City of Seattle
Gregory J. Nickels, Mayor

Department of Planning and Development
D. M. Sugimura, Director

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

Project Number:	**3007451**
Applicant:	**Barry Aaronson, Project Manager, NBBJ** **Ethan Kushner, Project Architect, NBBJ** **Gregory Blume, Owner Representative, Yale Campus LLC**
Address:	**624 Yale Avenue North**

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a six-story commercial structure containing 176,166 square feet of research and development laboratories and 15,400 square feet of ground floor general sales and service use. Accessory parking for 228 vehicles will be provided in two locations; 57 parking stalls within the proposed structure and 171 within the existing structure (617 Eastlake Avenue). Review includes demolition of two existing commercial buildings (totaling approximately 30,000 square foot).[1]

The following Master Use Permit components are required:

Design Review - Section 23.41, Seattle Municipal Code (SMC)

1. *Transparency Requirement SMC 23.48.018.A,*
2. *Blank Façade Limits SMC 23.48.018.B,*
3. *Parking and Loading Location, Access and Curb Cuts SMC 23.48.034.C,*
4. *Site Triangle SMC 23.54.030.G.2, and*
5. *Loading Berth Requirements and Space Standards SMC 23.54.035.C*

SEPA-Threshold Determination (Chapter 25.05 SMC).

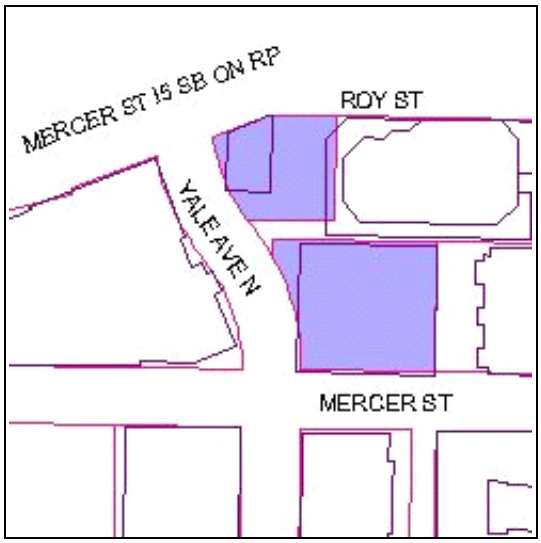
[1] Project was originally noticed as follows; to allow a six-story 190,000 sq. ft. research and development laboratory building with 20,500 sq. ft. ground floor retail. Parking for 172 vehicles will be located below grade. Review includes demolition of existing structures (30,000 sq. ft.) Project is pending approval of lot boundary adjustment #3008337.

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

**Early Notice DNS published December 20, 2007.

SITE BACKGROUND INFORMATION:

Site Description



The development site combines three parcels of land to establish a total land area of approximately 60,268 square feet, near the northeast edge of the South Lake Union area. The site is zoned Seattle Mixed with a height limited of 75 feet (SM-75) and occupies approximately three quarters of a city block, with street frontage on Yale Avenue to the west, Roy street to the north, Eastlake Avenue East to the east, and Mercer Street to the south. The block is irregular in shape due to a shift in the street grid pattern. The subject site is also located within the South Lake Union Urban Center Lake Union Neighborhood District. The site is not located in a designated Environmentally Critical Area (ECA).

The site is developed with three commercial buildings, surrounded by hard surfaces and sparse landscaping. The combined development site slopes moderately downward from east to west. The abutting streets are fully developed rights-of-way with asphalt roadway; curbs, sidewalks and gutters. The proposal will directly impact two street frontages. Mercer Street is a principal arterial that serves one-way (eastbound) traffic only. Yale Avenue right-of-way, abutting the subject lot to the west, features a jog mid-block and dead ends at block's north end.

Area Development

The site is zoned Seattle Mixed with a height limit of 75 feet (SCM-75). To the southwest across Mercer Street the zoned height steps down to 55/75 Feet (SCM-55/75). To the north across the I-5 on and off-ramps is a Commercial Two zone with a height limit of 85 feet (C2-85), and to the east and uphill across the I-5 corridor is Multifamily, Lowrise Three (L-3) is located. The development site provides views of the downtown skyline, Space Needle, and of Lake Union. Access to the development site is limited to the south and west due in part street alignments and restricted travel routes. Mercer Street to the south and Eastlake Avenue North to the east are primary arterials generating heavy travel volumes in the neighborhood. This area contains a mix of commercial uses that include surface parking lots, office, retail, and lodging uses. Of the residential uses in the area, apartments/condominiums dominant the uses within the upper levels of the existing structures. Abutting the development site to the east is a Landmark Building, the Jensen Block, which houses low income residential population.

PROJECT DESCRIPTION

The applicant, The Blume Company, proposes to construct a building containing commercial uses. The proposal requires demolition of two existing buildings to make way for the redevelopment of the subject lot. The proposal will take advantage of the site's unique geometry and territorial views to the north and west. The building will extend seven-stories above Yale Avenue street grade to support office and retail uses. The building will be oriented to take full advantage of its corner location, by opening up and activating abutting streets; Yale Avenue North and Mercer Street.

The building will establish a strong street presence scaled to neighboring properties, using modulation and spatial separation to visually reduce the appearance of the building's mass upon adjacent properties. The Yale Avenue façade will be serpentine, following the unique curve of Yale Avenue. The design proposes façade fenestration and metal cladding arrayed both vertically and horizontally to help scale down the building. Metal vertical fins will be attached to the building's west façade to achieve an attractive and solar efficient design. The owner is proposing a higher integration of public and private spaces by converting Yale Avenue into a "woonerf" (shared pedestrian and vehicle public space) to further enhance the pedestrian experience within the right-of-way. The applicant is seeking an SDOT permit with Seattle Design Commission approval to achieve the desired street design experience. Street level storefront windows and entry doors are proposed adjacent to Yale to help visually activate the street. The main design locates the pedestrian entry at the elbow of the curve along Yale.

