2007 Guidance – Height Bulk & Scale

Board members discussed the effect of Director's Rule [12-2005](#) on the site, and wondered whether application of the rule might create a situation analagous to the "zone edge" identified above.

Board members generally agreed that the “wedding cake” helps to address the overall visual massing.

The updated design should show further erosion of its upper levels, particularly along its southeastern edge. It should also consider the South Lake Union guidance to step back upper levels, particularly along Dexter Ave N.

7/11/2007 Guidance – Height Bulk & Scale

Board members generally approved of the described massing solution for purposes of satisfying guideline B1. They agreed that a reduction in the number of massing steps is a positive move.

Most Board members noted that the horizontality of the upper level massing, seen from the east side, appears to undermine the sense of modulation and variety achieved at the Dexter façades, enveloping the smaller elements “in a big bear hug”, “a relentless datum line at the parapet”. They suggested that the updated design should articulate a clearer north-south distinction across the entire structure.

At recommendations, the updated design should clearly demonstrate how the different curtain wall systems articulate the distinct masses and achieve the intended modulation.

12/19/2007 Recommendations – Height Bulk & Scale

One Board member stated that the site’s Seattle Mixed zoning “isn’t very forgiving”, allowing buildings to be built to the property line. He characterized the massing as “relentless”, stating “If it were on Westlake, it would be OK, but the scale should be different here.” Other Board members disagreed, noting that designs for apartments and offices lend themselves to distinct senses of scale and detail. “This is about as much carving of the mass as we could expect.” Board members ultimately concurred that the overall massing is acceptable, and that the design team’s principal focus should be on the organization of the architectural scale on Dexter and on the design’s south wall.

As shown, the concept features long, repetitive facades on the east side. Board members encouraged this façade to be more varied. They discussed each bay in turn, noting that the winter garden entrance is a “great massing feature”. One Board member asked the design team to consider moving the pedestrian arcade from the south to the north side, perhaps providing more relief to this longer façade. Another Board member suggested that the north and south halves of the Dexter façade should be architecturally differentiated.

Board members agreed that the design would benefit by “deconstructing” at its upper levels. “Evanesce it a little,” in order to reduce the overall perception of bulk at the pedestrian level.

Board members asked DPD staff to confirm that the building is within its height limit. Staff noted that the design is subject to zoning review and must conform in this regard.

2/13/2008 Recommendations – Height Bulk & Scale

The Board offered no further recommendations in this regard.

C. Architectural Elements and Materials

C-1 Architectural Context

New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

C-2 Architectural Concept and Consistency

Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.

Buildings should exhibit form and features identifying the functions within the building.

In general, the roofline or top of the structure should be clearly distinguished from its façade walls.

***SLU-specific:** Design the “fifth elevation” — the roofscape — in addition to the streetscape. As this area topographically is a valley, the roofs may be viewed from locations outside the neighborhood such as the freeway and Space Needle. Therefore, views from outside the area as well as from within the neighborhood should be considered, and roof-top elements should be organized to minimize view impacts from the freeway and elevated areas.*

C-3 Human Scale

The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

C-4 Exterior Finish Materials

Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

C-5 Structured Parking Entrances

The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

5/17/2007 Guidance – Architectural Elements and Materials

The design on this site should be an appropriate bridge between the residential uses around it and the office buildings generally located downhill.

One Board member wondered how the design would appear from the opposite side of the lake. At the next Design Review meeting, materials should include views to the site from this perspective.

The Board challenged the design team to use “human scale architectural expression” and to avoid a more institutional office aesthetic that might otherwise be found downtown or in a suburban office park. For instance, at least one design alternative should show individually expressed windows instead of strip windows.

Board members requested a clear explanation of how the garage entry on Aurora is to function effectively.

At the next meeting, the design team should also show the “fifth elevation”: the roof. By stepping back the upper levels, the expression of the design’s “cap” might involve a new design *parti*.

7/11/2007 Guidance – Architectural Elements and Materials

The Board affirmed its earlier guidance.

Board members invited the design team to treat the Aurora elevation “playfully – something subtle, not garish”, recognizing that most people will see it while speeding past the site. One Board member suggested including rheinzink accents, in order to relate the west elevation to the primary material on the north and south elevations.

