



City of Seattle

Gregory J. Nickels, Mayor

**Department of Planning and Development**

D. M. Sugimura, Director

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

**DPD Application Number:** 3008041  
**Applicant Name:** Angela Gee for [Clark Design Group](#)  
**Address of Proposal:** 1451 NW 46<sup>th</sup> St

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a 247,000 sq. ft. four-story commercial and office building. Proposed uses include: General sales and service (43,631 sq. ft.), administrative office (100,000 sq. ft.) and accessory parking (103,258 sq. ft.) for 282 spaces. Project includes demolition (47,960 sq. ft.) of existing structures and 24,611 cubic yards of grading. Related project: DPD #MUP 3008040.

The following approvals are required:

**SEPA - Environmental Determination – [Chapter 25.05, Seattle Municipal Code.](#)**

**SSDP – Shoreline Substantial Development Permit – [Chapter 23.60, Seattle Municipal Code](#)**

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

## **BACKGROUND DATA**

### Zoning

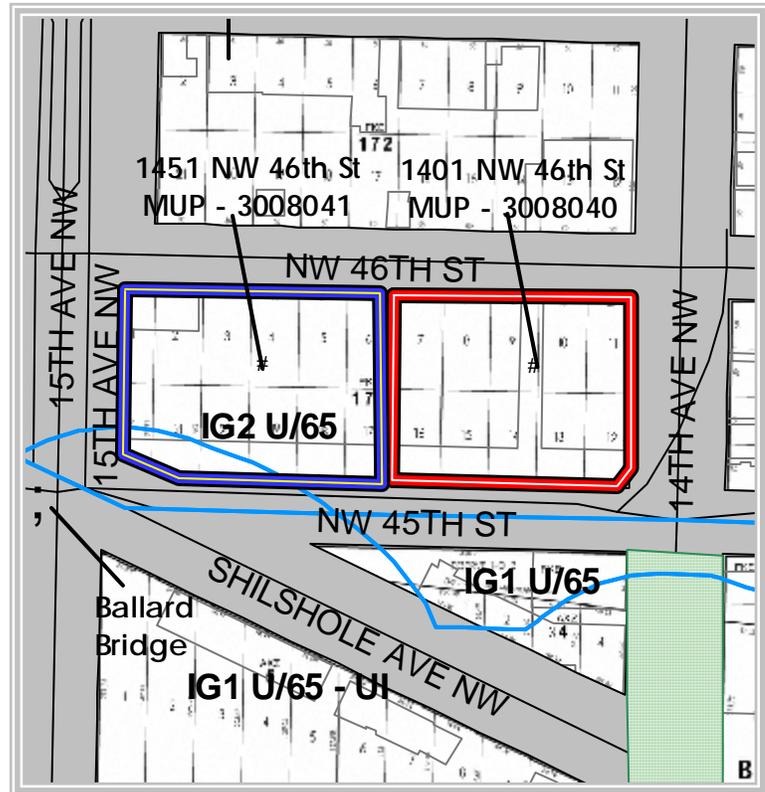
General Industrial Two with a sixty-five (65) foot height limit (IG2-U/65).

### Proposed Uses

General retail sales and service, administrative office and accessory parking.

### Public Comment

The comment period for this proposal ended on December 12, 2007. During the public comment period, DPD received two comments related to the project. One comment is regarding public notice of the project. The other comment regards a related short plat (DPD # 3006670) that was applied for prior to the MUPs and subsequently determined to not be required. The comment letters are located in the project file.



### Site and Vicinity

The site is an upland lot located in the Ballard neighborhood adjacent and directly east of the Ballard Bridge (15<sup>th</sup> Ave NW) on the north side of the ship canal. Surrounding zoning in the vicinity is the same as the proposal site (IG2-U-65) with IG1-U-65 zoning south of NW 45<sup>th</sup> St. The abutting site to the east is the related project site for [MUP 3008040](#).