The design proposes substantial landscaping around the site's perimeter to create a more calm pedestrian experience within the right-of-way. Vehicle access will be taken through the woonerf to the underground parking level and loading docks. The area around the parking garage will feature perimeter landscaping to enhance the development site, and create more visual interest at the terminus of the woonerf. Special emphases will be directed towards providing an attractive and inviting pedestrian oriented experience within all rights-of-way.

Public Comment:

Date of Notice of Application:	December 20, 2007
Date End of Comment Period:	January 2, 2008
# Letters	1

The SEPA comment period for this proposal ended on January 2, 2008. The Department received one comment letter during the public comment period expressing concern for pedestrian and bicycle circulation within the immediate area. Specifically, the responded would like to see a pedestrian/bike bridge erected over the Mercer Street on and off-ramps leading to and from I-5.

Two letters were received during the early design guidance phase. One member from the public stated their desire to be notified of the published decision, the other letter requested owner consideration for establishing residential units to serve the local area.

ANALYSIS - DESIGN REVIEW

Early Design Guidance

On October 3, 2007, the Design Review Board of Area 7 met in an Early Design Guidance (EDG) meeting to consider the site and design objectives of the applicant. After visiting the site, considering the analysis of the site, design context provided by the proponents, and hearing public comments the Design Review Board members provided the following siting and design guidance, and identified by letter (A, B, and C, etc.) and number (1, 2, & 3) those siting and design guidelines found in the City of Seattle's *"Design Review: Guidelines for Multifamily & Commercial Buildings"* and "*South Lake Union Urban Design Guidelines*" District of highest priority to this project.

A-1 Responding to Site Characteristics
A-2 Streetscape Compatibility
A-3 Entrances Visible from the Street
A-4 Human Activity
A-5 Respect for Adjacent Sites
A-10 Corner Lots
B-1 Height, Bulk and Scale
C-2 Architectural Concept and Consistency
C-3 Human Scale
C-4 Exterior Finish Materials
D-1 Pedestrian Open Spaces and Entrances
D-2 Blank Walls
D-3 Retaining Walls
D-4 Design of Parking Lots near Sidewalks
D-5 Visual Impacts of Parking Structures
D-6 Screening of Dumpsters, Utilities and Service Areas
D-7 Personal Safety and Security
E-2 Landscaping to Enhance the Building and/or site

Public Comments:

During the Early Design Guidance Meeting the public expressed general support of converting Yale Avenue into a European styled public plaza ("Woonerf"). In particular, any measures to honor and encourage pedestrian activity in and around the site should be encouraged. Additionally, the ground floor commercial uses should serve the immediate neighboring populations. One public member stated that although they supported increased retail and restaurant use to activate pedestrian traffic, they felt that nightlife related restaurants should be avoided. The neighborhood is relatively quiet, discounting freeway noise, and would like to keep it that way, if possible. The final respondent wanted confirmation of the existing use at the development site.

The Board took into consideration public comments to inform their analysis and design guidance.

Board Guidance:

The Board acknowledged that ensuring a well proportioned and scaled development is a critical factor to successfully integrate the project into an existing South Lake Union neighborhood in transition. The Board gave full support to the design approach along Yale Avenue to create a pedestrian oriented street experience. Regardless of getting SDOT support and approval for right-of-way improvements within Yale, the design should create a strong pedestrian experience. In addition, views to the west and north at the end of Yale Avenue should be preserved. The

applicant is encouraged to visually green-up the roof top with landscaping as viewed from neighboring properties. The proposed building should be illuminated in such a way as to create visual interest in the evening as viewed from the south, west, and north. Overall, the Board supported the direction of the design proposal. *South Lake Union Design Guidelines* should be followed to activate the streetscapes.

The previously stated 18 design guidelines were all chosen by the Board to be of high priority. The Board wants the developer to engage the streetscape wherever possible and scale the design to integrate itself into area.

(For complete copy of the EDG document refer to the MUP file or DR Web page; http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp)

Design Review Board Recommendations

The applicant applied for Master Use Permit on December 5, 2007. The Board reconvened on May 7, 2008, in the Library, at TOPS @ Seward Alternative School in order to review the applicant's response to previous priority guidelines and guidance and to make recommendations to DPD regarding the design of the project and the requested design departures. All five Board Members were present. The design team presented elevation renderings, site plans that responded to design guidelines set forth by the Board during the previous meeting. The applicant requested five development standard departures from the City's Land Use Code:

Updated Design Presentation:

Nick McDaniel, Architect, opened with an overview of the project's history and then proceeded to address site context analysis and design objectives. Kate Diamond, FAIA, presented specific design elements and Melanie Davies, the landscape architect discussed the landscape concept and execution. Where possible, an emphasis would be placed on increasing opportunities to provide quality green elements (screening walls, shrubbery, etc.) and integrating outdoor spaces for social interaction with the Yale public right-of-way. The design attempts to build communities through design by creating a sense of place set within an existing neighborhood context that both is responsive to the needs of tenants and neighbors. A number of changes have been made in response to comments from the Board and public, including rescaling the massing along Yale Avenue to strengthen its presence and connection to the woonerf. The design team used computer generated presentation materials, 3-D model, and 11 x 17 colored packets to describe the design response.

Woonerf: In response to Board guidelines, the applicants met with several groups including the Design Commission to seek design approval for establishing a Woonerf in the public right-of-way; Yale Avenue. Discussions also included the intersection of Yale and Mercer. Conceptual approvals by Seattle Design Commission have been reached with final design detail to be approved at a later date with the respective agencies. A recommendation on the final landscaping design detail for the street-end (Yale) will be made by the Seattle Design Commission to SDOT and DPD. Hierarchy of surface materials (textural and visual) should be employed to provide cues to protect pedestrians from potential conflicts with vehicles.

Building Mass: The preferred scheme introduced during the EDG meeting depicted a monolithic mass at the corner of Mercer and Yale. The updated design softens the upper level as viewed from the south by terracing the building down, east and west, and employing distinctive fenestration

patterns upon the building's facade. To further scale down the building's visual impact along Yale's serpentine right-of-way, metal vertical fins have been attached on the upper level façade. The fins not only serve a solar function but create visual interest as the structure's exterior wall curves along Yale. At street level the façade is setback from the right-of-way to increase outdoor space for greater pedestrian use. The proposed design scheme decreases the building's mass as viewed from the east, to be more sympathetic to the adjacent historic landmark building.