12/19/2007 Recommendations – Architectural Elements and Materials

Board members characterized this section of Dexter Ave N as “a very fine-grained kind of community” and as “a soup-to-nuts crazy street” with many different types of buildings and activities.

Board members voiced some initial disagreement on how the design should respond to its immediate context. “Elevations are handsome ... but it’s not speaking to its context”. “They shouldn’t have to fuss this up like a residential building”. They agreed that the south elevation needs additional attention to better organize it, to articulate it, and break down its overall sense of scale. They encouraged the design team to integrate the warmer-colored panels into the downhill portions of the south façade, noting that it’s one of the most visible sides, particularly at the southeast corner.

2/13/2008 Recommendations – Architectural Elements and Materials

Board members identified as a concern the offset column at the garage entry. They recommended that the updated design seek to deemphasize this feature. The column need not “disappear”, but it shouldn’t be as prominent as currently shown.

Considering the patterning of the south wall, with its opaque panel insets, one Board member described the updated design as “confusing, bothersome” in combination with the double-high precast frames. The Board ultimately agreed that the design team had appropriately responded to their earlier guidance in this regard.

One Board member expressed a measure of regret that the design had substituted painted aluminum for the original wood-like prodema panels. The Board agreed that the panels are appropriate as shown.

D. Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances

Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open spaces should be considered.

D-2 Blank Walls

Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

D-5 Visual Impacts of Parking Structures

The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.

D-6 Screening of Dumpsters, Utilities and Service Areas

Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

D-7 Personal Safety and Security

Project design should consider opportunities for enhancing personal safety and security in the environment under review.

D-9 Commercial Signage

Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.

D-10 Commercial Lighting

Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.

D-11 Commercial Transparency

Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.

5/17/2007 Guidance – Pedestrian Environment

The Board welcomed the provision of the winter garden, and they suggested that its opening on Dexter should be widened. At the next Design Review meeting, design materials should include at least one alternative in which the walls are splayed at the winter garden's opening.

Dexter Avenue is clearly where most pedestrian amenities should be located. Overhead weather protection is expected, as continuous as possible. The Board welcomed any movement to widen the sidewalk. The Board did not come to consensus on whether pedestrian arcades would be appropriate along Dexter Ave, but they recognized that such an arcade is not the design team's preferred alternative.

Business spaces along Dexter Ave N should be designed to spill out onto the sidewalk, with two businesses focused on the elivenment of the winter garden's entry.

The Board anticipates that there will be no blank walls facing sidewalks, and that dumpster and service areas will exist within the building. Parking levels are to be located entirely below grade.

5/17/2007 Guidance – Pedestrian Environment

The Board identified "sense of entry" as a high priority on the Dexter side. For a large building, it's important that the main entry be "monumental".

The design should be sympathetic to the bus stop on Aurora, providing appropriate refuge as a transit waiting area.

12/19/2007 Recommendations – Pedestrian Environment

Some Board members voiced concerns that a colonnade might limit pedestrians' visual access through the retail glazing. They recommended that the columns be organized to minimize any such obstruction.

2/13/2008 Recommendations – Pedestrian Environment

The design team further clarified the relationship of storefronts and columns, and the Board agreed with the proposed solution.

E. Landscaping

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites

Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

E-2 Landscaping to Enhance the Building and/or Site

Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

E-3 Landscape Design to Address Special Site Conditions

The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

5/17/2007 Guidance – Landscaping

The Board offered no initial guidance in this regard.

7/11/2007 Guidance – Landscaping

The Board offered no guidance in this regard, and reserved comment until the next recommendations meeting.

12/19/2007 Recommendations – Landscaping

The Board offered no guidance in this regard.

2/13/2008 Recommendations – Landscaping

The Board offered no guidance in this regard.