Surrounding uses and development includes two new 5-story structures currently under construction to the north across NW 46<sup>th</sup> St. with office, retail, gym and accessory parking. The 4-story Path Building (medical research) is located two blocks northward and Mars Hill Church is located northeast of the site. To the south are the Rolls Royce Naval Marine and the South Community College Maritime Training Center.

### Proposal

To allow a 247,000 sq. ft. five-story commercial and office building. Proposed uses include: General sales and service (43,631 sq. ft.), administrative office (100,000 sq. ft.) and accessory parking (103,258 sq. ft.) for 282 vehicles. Review includes demolition of 47,960 sq. ft. of existing structure and 25,000 cubic yards of grading.

Vehicle access to the site is proposed in one location. A two-way access to the two underground parking levels is proposed to be located at the southwest corner of the site from NW 45<sup>th</sup> St. Access for three truck loading berths is proposed off of 15<sup>th</sup> Ave NW, which abuts to the east and is below the Ballard Bridge. The loading berths are proposed along the southerly portion of the western property line off of 15<sup>th</sup> Ave NW.

### Street Improvements

A summary of the proposed street improvements is appropriate considering the scope of the project. Full street improvements are proposed abutting the site, with city standard curbs, gutters and sidewalks.

It should be noted that code compliant street improvements in the subject zone, General Industrial Two (IG2), do not require curbs and gutters. The applicant is providing beyond what the Land Use Code requires for street improvements ([SMC 23.53.020-C](#)).

Along all abutting rights-of-way the sidewalks are proposed range from 5' - 20' in width. Along 15<sup>th</sup> Ave NW, the sidewalks are proposed to be five (5) feet in width. Along NW 46<sup>th</sup> St, the sidewalks are proposed at twenty (20) feet in width and will include new street trees with landscaping pits. Lastly, along NW 45<sup>th</sup> St, the width of sidewalk is proposed to be approximately thirteen (13) feet. Street trees and tree pit planting areas are proposed in all sidewalks where feasible.

### ANALYSIS - SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), [WAC 197-11](#), and Seattle's SEPA Ordinance ([Seattle Municipal Code Chapter 25.05](#))

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated October 10<sup>th</sup>, 2007. The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant and reviewed the project plans and the supporting reports (Archaeological, Transportation & Parking, Geotechnical) in the file. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant. A discussion of these impacts is warranted.

### Short - Term Impacts

#### Construction Impacts

Construction activities for the four-story structure could result in the following adverse impacts: construction dust, 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. Several construction related impacts are mitigated by existing City codes and ordinances applicable to the project, such as the Noise Ordinance; the Street Use Ordinance; and the Building Code. Following is an analysis of the applicable SEPA policies.

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Seattle Department of Transportation.

Worker parking is available on the adjacent street system, but a condition is warranted to require that once the parking structure is complete and acceptable, worker parking and construction staging to be located in the parking structure where and when feasible.

Earth Solutions NW, LLC prepared a geotechnical study for the site and proposed structure. The report asserts that “construction of the proposed building is feasible from a geotechnical standpoint.” Recommendations include foundation support, excavation support and dewatering. DPD sees no issues at this time with geotechnical feasibility of the proposed structure. Further review of the report is currently occurring by DPD’s Geotechnical review team on the related building permits.

One issue not addressed in other city code requirements is dirt/dust created by excavation materials onto the adjacent street system. Considering the 25,000 cubic yards grading proposed in concert with the fact that trucks will be entering and leaving the site for a substantial time during construction, SEPA conditioning is warranted to mitigate the impact of dust particulates in the air and in the surrounding street system.

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](#)).

#### Long - Term Impacts

The following long-term or use-related impacts, increased demand on public services and utilities; and increased energy consumption are not considered adverse; furthermore, other City Departments will review in detail the service requirements needed to meet the project impacts/demand of these issues. Additional land use and parking/traffic impacts which may result in the long-term are analyzed below.

#### Air Quality and Environmental Health

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.

During review, DPD requested the applicant to provide environmental clean-up documentation, communications with DOE and provide a contact for coordination with any agreed order and or consent decree. The applicant was also asked to provide a survey of toxic materials that may exist within the existing structures proposed to be demolished on site.