Corner: In response to Board guidelines, the Yale and Mercer corners open up visually with glazing from the street level to the roof level. Thus arrayed, the window pattering creates a luminous lantern in the evening to attract and stimulate activity at the development site. Perspectives were provided of the northwest corner illustrating a visually dynamic upper level. Landscaping is minimalist at the corners to help showcase the "jewelry" on the building. The amount of street trees and shrubbery has been decreased to provide greater visibility to frame the building's corner.

Design Departures:

The applicant requested five departures from Land Use Code development standards – Transparency SMC 23.48.018.A, Blank Façade Limits SMC 23.48.018.B, Parking and Loading Location, Access, and Curb Cuts SMC 23.48.032.B, Site Triangle SMC 23.54.030.G, and Loading Berth Requirements and Space Standards SMC 23.54.035.C

Public Comments:

The public member noted the site's history and stated that there might be some artifacts to include in the newly proposed building. It was noted, Peterbuilt Truck manufacturing company was a previously tenant at the development site. It is important that the development fits into the neighborhood character and brings something forward from the past. *The design team responded to the comment by stating they would try to incorporate artifacts into the proposal.*

Board Discussion

After considering design plan, project context, hearing public comments, and reconsidering the previously stated priorities, the five Board members began their deliberations by providing a general assessment of the proposal and its impact on the neighborhood. Ensuring an elegantly detailed building at the development site is a critical factor to successfully integrate the project into the existing neighborhood fabric. Board members acknowledged their appreciation of a design response to construct a well scaled and designed structure incorporating a woonerf. The Board liked the design team's response to guideline priorities set on October 3, 2007. Discussion ensued among the Board, including support of requested departures, number of vehicle access doors, exterior cladding, landscaping, and resolution of the Mercer Street frontage.

The revised building mass along Yale Avenue spatially opened up the sidewalk experience, with vertical and horizontal modulations to make the street experience for pedestrians more engaging was obscured by landscaping elements. The proposed pedestrian seating area and entries, near the central portion of building, seem unresolved with the siting of street trees. It would appear more appropriate if the street trees obscuring the west facade were located on the west side of the Yale. In addition, the swale along the south campus should somehow be extended through the street terminus on the west side of Yale. **Therefore, the Board recommends visually opening up the**

structure's west façade at street level by relocating some of the proposed street trees to a more appropriate location. The applicant is instructed to work with DPD to find an appropriate design solution for visually opening the ground-level west façade, including relocation of street trees. (*Guidelines A-1, A-2, A-3, A-4, B-1, C-2, C-3, C-4, D-1, & E-2*)

Additionally, consideration should be made to extending the swale along Yale Avenue. The proposed woonerf needs stronger visual connections to the surrounding street system to inform the public that this is in fact part of the public domain. This may include but shall not be limited to, design continuity, street lighting, and landscaping materials. Other than a few lapses, the design and layout of the pedestrian areas are an appropriate response that the Board supports on the east side of Yale. **The Board recommends the applicant work with the appropriate agency and DPD to extend the swale along Yale provide street furniture and plantings to visual knit the public right-of-way to read as a cohesively whole.** (*Guidelines A-1, A-2, A-4, A-5, D-1, D-7, & E-1*)

If the woonerf is intended to provide a pedestrian friendly street environment then the Board whole heartedly supports reducing the number vehicle access points to loading berths and underground parking. The Board understands its limited authority in reducing the amount of loading berths to allow a subsequent reduction in the number of driveways for loading berths. The Board would like to inform the Director of their support for the reduction in the amount of loading berths which is under the purview of the Director's authority. **Therefore, the Board recommended the applicant work with DPD to find an appropriate design solution to minimize the impact of vehicles accessing the development site, including the number of curb cuts. Further, the applicant is encouraged to work with the appropriate agency and DPD to reduce the amount of loading berths at the subject site.** (*Guidelines A-1, A-3, A-4, C-4, D-2, D-5, D-6, & D-7*)

The street level exterior wall adjacent to the street's terminus needs architectural elements to soften the blank wall surface. In addition, the type of vehicle entry doors will need focused attention to help animate the street level experience. **Therefore, the Board recommended the applicant work with DPD to find an appropriate design solution to make the blank wall on either side of the garage door visually interesting and engaging.** (*Guidelines A-1, A-2, C-3, C-4, D-2, D-5, D-6, & E-2*)

The applicant has created dynamic and lively facade surfaces with few lapses upon the facades. One concern is the street level experience at the corner of Mercer and Yale Streets. The proposed street level façade should visually engage pedestrian within the right-of-way. Groundcover within the Mercer Street right-of-way should be complementary to the south development site, both in volume and selected plant variety to provide a more distinctive edge to the larger design composition. **Therefore, the Board recommended the applicant work with DPD to find an appropriate design solution for the street level experience at the corner of Mercer and Yale Streets.** (*Guidelines A-2, A-4, A-10, B-1, C-2, C-3, C-4, & E-2*)

<u>Departure Analysis</u>

The following departures were requested and recommended for approval at the May 7, 2008 Recommendation meeting:

1. To allow alternatives to Transparency Requirement (SMC 23.48.018.A)

To promote viability of commercial activity locating a street level, nonresidential uses must have a clear or lightly tinted glass in windows, doors, and display windows between a height of two feet and eight feet above the sidewalk. This transparency requirement shall extend a minimum of thirty percent of the street level façade on all non-Class 1 & 2 pedestrian streets. The Roy Street frontage functions more as an alley than a street, serving primarily as a vehicle access to the subject block, with limited pedestrian access to Yale. The Mercer on and off ramps which is at a lower elevation abuts Roy to the north. During the EDG meeting the Board agreed that the Roy Street frontage was not a desirable location to open up the pedestrian street experience along the alley-like oriented street across from the Mercer Street on/off ramps. The applicant has proposed zero percent transparency along the north façade. The Board was pleased with the design response that features architectural detailing and landscaping to soften the building's presence along the south side of Roy Street. **Owing in part to the graphic boards presented at the recommendation meeting, sloping site conditions, and surrounding pedestrian travel patterns, the Board recommended approval to eliminate transparency along the Roy Street frontage.** *(Design Guidelines: A-1, A-2, C-4, D-2 & D-7, & E-2)*