DEPARTURE FROM DEVELOPMENT STANDARDS

The applicant contemplates the following potential departures from Land Use Code development standards.

| <i>Requirement</i> | <i>Proposed</i> | <i>Comments</i> | <i>Board Recommendation</i> |
|--|--|---|--|
| SMC 23.54.035 , loading berth standards. Four commercial loading berths are required. | Reduce the height of a loading berth to 13'. Reduce the length of one berth from 35' to 25'. | <ul style="list-style-type: none"> The Code requires this space, but it's not likely to be needed. The space is better used for a trash compactor. | The Board voted unanimously to recommend approval of all requested departures. |
| SMC 23.48.034 , Parking and loading location, access and curbcuts. Access shall be limited to one 2-way curbcut. | The proposal involves more curbcuts than otherwise allowed, and the adjacent parking and loading accesses on Dexter are wider/closer than otherwise allowed. | <ul style="list-style-type: none"> Topography on the site and in the vicinity creates two distinct environments. A single point of access on this site would present a navigational challenge and might result in underutilization of on-site parking in favor of on-street parking. | The Board voted unanimously to recommend approval of all requested departures. |
| SMC 23.48.018 , façade transparency. Along Aurora Ave N, a minimum of 30% of the width of the street-level facade must be transparent. | The proposed transparency is 27% | <ul style="list-style-type: none"> Façade transparency is measured from sidewalk level. Due to the property line indentation along Aurora (the remnant of a vacated Prospect St), grade steps up as the structure steps back from the sidewalk. If measured from finished grade, then the design exceeds the requirement. Measured from sidewalk grade, proposed glazing isn't counted toward the meeting the requirement. | The Board voted unanimously to recommend approval of all requested departures. |

| <i>Requirement</i> | <i>Proposed</i> | <i>Comments</i> | <i>Board Recommendation</i> |
|---|-----------------|---|-----------------------------|
| <p>The applicant also requested a departure from SMC 23.48.031, solid waste and recyclable materials storage space. DPD applies flexibility provided in subsection F. No departure is warranted.</p> | <p>N/A</p> | <ul style="list-style-type: none"> • N/A | <p>N/A</p> |

ANALYSIS – DESIGN REVIEW

The Board identified several valuable elements of the design presented by the architect at the final meeting. Board discussion reflects those items which the Board felt were critical amenities that should be preserved and carried through to construction.

Outstanding Design Review Board concerns include the following:

- the design should deemphasize the column offset at the Dexter Avenue N garage entry. The applicant should update plans to demonstrate how this element is to recede visually.

Subsequent to the final meeting, the design team has further updated drawings. The updates reflect a setback at the top level of the east-facing façade, where DPD had determined the design to be above its height limit. The result is a minor notching visible primarily from the southeast and northeast, and a reorganization of the design's upper level fenestration, which should not be visible at sidewalk level from Dexter Ave N. DPD has determined that the design updates adhere to the architectural concept that the Design Review Board has recommended for approval.

Plan Review by SDoT's street use division has raised questions about proposed improvements to the Prospect Street right of way, a remnant 30' x 80' area not subject to a 1980s-era street vacation. This area was apparently reserved by Council as a landing for a potential pedestrian overpass, a project now deemed to be unlikely or infeasible. Proposed improvements include raised planters and a stairway leading to the west façade's main pedestrian entry. The design provides for alternative access inboard of the property line, along an ADA-accessible ramp that meets sidewalk grade at the site's northwest corner. SDoT staff have raised concerns about proposed structures located in the right of way, and have posited that improvements should be essentially level with the existing profile of Aurora Avenue N. The result could entail a substantial change in the original design of this main entry. DPD has not yet determined whether the design of the right of way must necessarily change, nor the extent to which any changes will comport with the original design intent and the overall design quality reviewed by the DRB. DPD staff will continue to coordinate with reviewers from other City departments, and in accordance with Condition 3, DPD shall review any proposed changes in the context of the guidelines, DRB comments and recommendations.

DECISION - DESIGN REVIEW

DPD finds that the project's design has successfully changed to address several issues raised by the Board in Early Design Guidance and through Recommendations. The Queen Anne / Magnolia / South Lake Union Design Review Board unanimously recommended that the design be approved, subject to conditions. The proposed design and the design departures listed above are **CONDITIONALLY APPROVED** subject to conditions listed on page 36 at the end of this report.