The applicant provided the following information regarding the environmental cleanup and toxic materials survey of the buildings:

*The site was entered into the formal cleanup program under the Model Toxics Control Act, administered by the Washington State Department of Ecology. The first step under the formal cleanup program approach was governed by an Agreed Order, entered into by the current owner. Per the requirements of the Agreed Order, a remedial investigation (RI) and feasibility study (FS) was conducted on the site to evaluate the type and extent of subsurface contamination that resulted from historical land uses on and off the properties. Two primary chemicals of concern were identified during the RI and included arsenic in groundwater and polycyclic aromatic hydrocarbons (PAHs) in near-surface soil. Although the arsenic is a regional issue, some of the PAHs have been identified to be a result of the activities conducted by a former wood treatment facility that occupied the property in the early 1900s.*

*Prior to conducting remediation, the property will be entered into a Consent Decree under the formal cleanup program, and Ecology will pre-approve the remedial plan for the property prior to commencement of any remedial activity. The current plan for the proposed remedial approach includes:*

- 1) Excavation of the PAH-contaminated soil within the construction footprint and disposal off-property at a permitted facility.*
- 2) Any PAH-contaminated soil remaining that is associated with the historical use of the property will be capped in place using an engineered design; and*
- 3) arsenic-contaminated groundwater beneath the properties will be intercepted by the groundwater intrusion control and possible treatment system that will be installed during construction of the proposed buildings.*

*The groundwater intrusion control and treatment system may remain in operation through the life of the buildings. Any water generated during construction and/or in the permanent building dewatering system that contains concentrations of arsenic or PAHs above surface water criteria will be treated prior to discharge.*

*In terms of materials within the two buildings, Sound Environmental Strategies conducted a Hazardous Materials Survey of each building. Hazardous materials, which include asbestos-containing materials, fluorescent light tubes, and lead doors, were identified in the survey. Prior to building demolition, these hazardous materials will be abated by a qualified asbestos abatement contractor licensed in the State of Washington. All applicable permits will be acquired from the appropriate government agencies prior to conducting hazardous materials abatement or demolition work.*

Department of Ecology review of the consent decree provides sufficient mitigation and oversight for SEPA policies.

Conditioning is justified to require the applicant to contact Puget Sound Clean Agency (PSCAA) and provide a notice of intent to demolish along with the hazardous material survey. Further, imposition of a condition to provide the consent degree and clean-up action plan will ensure compliance with this SEPA policy.

### Light and Glare

Light and glare was cited as an impact during review due to the amounts of glazing proposed. The applicant stated they proposed to use of Solarban 60 which is high performance low reflectance glass. Also the applicant proposes use of window shades above all windows on the southern elevation. With these elements, light and glare impacts will be sufficiently mitigated. Conditioning is warranted to ensure that low reflectance glass is applied on the Building Permit.

### Height, Bulk and Scale

Although there is an increase in height and overall lot coverage proposed for the development site as a whole, the proposed 4-story structure will meet the Land Use Code requirements (development standards) laid forth in SMC 23.50 (Industrial). The adjacent zoning designations (Also IG2/U65 and IG1/U65) in all directions from the site allow the same height as the proposed structure. Future development as permitted by the adjacent zones has the potential of similar height and scale. Lastly, there are no unusual topographic features on the development site that warrant mitigation for Height, Bulk and Scale. As a result, no mitigation is required pursuant to SEPA authority.