2. To allow alternatives to Blank Façade Limits (SMC 23.48.018.B.3)

Blank facades are discouraged in SM zoned areas. Any portion of a façade which is not transparent shall be considered to be a Blank façade. The requirements of non-transparent areas of external walls, shall apply to the area of the façade between two and eight feet above sidewalk grade, when the blank façade is greater than 30 feet in width a number of treatments shall be installed including; vegetation, setbacks, or artwork to mitigate solid walls. Along the Mercer Street frontage, the floor height is considerably below sidewalk grade due in part to the sloping topography. The applicant has chosen to animate the planting strip to counterbalance the solid wall surface along the south façade at street level. The project proposes a blank wall facade length of 36 feet 1 ½ inches. Along Roy Street the proposed blank wall façade length is 115 feet. As expressed previously, Roy Street primarily serves as a vehicle service access with limited activity. **The Board agreed that the site conditions provided a significant challenge to warrant granting the departure request. However, further refinement will be needed, and the design team is instructed to work with DPD to provide quality materials to green up and soften the street level façades.** *(Design Guidelines: A-1, A-2, C-2, C-3, D-2, & E-2)*

3. To allow modifications to *Parking and Loading Location, Access and Curb Cuts (SMC 23.48.034.C)*

The number and width of curb cuts shall satisfy the provisions of SMC Section 23.54.030, parking space standards, except as modified by the section. For two-way traffic, the minimum width of curb cuts is 22 feet and the maximum 25 feet, except that the maximum width may be increased to 30 feet when truck and auto access are combined. The applicant proposes to install a curb cut to accommodate a 28 foot wide garage door two feet less than the required opening for auto and truck access. Yale Avenue is a dead-end street that will be converted into a pedestrian oriented street (woonerf) with limited vehicle access. The site's unique configuration coupled with topography creates design challenges to minimize the presence of vehicles accessing the site. Landscaping, art, street furniture among other elements will be utilize to deemphasize the expanded door size. **The**

Board approves widening the curb cut width to accommodate a 28 foot door opening. The architect shall work with DPD to assure the final design detail is attractive and frames the pedestrian environment. *(Design Guidelines: A-2, A-3, B-1, C-3, C-4, D-4, D-5, & E-2)*

4. To allow modifications to Site Triangle (SMC 23.54.030.G)

For two-way driveways or easements at least 22 feet wide, a sight triangle on the side of the driveway used as an exit shall be provided and shall be kept clear of any obstruction for a distance of 10 feet from the intersection of the driveway or easement with a driveway, easement, sidewalk or curb cut intersection if there is no sidewalk. The entrance and exit lanes shall be clearly identified. The applicant proposes to hold the street edge on a dead-end with a unique street alignment. There will be a slight recess from the property line for the access doors that will eliminate the required sight triangle. The proposed design solution incorporates safety features as allowed in downtown zones - visual warning, enunciator, or mirrors are proposed in lieu of sight triangle. **The Board approves removing the site triangle so long as the applicant provides other means to secure exiting visibility and/or warning systems to minimize the potential for pedestrian vehicle conflicts. The architect will provide alternative means to safeguard pedestrians with such measures as mirrors, warning lights and or buzzers.** *(Design Guidelines: A-3, A-10, C-3, C-4, D-5, and D-7)*

5. To allow modifications to Loading Berth Requirements and Space Standards SMC 23.54.035.C

Each loading berth for low- and medium-demand uses, shall be a minimum of 35 feet in length. The applicant proposes to integrate the loading area to auto drive lanes to reduce the area devoted to vehicle accessing the site at the request of the Board. In response, the applicant has designed a floor plan that achieves the desired result which has pinched off 5 feet of the loading berth length. As depicted in the floor plan a portion of the loading dock area will be visually obscured, as view from the woonerf. The Board enthusiastically supported a reduction in the loading berth length to 30 feet. **The Board supported a design that effectively opened up the pedestrian experience by reducing the number of access points for auto and trucks adjacent to the woonerf.** *(Design Guidelines: A-5, B-1, D-5, & D-6)*

The Board was comfortable with granting the requested departures for alterations in the identified development standards. As long as the exterior façade remains consistent with what was presented; with materials, color and landscaping, the board fully supported the departure requests with further refinements to be completed and approved by DPD. The applicant has done an admirable job of integrating architectural details and woonerf design to enhance the building and site. **Therefore, the Board recommends approval of requested departures.**

Summary of Departures

Development Standard	*Requirement*	*Proposed*	*Comment/Rational BY Architect*	*Board Recommendation*
1. Transparency Requirement SMC 23.48.018.A	*All non Class 1 & 2 pedestrian streets: A minimum of 30 percent of the width of the street-level façade must be transparent.*	*0%, or 0 feet Roy Street (north façade) is proposed to be 100% opaque.*	*Due in part to topographic conditions at the site, and limited access and viability of Roy Street supporting pedestrian activity.*	▪ *Approve (Design Guidelines: A-1, A-2, C-4, D-2& D-7)*
2. Blank Façade Limits SMC 23.48.018.B	*Blank facades shall be limited to segments of 30 feet wide, except for garage doors which may be wider than 30 feet. Any blank façade shall be separated by transparent areas at least 2 feet wide. The total blank façade segments, including garage doors, shall not exceed 70% of the street façade.*	*Project proposes a blink façade length of 36 feet – 1 ½ inches on Mercer Street, and 115 feet along Roy Street.*	*Due in part to topographic conditions at the site, and limited access and viability of Roy Street supporting pedestrian activity.*	*Approve (Design Guidelines: A-1, A-2, C-2, C-3, D-2, & E-2).* *Condition: Landscaping should be incorporated to soften starkness of blank walls.*
3. Parking and Loading Location, Access and Curb Cuts SMC 23.48.034.C	*Curb cut width and number of curb cuts shall satisfy the provisions of section 23.54.030, parking space standards, except as modified by the section. Required 25 feet maximum (For 2-way traffic, the minimum width of curb cuts is 22 feet and the maximum 25 feet, except that the maximum width may be increased to 30 feet when truck and auto access are combined.*	*(Approximately) 28 feet in width.*	*Yale Avenue is a dead-end street that will be converted into a pedestrian oriented street (woonerf) with limited vehicle access. The unique configuration of the site limits location of vehicle access.*	▪ *Approve (Design Guidelines: A-2, A-3, A-4, B-1, C-3, C-4, D-4, D-5, & E-2)*