ANALYSIS – SEPA

The applicant provided the initial disclosure of this development's potential impacts in an environmental checklist dated August 27, 2007. The applicant submitted a geotechnical report by HartCrowser dated July 2007, a second soils report by Earth Solutions NW, dated October 2007, and a third soils report by Earth Solutions NW dated February 2008. The applicant also submitted a tree inventory conducted by International Forestry Consultants, Inc (July 2007), a historic and cultural resources report by the Johnson Partnership (July 2007), a cultural resources assessment by Northwest Archaeological Associates (August 2007), and a transportation memo by Transportation Engineering Northwest (August 2007).

The Seattle Commons/South Lake Union EIS (1995) and the [South Lake Union Transportation Study](#) further inform this decision. DPD received ten letters from the public. Comments raised concerns of construction-related hazardous dust emissions and street access. Four of the letters were from legal counsel to the neighboring condominiums on the project's south side. Their concerns include aesthetic impacts (height, bulk and scale) and noise impacts. The available information and the experience of the lead agency in similar situations form the basis for this analysis and decision. This analysis has occurred in the context of proposed development at 1101 Westlake Ave N and 1207 Westlake Ave N, two integrated office projects located across Dexter Avenue N. This report anticipates short- and long-term adverse impacts from the proposal.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction; potential soil erosion during excavation and general site work; increased runoff; tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section [25.05.794](#)). Although not significant, these impacts are adverse.

The SEPA Overview Policy (SMC [25.05.665 D](#)) states, “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 limitations. 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, SMC [22.800](#) (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of most potential adverse impacts. Thus, mitigation pursuant to SEPA is generally not necessary for these impacts. However, more detailed discussion of some of these impacts is appropriate.

Air. Given the age of the existing structures on site, they may contain asbestos, which could be released into the air during demolition. The [Puget Sound Clean Air Agency](#), the Washington Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. In addition, federal law requires the filing of a demolition permit with PSCAA prior to demolition. Pursuant to SMC Sections [25.05.675 A](#) and [F](#), to mitigate potential adverse air quality and environmental health impacts, project approval will be conditioned upon submission of a copy of the PSCAA “notice of intent to demolish” prior to issuance of a DPD demolition permit (see Condition #6). So conditioned, the project’s anticipated adverse air impacts will be adequately mitigated.

Construction activities including worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Construction Vehicles. Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. The subject site abuts major arterials on its east and west sides. Traffic impacts resulting from grading truck trips will be of short duration and mitigated in part by enforcement of SMC [11.62](#). This area is subject to traffic congestion during the PM peak hours, and large trucks turning onto arterial streets would further exacerbate the flow of traffic. Pursuant to SMC [25.05.675 B](#) (Construction Impacts Policy) and SMC [25.05.675 R](#) (Traffic and Transportation) additional mitigation is warranted.

The construction activities will require the removal of material from the site and can be expected to generate truck trips to and from the site. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cause grading truck trips to cease during the hours between 4 PM and 6 PM on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity (see Condition #11). As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC [11.62](#).

Earth. The proponents have submitted three iterations of soils analysis for DPD review. DPD anticipates further study and design associated with the grading and construction permits. DPD geotechnical staff indicates that existing Codes provide authority to require appropriate mitigation for this project, and that no specific conditioning is warranted in this regard.

Environmental Health. The applicant has indicated that an environmental analysis of the site appears to indicate the presence of hydrocarbon contaminants in subsurface groundwater on the site, related to prior use of the site for vehicle fueling and repair. State law provides for the cleanup and appropriate disposal of hazardous substances. The Model Toxics Control Act (WAC [173-340](#)) is administered by the Washington Department of Ecology (DOE) and

establishes processes and standards to identify, investigate, and clean up facilities where hazardous substances have come to be located. DPD alerts the applicant to this law and provides a contact: Joe Hickey, DOE, (425) 649-7202.

Discharge of contaminated groundwater to the sewage system is regulated by the King County Department of Natural Resources under Public Rule [PUT 8-14](#). A [factsheet](#) and permit application is available online or by calling (206) 263-3000.

Disposal of contaminated fill is regulated by the City/County Health Department, contact: Jill Trohimovich, (206) 263-8496.

Existing regulations adequately address potential impacts to environmental health. No further conditioning of site cleanup or hazardous waste treatment is warranted pursuant to SEPA policies.