### Historic Preservation

Per City of Seattle [Director's Rule 2-98](#):

*“Many of Seattle’s existing and former shoreline areas may be sites of potential archaeological significance due to settlement patterns of Native Americans and early European settlements along Puget Sound. Archeological sites and their resources may be directly or indirectly threatened by development or redevelopment projects and the SEPA policy provides the opportunity for analysis of these sites. Areas where sites or resources of potential archaeological significance could be found include freshwater and saltwater confluences, areas with low bank saltwater access, terraces of rivers and creeks, river confluence areas, and historical sources of certain kinds of geological formations. Additionally, there is the possibility that new resources may be discovered during construction in areas not noted above.”*

*“Archeologically significant resources present a unique problem because protection of their integrity may, in some cases, eliminate or impact economic opportunities on the site. Additionally, it would be unreasonable to require archaeological assessments on all projects located in areas with the characteristics described above. However, it is possible to provide some guidance by using historical information, literature and maps. Such records indicate known and potential settlements, and historical maps indicate the pre-urban shorelines. The US Government Meander line provides an indication of where the saltwater shoreline existed prior to recent fill or alteration. It is likely that one would find most potential archeologically significant resources located within 200 feet of this meander line.”*

The subject site is within the 200' meander line; as a result the Director's Rule applies to the subject site.

Historical Research Associates Inc. conducted an assessment of the site, dated October 2007, for archaeological resources and historic buildings/structures the site for Archaeological Resources.

Regarding archaeological information, the assessment declares that... "There is a high probability for hunter-fisher-gatherer, ethnographic period, historic Indian, and historic Euroamerican archaeological resources in the Ballard Blocks 2 APE (1401 and 1451 NW 46<sup>th</sup> St) and historical fill may have sealed and protected intact archaeological resources that may be extant on native soils."

As a result conditioning is warranted to have a professional archaeologist monitor site excavation for native soils in order to satisfy the Historic Preservation SEPA policy.

#### Public View Protection

It is the City's policy to protect public views of significant natural features such as Mount Rainier. The project site is located between 15<sup>th</sup> Ave NW and Mount Rainier. 15<sup>th</sup> Ave NW (from NW Market St. south to W Nickerson St) is mapped as a scenic route per Exhibit 1 of SEPA Scenic Routes Map for North Seattle\*. The subject site is directly east of 15<sup>th</sup> Ave NW, as a result, analysis of the view protection and proposed design is appropriate.

The subject structure provides significant setbacks starting at the second level along the south façade that ranges from 0' to 79'-6", with approximately 2-3<sup>rds</sup> of the structure being setback no less than 65' for the portion of the structure closest to 15<sup>th</sup> Ave NW. The applicant provided photo documentation from 15<sup>th</sup> Ave NW towards Mt. Rainier that showed the proposed structure superimposed would not significantly block scenic views. With these proposed setbacks, the proposal is compliant with this SEPA policy.

#### Parking

The project requires 159 parking stalls and proposes 282 on site, which will be shared with the abutting easterly site by way of a parking access easement/agreement. The abutting easterly development is being simultaneously reviewed for compliance under [DPD MUP # 3008040](#).

The subject site is proposed to share vehicle access with the abutting easterly development by way of an easement. The two way easement access will be accessible from NW 45<sup>th</sup> St and will absorb most of the traffic generated by the proposal. The abutting site's parking requirement is 137 parking stalls and 256 are provided. The combined parking requirement based on the Land Use Code for both sites is 296 spaces and total number of spaces proposed is 538.

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\* Scenic routes identified as protected view rights of way in the Seattle Mayor's 1987 Open Space Policies Recommendation.

The submitted transportation analysis (Heffron Transportation Inc.) shows that peak parking demand (599) for both sites may exceed the supply (538) during afternoon ( $\approx$ 2:00) weekdays by up to 61 spaces due to the Office Use daytime demands. The 2:00 weekday parking demand is opposite the parking demand characteristics for the projects currently under construction, located north, across NW 46<sup>th</sup> St, known as 4609 14<sup>th</sup> Ave NW and 1416 NW 46<sup>th</sup> St. Analysis shows that those adjacent sites will have in the worst case (December peak shopping period) 80 available parking spaces during the weekday, which could be shared with the proposed site(s) by way of shared parking agreement. It is the recommendation of the transportation analyst that a shared parking arrangement between the two blocks be provided to mitigate possible spillover during weekday days. Proper conditioning is warranted to ensure that at least 65 stalls are made available to the subject site by way of a shared parking agreement during non-holiday (City of Seattle, Washington State, and federally recognized) weekdays from 9:00 am to 5:00 pm.