4. Site Triangle SMC 23.54.030.G.2	***For 2-way driveways or easements at least 22 feet wide, a sight triangle on the side of the driveway used as an exit shall be provided and shall be kept clear of any obstruction for a distance of 10 feet from the intersection of the driveway or easement with a driveway, easement, sidewalk or curb cut intersection if there is no sidewalk. The entrance and exit lanes shall be clearly identified.***	***Visual warning, enunciator, or mirrors proposed in lieu of sight triangle.***	***To hold the street edge on a dead-end with a unique shape will require removal of sight triangle. The proposed design solution incorporates safety features as allowed in downtown zones.***	▪ ***Approved (Design Guidelines: A-3, A-10, C-3, C-4, D-5 & D-7)***
5. Loading Berth Requirements and Space Standards SMC 23.54.035.C	***Length for low- and medium demand uses. Each loading berth for low and medium demand uses, shall be a minimum of 35 feet in length***	***30 feet in length.***	***To allow reduce visual impact of loading berths adjacent to the woonerf.***	▪ ***Approved (Design Guidelines: A-5, B-1, D-5 & D-6)***

Summary of Boards' Recommendations:

The recommendations summarized below were based on the plans submitted at the May 7, 2008 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings submitted for review on December 5, 2007. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the five Design Review Board members present recommended that the design should be approved with the refinements noted to be worked out with DPD. In particular; the blank wall on either side of the garage door should be more vibrant to create greater visual interests along Yale Ave, adjacent to the woonerf. Street level transparency should be extended along Yale to the south side of the garage door opening. To the north of the garage door the exterior wall should include architectural element to soften the wall surface. Along Yale near Mercer, the street trees should be relocated to the west side of the street to establish an architectural vernacular that is readable several blocks away. The applicant shall work with DPD, SDOT, and Seattle Design Commission to incorporate street furniture, art work, and surface materials to strengthen its presence in unique ways to a neighborhood in transition. The Board also recommends approval of the requested departures as stated in the departure matrix. Thus, the project should move forward as designed. The Board made the following recommendations. (Authority referred to in letter and numbers are in parenthesis):

1. Applicant shall work with DPD to find an appropriate design solution to visually open up the structure's west façade at street level by relocating some of the proposed street trees to a more appropriate location. **(*Guidelines A-1, A-2, A-3, A-4, B-1, C-2, C-3, C-4, D-1, & E-2)***
2. The Board was very supportive of the overall proposed scheme to establish a woonerf in the Yale right-of-way. The Board recommends the applicant work with the appropriate agencies and DPD to extend the swale along Yale, providing street furniture and plantings to visual knit the public right-of-way to read as a cohesively whole. (*Guidelines A-1, A-2, A-4, A-5, D-1, D-7, & E-1*)

3. Applicant shall explore options to find an appropriate design solution to minimize the impact of vehicles accessing the development site. Further, the applicant is encouraged to work with the appropriate agency and DPD to reduce the amount of loading berths into the proposal.[2] **(*Guidelines A-1, A-3, A-4, C-4, D-2, D-5, D-6, & D-7*)**
4. Explore options to enliven the pedestrian environment in the public right-of-way more rigorously. The applicant shall work with DPD to find an appropriate design solution to make the blank wall on either side of the garage door visually interesting and engaging. **(*Guidelines A-1, A-2, C-3, C-4, D-2, D-5, D-6, & E-2)***
5. The applicant will direct focused attention to increase visually engagement at the corner of Mercer and Yale Streets. The Board recommended the applicant work with DPD to find an appropriate design solution for the street level experience at the corner of Mercer and Yale Streets. **(*Guidelines A-2, A-4, A-10, B-1, C-2, C-3, C-4, & E-2*)**
6. In removing the site triangle, the applicant shall provide other means to secure public safety with the right-of-way. The architect will provide alternative means to warning pedestrians and vehicles, such as mirrors, warning lights and or buzzers. ***(Design Guidelines: A-3, A-10, C-3, C-4, D-5, and D-7)***

<u>Director's Analysis and Decision: Design Review</u>

The Design Review Board requested that the assigned planner should work with the applicant to resolve several Board recommendations prior to final DPD approval. The Director is equally pleased with the overall building design but as noted in the recommendation meeting by the Board, the street level pedestrian experience needs additional design development as well as strengthening design continuity to the woonerf. Further, the Director is authorized to provide additional analysis and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F) to advance the proposal forward. The Design Review Board identified elements of the Design Guidelines (above) which are critical to the project's overall success with concurrence of the Director.

The location of the development site presents unique design opportunities given its proximity to a dead end street (Yale) and area topography. It's anticipated that pedestrian activity will increase along Yale that requires individual attention to architectural design detailing and amenity areas. The architect has responded to the comments and concerns from both the public and the Design Review Board and has strived to establish a distinctively designed building from the vantage points from all street frontages. With minor lapses, the siting of the proposed structure set within a landscaped frame to the south and west, is well thought out and executed. The design from the Yale Street frontage is still undergoing changes to strengthen public safety and creating amenity areas. In particular, design and installation of landscaping, furniture, and readable surfaces to protect pedestrians from vehicles did not quite hit the mark. Subsequent conversations with the applicant after the recommendation meeting to resolve other design details, DPD suggested design solutions that included minimizing blank wall surfaces within Yale, Roy, and along Mercer to enliven the pedestrian experience, were supported by the applicant.