Construction noise. Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential uses. Due to the proximity of the project site to the residential uses, DPD finds the limitations of the Noise Ordinance 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.

All construction activities are subject to the limitations of the Noise Ordinance, SMC [25.08](#). Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, and weather protection shall not be limited by this construction. See Table 1 and Conditions #8 & 10 below.

Construction activities outside the above-stated restrictions may be authorized upon approval of a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. Such a Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise.

Parking. Offsite parking in the vicinity of the site is constrained by topography and the busy arterial of Aurora Avenue N. Immediately to the north and adjacent to the subject site along Aurora Ave N, the applicant owns property that will likely be available as parking. On-street parking on Dexter Avenue N is currently well utilized, but does not appear to be saturated during daytime hours. For surrounding uses, on-site parking appears to be generally available, for a fee.

Off-site construction parking is likely to occur on-street during excavation and construction of the parking levels, after which it will be possible to move vehicles entirely onsite. This

construction-related impact is likely to be relatively minor and of short duration. DPD therefore determines that no further mitigation is warranted in this regard.

Construction vehicles. Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. The subject site abuts Dexter and Aurora Avenues N., and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated in part by enforcement of SMC [11.62](#). This immediate area is subject to traffic congestion during the PM peak hours, and large trucks turning onto arterial streets would further exacerbate the flow of traffic. Pursuant to SMC [25.05.675 B](#) (Construction Impacts Policy) and SMC [25.05.675 R](#) (Traffic and Transportation) additional mitigation is warranted.

The construction activities will require the removal of material from the site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other building materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations. Assuming contractors use double loaded trucks to remove excavation material, each truck holds approximately 20 cubic yards of material, requiring approximately 5,000 truckloads (10,000 trips) to remove the estimated 100,000 cubic yards of excavated material.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cause grading truck trips to cease during the hours between 4 PM and 6 PM on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity (Condition #11). As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC [11.62](#).

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 en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g. increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased bulk and scale on the site; increased traffic and parking demand due to the new commercial space; minor increase in airborne emissions resulting from additional traffic; minor increase in ambient noise due to increased human activity; increased demand on public services and utilities; and increased energy consumption.

The likely long-term impacts are typical of this scale of mixed use development, and DPD expects them to be mitigated by the City's adopted codes and/or ordinances (together with fulfillment of Seattle Department of Transportation requirements). Specifically these are: the Land Use Code (aesthetic impacts, height, setbacks, parking) the Seattle Energy Code (long-term energy consumption), and the street use ordinance. However, more detailed discussion of some of these impacts is appropriate.

Air. Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Parking. The applicant has provided a parking analysis that assumes a Transportation Management Plan will achieve certain goals in order to reduce anticipated spillover parking impacts from the project. DPD therefore requires the preparation and implementation of a transportation management program (TMP). The goal for this TMP will be to achieve no greater than 45% single occupancy vehicle (SOV) use. The TMP requirements in support of this goal must include, but shall not be limited to, fully-subsidized transit passes for all tenants and/or employees working within the building. DPD and SDoT shall determine additional specific elements prior to TMP approval.

Traffic. Transportation Engineering Northwest prepared a transportation memo dated August 2007. This report briefly evaluates existing traffic conditions in the study area, estimates the traffic to be generated by the project (new trips), and evaluates the effects of these trips in the immediate vicinity of the site.

The study estimates the project's new trips and samples existing trips, suggesting numbers that would be expected of a project of this scale.

Proponents have opted to participate in a transportation mitigation payment program implemented in South Lake Union as alternative mitigation of anticipated traffic impacts and reductions in level of service. Through this program, the portion of any improvement costs attributable to existing deficiencies must be funded with resources other than mitigation payments associated with private development. Payments proportionate to the size of the proposed development may serve to mitigate transportation impacts attributable to the project. The City of Seattle's [South Lake Union Transportation Study](#) identifies targeted improvements for auto, transit, bicycle and pedestrian modes, and the rate of payment is based largely on costs of the study's identified improvements.