The design of the new seven-story commercial building, as viewed from Yale, is properly scaled to reduce the appearance of bulk through use of materials, modulation, color, and fenestration schemes. The design of the proposed structure picks up on architectural elements found in the area with bold and subtle touches to provide visual interest that seeks a sense of individuality. The

[2] The Board has no authority to grant a departure in the number of loading berths.

Director agrees that the blank wall along Yale is the most troubling design element at street level. The proposed building establishes a strong street presence along Yale by stepping back at certain locations from the property line to open up the pedestrian environment with landscaping, street furniture, and large storefront windows. The Director will work with the applicant to resolve the final design details.

The Director shared similar concerns with the Board, with the exterior walls needing additional refinement. Since the conclusion of the recommendation meeting the applicant has had several conversations with DPD to resolve this concern and several others. The exterior walls have been redesigned to establish more design integration with the rest of the building to the satisfaction of the Director.

An agreement in principal has been reached between the applicant and DPD to provide more visually engaging exterior walls and landscaping to soften the building's perimeter. Final design detail will be secured prior to MUP issuance, with final approval secured prior to receiving certificate of occupancy with the associated building permit. In all cases the Director of DPD affirms the Board conclusions and will support the proposal with recommendations.

On August 7, 2008, the Seattle Design Commission (SDC) met for the final time to unanimously approve the design development for the Blume Yale Campus Woonerf and Swale project. The Director was in attendance during all meetings and provided updates related Design Review. The SDC supported the Boards recommendation to reduce the number of curb cuts and loading berths on a pedestrian/vehicle oriented street within Yale. The swale is proposed to be oriented on the west side with trees to open up the plaza and woonerf area to the east. The typical right-of-way gradient has been modified to accommodate ADA compliant areas as well as enable the flow of vehicles and pedestrians. Improvements are being made within the WSDOT and SDOT rights-of-way abutting the subject lot to the north and west. There will be glass aggregate mixed paving in the recessed street level commercial area, as well as aggregate paving in the street, so the areas relate to one another. The paving finish has been designed to lead the public to the end of the woonerf - It is intended to feel special. There is a 20 ft wide area in the woonerf for vehicles, but it will convey a feeling of a pedestrian plaza. The woonerf is sloping downward toward the north but will be revised to slope upward at the end to elevate the overlook.

The Director of DPD has reviewed the recommendations and conditions of the Design Review Board. The Director finds that the proposal is consistent with the *City of Seattle Design Review Guidelines for Multifamily & Commercial Buildings Design Guidelines and South Lake Union Neighborhood Guidelines*. The Director **APPROVES** the subject design consistent with the Board's recommendations above and conditions at the end of this decision. This decision is based on the Design Review Board's final recommendations and on the plans submitted at the public meeting on May 7, 2008 and the plans on file at DPD. Design, siting or architectural details not specifically identified or altered in this decision are expected to remain substantially as presented at the recommendation meeting and subsequent plans submitted to DPD on July 15, 2008.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated December 5, 2007) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant

and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

Short-term Impacts

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

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

Historic and Cultural Preservation

Construction of the proposed six-story commercial building will necessitate the demolition of the two existing structures (common known addresses: 1310 Mercer Street and 624 Yale Avenue N) one of which is subject to determination of its historic status (624 Yale). In addition, construction related activities which include increased noise, dirt and truck traffic could impact The Jensen Block building which has been designated a historic landmark building within the City of Seattle that abuts the subject lot to the east. In accordance with the *Department of Planning and Development – Department of Neighborhoods Interdepartmental Agreement on Review of Historic Building during SEPA Review*; the planner referred approval to the Historic Preservation Officer. The Historic Preservation Officer evaluates criteria for potential landmark eligibility approval and development occurring adjacent to or across the street from landmark structures," in response to the SEPA Historic Preservation Policy (SMC 25.05.675.H.2.d). The review of the impacts associated with the proposed project does not require further design mitigation, as determined by the Landmarks Preservation Board, (LPB 605/08) in a letter dated November 6, 2008.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Traffic - Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during earth moving activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with transportation during construction. The excavation of the lower levels will require 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 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.

It is expected that most of the material to be removed from the site will be due in part to excavation for a building on a sloping lot with underground parking will have impacts on surrounding properties. During excavation, a single-loaded truck will be used which holds approximately 10 cubic yards of material. This will require approximately 2,148 to 2,771 truck loads to remove approximately 21,484 to 27,714 cubic yards (higher number includes fluff) of material, and may require additional number of trucks loads of fill material for regarding purposes. The site fronts four streets, has ready access to I-5, and is anticipated to have minor impacts on the neighboring thoroughfares. In order to limit this negative impact as much as possible, a Truck Trip Plan will be required and approved by SDOT prior to issuance of a building permit. The Truck Trip Plan shall delineate the routes of trucks carrying project-related materials.

Noise - Most of the initial construction activity including demolition, excavation, foundation work, and framing will require loud equipment and will have adverse impacts on nearby residences. The protection levels of the Noise Ordinance are considered inadequate for the potential noise impacts on the nearby residential uses. The impacts upon residential uses would be especially adverse in the early morning, in the evening and on weekends. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B) allow the reviewing agency to limit the hours of construction in order to mitigate adverse noise impacts. Pursuant to this policy, and because there are residences in the vicinity, the applicant will be required to limit construction hours. Demolition and construction activities taking place within an enclosed structure, which meet the standards of the Noise Ordinance, are allowed. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7 a.m. to 6 p.m. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9 a.m. and 6 p.m. once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

Air and Environmental Health - Given the age of the existing structures on the site, it may contain asbestos, which could be released into the air during demolition. The Puget Sound Clean Air Agency (PSCAA), 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 permit prior to issuance of a demolition permit, if necessary. So conditioned, the project's anticipated adverse air and environmental health impacts will be adequately mitigated.

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). No unusual circumstances exist, which warrant additional mitigation, per the SEPA Overview Policy.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide; increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of commercial structures and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); Land Use Code (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption). Additional land use impacts which may result in the long-term are discussed below.

Height, Bulk, and Scale

The proposed seven-story project will rise to approximately 85 feet to the roof top from the lowest sidewalk elevation grade along Yale. The development site and surrounding area is located within a Seattle Mixed zone with a height limit of 75 feet (SM-75). An additional 10 feet is allowed for structures located within the South Lake Union Urban Center designed with at least two floors extending to a height of 14 feet (floor to floor) among other development standards. The proposed structure will be similarly sized to newer building within the immediate area, within the allowable height limit of the underlying zone, as would otherwise be allowed by code. The adjacent lots contain structures extending no higher than seven stories above grade, and are in-keeping or undersized for the zoned height limit. The proposed building's bulk is scaled within a development envelope to lessen its visual impact upon adjacent properties by employing vertical and horizontal movement within the development site. The proposed building is successfully scaled to be sympathetic to the neighboring properties within the zone. The upper level steps down in two segments from east to west in keeping with the site's sloping topography. The proposed project is being developed under allowed SM-75 height standards, as modified by South Lake Union Urban Center, and is thereby in keeping with the scale of the potential of the zone as well as being sensitive to existing structures in the vicinity.
The SEPA Height, Bulk and Scale Policy (Sec. 25.05.675.G, SMC) states that *"the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies set forth in Section B of the land use element of the*

Seattle Comprehensive Plan regarding Land Use Categories, the shoreline goals and policies set forth in Section D-4 of the land use element of the Seattle Comprehensive Plan, the procedures and locational criteria for shoreline environment redesignations set forth in SMC Sections 23.60.060, and 23.60.220, and the adopted land use regulations for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning."

In addition, the SEPA Height, Bulk and Scale Policy states that *"(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."* Since the discussion in the previous paragraph indicates that there are no significant height, bulk and scale impacts as contemplated within this SEPA policy, and since the Design Review Board approved this project with conditions, no mitigation of height, bulk and scale impacts is warranted pursuant to this SEPA policy.

Traffic and Transportation

The applicant submitted a traffic analysis, prepared by The Transpo Group Inc. that addressed anticipated trip generation, parking impacts and mitigation payment for development within the South Lake Union neighborhood. Transportation and parking impacts associated with the proposal are skewed conservatively, taking into consideration anticipated impacts of development in the area extending out to 2010, expected project completion date. The report contrasted existing and proposed uses at the development site with impacts associated with personal trip generation. Trip generation for the proposal was determined by employing figures derived from Trip Generation (*Institute of Transportation Engineers' [ITE], Trip Generation Manual, 7th Edition, 2003*). Quantitative values found within the reference document reflect nationwide studies in suburban communities that are not necessarily representative of urban trends. To calibrate the trip rates to the local character of the site vicinity, vehicle trips were converted to person trips through the use of ITE Average Vehicle Occupancy (AVO) rates for the proposed (land) uses. Once person trips were derived, specific mode split information for the proposed project was applied to arrive at the split between transit, non-motorized, carpool and Single Occupant Vehicles (SOV) for the project. Due in part to activity associated with specific uses it is expected that vehicle activity would be different between office and retail uses. With a Transportation Management Plan (TMP) the office use is estimated to generate 60% vehicle trips, 25% transit trips, and 15% will bike or walk to and from the site. The mode split of travel estimates for retail use catering to the local neighborhood is expected to disperse out between 30% vehicle trips, 65% will choosing either to walk or bike, while 5% will rely on transit.

When factoring out existing uses, the proposed project is anticipated to generate 1,100 vehicle trips per day, 137 vehicle trips during the A.M. peak hour, and 138 vehicle trips during the P.M. peak hour. The office use accounts for approximately 85% (1,350) of the total daily vehicle trips. By the proposal's estimated completion date in 2010, the associated impacts on the Level of Service (LOS) on surrounding intersections are negligible, except for one, if no development were proposed. The intersection of Republican Street/Pontius Avenue will be adversely impacted. The LOS jumps to a Level E (unstable flow; approaching intolerable delay) during PM peak hour. The cumulative impact with the addition of the project in 2010 will add an average of 11.7 seconds in delay time. Access to required parking will be dispersed in two locations. Two parking garages are located at the development site; Yale frontage (new building) and the existing 617 Eastlake building with parking accessed off Roy Street.

Within South Lake Union one way to mitigate adverse impacts is to pay into a fund that takes a comprehensive approach to improving the flow of traffic in the neighborhood. The City of Seattle has implemented a program by which development occurring in and around the South Lake Union neighborhood would contribute a mitigation payment towards the planned improvements identified in the South Lake Union Transportation Plan. The Plan identifies improvements with the goal of improving Seattle's transportation problems, through a combination of auto traffic projects, bicycle projects, pedestrian projects, and transit projects. At a payment rate of $1.95 per square foot for office and retail use, and adjusting for reduced trips due to the proposed TMP and to the removal of the existing uses, a required payment of $228,050.00 will be required to mitigate transportation impacts. The applicant has agreed to pay $228,050.00 to mitigate adverse impacts associated with this proposal.

Circulation within the area includes downtown transit center, bus routes providing access to downtown and other employment destinations. There are also many dining, shopping, medical and entertainment opportunities within walking/bicycling distance and along the public transit routes. The proposed retail use at the development site is expected to draw customers from the immediate area. It is anticipated that abutting streets will handle the increase demand falling within its capacity, so no further SEPA mitigation of traffic impacts is warranted.

Parking

Parking utilization in the vicinity is limited and does not appear to be near capacity. Parking can be found during the daytime hours with limited availability during evening hours. The proposal includes transforming an auto oriented street into pedestrian oriented street (Woonerf), which will result in removing curbside parking within Yale. The project is located in the South Lake Union Urban Center. Recent amendments to the City's parking code have eliminated parking requirements for uses in commercial zones in urban centers. SMC Section 23.54.015.B.2. Thus, the Land Use Code does not require parking for this project, which is located in a commercial zone in the South Lake Union Urban Center. Access to 57 parking spaces will be provided from Yale for the proposed new building. Access to the remaining 171 stalls in the existing building will be from Roy Street.