DPD has reviewed the project's likely trip generation figures and has concluded that payment in lieu to the identified transportation improvements should adequately mitigate associated traffic impacts. The calculation accounts for the project proposal's net increase of office and retail space of 350,000 square feet, a payment amount per square foot of \$1.95, and a TMP-based requirement to achieve 45% trips by Single Occupancy Vehicle. The resulting mitigation

payment would be \$458,500. No further transportation mitigation pursuant to SMC [25.05.675 R](#) is warranted.

DPD concludes that the project's likely impacts on traffic are adequately mitigated as discussed above and conditioned below (see Conditions #5 and 7).

Height Bulk & Scale. SMC [25.05.675 G2c](#) states, "*The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project.*"

The site is surrounded by properties that are similarly zoned. The Design Review Board considered issues of height, bulk and scale in its review of this project. The proposed structure is located on a SM-zoned site, and the structure is designed to conform to its height limit. Further, the south façade steps back approximately 15' from its south property line, provides appropriate fenestration and shifts in finish materials as modulation. No additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

Views. Public comment suggests that the project will affect views. SEPA provides authority to mitigate obstructions of public views from several specified public places, in certain City parks, scenic routes and viewpoints per SMC [25.05.675 P2a](#). The policy specifically addresses "views to Mount Rainier, the Olympic and Cascade Mountains, the downtown skyline, and major bodies of water including Puget Sound, Lake Washington, Lake Union and the Ship Canal."

Both Dexter and Aurora Avenues N are classified as scenic routes, and nearby projects may be subject to SEPA review and appropriate mitigation if they adversely affect views to identified amenities. This project would not affect views from Dexter Avenue to Lake Union, as the project is located uphill and does not intervene. The project would not affect views to Lake Union from Aurora Avenue N, as the applicant has effectively demonstrated that no views currently exist from either the street or sidewalks along the site's entire frontage. In this case, the project would partially or completely obstruct views of Lake Union from neighboring private property, where the policy does not provide for mitigation from view impacts. Therefore no mitigation is warranted in this regard.

Light and Glare. The checklist discusses the project's likely light and glare effects on the surrounding area. The proposed offices are primarily a daytime use, and the project design emphasizes a sympathetic arrangement of translucent and spandrel glass panels in relation to apartments to the south. DPD therefore determines that nighttime light impacts are not likely to be substantial and warrant no further mitigation.

The effects of reflected sunlight are of greatest concern along heavily trafficked arterials. The site is oriented N-S, and periods of direct solar reflectance to southbound traffic are likely to be brief to non-existent, and adequately mitigated by appropriate glazing. Northbound traffic would be affected only by reflectance from the southern wall, which is narrower and partially shaded by adjacent development. The project is not likely to be a substantial source of glare to the surrounding environment. DPD therefore determines that no further mitigation is warranted, per SMC [25.05.675 K](#).

Historic and cultural preservation. The applicant has submitted background information related to existing structures on the site. The report concludes that none of the structures appear likely to qualify as landmarks. Staff at the Department of Neighborhood concurs with this assessment. No mitigation is necessary pursuant to SMC [25.05.675 H](#).

Submitted research also indicates it is improbable that significant archeological resources would be discovered during proposed excavations. However, as the site is close to the original Lake Union shoreline, there is a possibility that unknown resources could be discovered during excavation. Therefore, consistent with DPD Director's Rule [2-98](#) on SEPA Environmental Review and Archaeological Resources, and in order to ensure no adverse impact would occur to an inadvertently discovered archaeological significant resource, DPD conditions the project in accordance with the Director's Rule (condition #12).

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 [43.21C](#)), 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

Prior to issuance of the Master Use Permit

[The following Design Review conditions 1, 3 and 4 are not subject to appeal.]

1. The applicant shall update the Master Use Permit plans to reflect plans shown to the Design Review Board on February 13, 2008, and the recommendations and conditions in this decision. The applicant shall embed conditions and colored landscape and elevation drawings into updated Master Use Permit and all building permit sets.

Prior to issuance of the Construction Permit

2. The Design Review Board recommended that the design should deemphasize the column offset at the Dexter Avenue N garage entry. The applicant should update plans to demonstrate how this element is to recede visually.