Peak parking demand for the proposed uses; office use (assumed General Office) and retail (Specialty Retail), at the development site was based on empirical studies from the *ITE Trip Parking Generation Report, 7th Edition*. The total peak demand under both categories reached 277 stalls, representing a shortfall of 220 stalls of available on-site parking. The owner has proposed to make available an additional 45 stalls within the existing building, resulting in a parking demand shortfall of 175 stalls. In addition, the owner proposes to utilize two of their properties in the immediate area to offset the remaining parking demand shortfalls. Adjacent properties (1260 Mercer and 505 Yale Avenue) have parking surpluses that can accommodate the anticipated spillover. On-street parking is limited around the site's perimeter; Roy, Eastlake, and Mercer that should accommodate a number of vehicles, with the adjacent streets absorbing the remainder. Based on the mode-split model as previously discussed approximately 40% of the visitors to the site will choose alternative modes of travel for the office use. If on-street parking becomes challenging then it may facilitate commuters to explore other modes of travel. On-street parking capacity in the surrounding area is sufficient to meet any additional spill-over parking that might be generated from the proposed commercial uses, if any actually occurs. Furthermore, for projects developed on properties in the SM zone, no SEPA authority is provided for the decision maker to

require more parking than the minimum required by the Land Use Code. SMC 25.05.675.M.2.b.ii. In this case, no parking is required under the Land Use Code, so the City's SEPA policies do not provide authority to require any additional parking for the project. Nevertheless, the applicant is providing 102 on-site parking stalls in connection with the project and setting aside a number of off-site parking stalls, in order to address market demand. Therefore, no mitigation of parking impacts is necessary pursuant to SEPA.

CONCLUSION - SEPA

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

DECISION - SEPA

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

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

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment with respect to transportation, circulation, and parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030 (2) (C).

PREPARATION OF FINAL PLAN AND FUTURE CHANGES

The owner/applicant shall update plans to show:

- Embed all conditions of approval into the cover sheet on the updated MUP plan set and all subsequent building permit drawings.
- Embed colored elevation and landscape drawings into the MUP and building permit drawings.
- Update plans and supporting documents to provide consistent and current project information, i.e., parking calculations, residential unit count, etc.
- Any proposed changes to the external design of the building, landscaping or improvements in the public right-of-way must first be reviewed and approved by the DPD planner prior to construction.

CONDITIONS – DESIGN REVIEW

Prior to Issuance of MUP Permit

1. Applicant shall work with DPD to find an appropriate design solution to visually open up the structure's west façade at street level by relocating some of the proposed street trees to a more appropriate location, subject to DPD approval.

2. The Board was very supportive of the overall proposed scheme to establish a woonerf in the Yale right-of-way. The Board recommends the applicant work with the appropriate agencies and DPD to extend the swale along Yale, providing street furniture and plantings to visual knit the public right-of-way to read as a cohesively whole.

3. Applicant shall explore options to find an appropriate design solution to minimize the impact of vehicles accessing the development site, subject to DPD approval.

4. Explore options to enliven the pedestrian environment in the public right-of-way more rigorously. The applicant shall work with DPD to find an appropriate design solution to make the blank wall on either side of the garage door visually interesting and engaging, subject to DPD approval.

5. Applicant will direct focused attention to increase visually engagement at the corner of Mercer and Yale Streets. The Board recommended the applicant work with DPD to find an appropriate design solution for the street level experience at the corner of Mercer and Yale Streets, subject to DPD approval.

6. Applicant shall provide other means to secure public safety with the right-of-way. The architect will provide alternative means to warning pedestrians and vehicles, such as mirrors or warning lights, subject to DPD approval.

During Construction

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

7. All proposed changes to the exterior facades of the building and landscaping on site and in the ROW must be reviewed by a Land Use Planner prior to proceeding with any proposed changes.

Prior to Issuance of a Certificate of Occupancy

8. Compliance with the approved design features and elements, including exterior materials, architectural detail, facade colors, landscaping and ROW improvements, shall be verified by the DPD Planner assigned to this project or by the Manager of the Urban Design Program. Inspection appointments with the Planner must be made at least three (3) working days in advance of the inspection.

SEPA CONDITIONS

The owner(s) and/or responsible party(s) shall:

Prior to Issuance of Demolition or Construction Permits

9. Prepare a Transportation Management Program (TMP for review and approval by DPD and Seattle Department of Transportation. The goal for the TMP will be to achieve no greater than 60% Single Occupancy Vehicle SOV use.

10. Submit a Truck Trip Plan to be approved by SDOT prior to issuance of a building permit. The Truck Trip Plan shall delineate the routes of trucks carrying project-related materials.

11. Submit a copy of the PSCAA permit prior to issuance of a demolition permit, if a PSCAA permit is required.

Prior to Issuance of Shoring & Excavation Permit

12. The applicant(s) or responsible party (ies) shall submit to the City of Seattle the pro rata share of transportation improvement costs in the amount of $228,050.00 to mitigate adverse impacts associated with this proposal

During Construction

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

13. In order to further mitigate the noise impacts during construction, the owner(s) and/or responsible party(s) shall limit the hours of construction to non-holiday weekdays between 7:00 A.M. and 6:00 P.M. and Saturdays between 9:00 A.M. and 6:00 P.M. This condition may be modified by the Department to permit work of an emergency nature to allow low noise exterior work (e.g., installation of landscaping) or to allow work which cannot otherwise be accomplished during the above hours upon submittal of a noise mitigation plan and after approval from the Land Use Planner. After the structures are enclosed, interior work may proceed at any time in compliance with the Noise Ordinance.

Signature: (signature on file) Date: December 18, 2008
Bradley Wilburn, Land Use Planner
Land Use Services
Department of Planning and Development

BW:lc

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