Prior to and/or During Construction

3. Any changes to the exterior façades of the building, signage, and landscaping shown in the building permit must involve the express approval of the project planner prior to construction.

Prior to Issuance of the Certificate of Occupancy

4. Compliance with the approved design features and elements, including exterior materials, roof pitches, façade colors, landscaping and right of way improvements, shall be verified by the DPD planner assigned to this project (Scott Ringgold, 233-3856) or by the Design Review Manager. The applicant(s) and/or responsible party(ies) must arrange an appointment with the Land Use Planner at least three (3) working days prior to the required inspection.

CONDITIONS – SEPA

Prior to Issuance of the Master Use Permit

5. The applicant(s) shall submit to the City of Seattle a letter of intent to pay the project's pro rata share of the anticipated traffic mitigation costs (\$458,500) as identified in Condition #7.

Prior to Issuance of any Permit to Construct or Demolish

6. The owner(s) and/or responsible party(ies) shall submit a copy of the PSCAA "notice of intent to demolish" prior to issuance of a demolition permit.
7. The applicant(s) or responsible party(ies) shall submit to the City of Seattle the *pro rata* share of the anticipated traffic mitigation costs (\$458,500).
8. The applicant(s) or responsible party(ies) have the option to submit for review and approval a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. Such a Plan shall include discussion of management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise.
9. The applicant(s) or responsible party(ies) shall prepare a transportation management program (TMP) for review and approval by DPD and SDoT (Scott Ringgold, 206-233-3856). The goal for this TMP will be to achieve no greater than 45% single occupancy vehicle (SOV) use. The TMP requirements in support of this goal must include, but shall not be limited to,

fully-subsidized transit passes for all tenants and/or employees working within the building. DPD and SDoT shall determine additional specific elements.

During Construction

The following condition 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.

- Unless otherwise modified in an approved Construction Impact Management Plan (see condition 8), all construction activities are subject to the limitations of the Noise Ordinance, SMC 25.08. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays¹ from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, and weather protection shall not be limited by this condition. If an approved Construction Noise Management Plan modifies this condition, the applicant(s) and/or responsible party(ies) shall make the Plan publicly available at the construction site office.

| Non-holiday work hours | | | | | | | |
|------------------------|-----|-----|------|-----|-------|-----|-----|
| | Sun | Mon | Tues | Wed | Thurs | Fri | Sat |
| 7:00 am | | | | | | | |
| 8:00 | | | | | | | |
| 9:00 | | | | | | | |
| 10:00 | | | | | | | |
| 11:00 | | | | | | | |
| 12:00 pm | | | | | | | |
| 1:00 | | | | | | | |
| 2:00 | | | | | | | |
| 3:00 | | | | | | | |
| 4:00 | | | | | | | |
| 5:00 | | | | | | | |
| 6:00 | | | | | | | |
| 7:00 | | | | | | | |
| 8:00 | | | | | | | |

Table 1. Non-holiday work hours. Unshaded work hours shown above are permitted outright. For certain work, it is possible to request DPD approval for additional hours shaded in gray.

¹ Holidays recognized by the City of Seattle are listed on the City website, <http://www.seattle.gov/personnel/services/holidays.asp>

11. For the duration of grading activity, the owner(s) and/or responsible party(ies) shall cause grading truck trips to and from the project site to cease during the hours between 4 PM and 6 PM on weekdays.
12. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall stop work immediately and notify DPD (Scott Ringgold, 206-233-3856) and the Washington State Archaeologist at the State [Department of Archeology and Historic Preservation](#), Robert Whitlam, (360) 586-3065, or the current person in the position. The procedures outlined in Appendix A of Director's Rule [2-98](#) for Assessment and/or protection of potentially significant archeological resources shall be followed. The applicant(s) and/or responsible party(ies) shall abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters [27.34](#), [27.53](#), [27.44](#) RCW and Chapter [25.48](#) WAC, as applicable.

For the life of the Project

13. The applicant(s) and/or responsible party(ies) shall implement the approved transportation management program (TMP) described in Condition 9.

Signature: _____ (signature on file) Date: May 29, 2008
Scott A. Ringgold, Land Use Planner
Department of Planning and Development

SAR:bg

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