With imposition of a condition for the shared parking agreement, parking impacts will be adequately addressed; as a result the proposal will be compliant with SEPA parking policies.

#### Traffic and Transportation

The applicant submitted a transportation impact analysis dated November 5<sup>th</sup>, 2007 prepared by Heffron Transportation, Inc. The analysis included a comprehensive review of the related projects, MUP(s) 3008040 and 3008041. This report analyzed the cumulative project impacts: roadway network, trip generation, trip distribution and assignment, level of service (LOS), transportation concurrency, traffic safety, parking demand and supply, transit considerations, non-motorized facilities and site access and truck loading. Considering the likely impacts, the report cited four proposed mitigation measures:

- Install a traffic signal at the intersection of NW 46th St and 14th Ave NW. The proponent should work with SDOT (Seattle Department of Transportation) to design the signal and install it if and when it is warranted.
- Create an all-way stop-controlled intersection at NW Ballard Way and 14th Ave NW.
- Enter into a shared parking agreement with the 4609 14th Ave NW and 1416 NW 46th St projects (located across the street from the project sites). Excess parking at these other project sites will be available on weekdays and could be used for office employee parking.
- Continue to work with SDOT related to design of the Burke Gilman Trail.

Review of the report was conducted by DPD's traffic expert and he is in agreement with the recommended traffic improvements. Cost of the proposed improvements shall be borne by the developer. Final approval of the proposed signal and all-way stop is subject to SDOT review and approval. The applicant has agreed that the proposed mitigation changes should be made.

Summary

In conclusion, adverse effects on the environment resulting from the proposal are anticipated to be non-significant. Meeting the conditions stated below and analyzed above, the project will be compliant with SEPA policies.

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

**ANALYSIS – SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT**

Section 23.60.030 of the Seattle Municipal Code provides criteria for review of a shoreline substantial development permit and reads: *A substantial development permit shall be issued only when the development proposed is consistent with:*

- A. *The policies and procedures of Chapter 90.58 RCW;*
- B. *The regulations of this Chapter; and*
- C. *The provisions of Chapter 173-27 WAC.*

A. *RCW Chapter 90.58*

Chapter 90.58 RCW is known as the Shoreline Management Act of 1971. It is the policy of the state to provide for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses. This policy contemplates protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life, while protecting generally public rights of navigation and corollary incidental rights. Permitted uses in the shorelines shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water.

The Shoreline Management Act provides definitions and concepts, and gives primary responsibility for initiating and administering the regulatory program of the Act to local governments. The Department of Ecology is to primarily act in a supportive and review capacity, with primary emphasis on insuring compliance with the policy and provisions of the Act. As a result of this Act, the City of Seattle and other jurisdictions with shorelines adopted a local shoreline master program codified in the Seattle Municipal Code at Chapter 23.60. Development on the shorelines of the state is not to be undertaken unless it is consistent with the policies and provisions of the Act, and with the local master program. The Act sets out procedures, such as public notice and appeal requirements, and penalties for violating its provisions.

The proposed building, its uses and accessory parking will not adversely impact the public health, land, and the waters of the state, and their aquatic life, or interfere with the public rights of navigation and corollary rights. Thus, the portion of the proposal and its proposed uses are consistent with the policies and procedures of Chapter 90.58.

*B. SSMP Chapter 23.60*

Chapter 23.60 of the Seattle Municipal Code is known as the “Seattle Shoreline Master Program”. In evaluating requests for substantial development permits, the Director must determine that a proposed use meets the approval criteria set forth in SSMP 23.60.030 (cited above). Development standards of the shoreline environment and underlying zone must be considered, and a determination made as to any special requirements (shoreline conditional use, shoreline variance, or shoreline special use permit) or conditioning that is necessary to protect and enhance the shorelines area (SSMP 23.60.064).

The purpose of the UI Environment is to provide efficient use of industrial shorelines for water-dependent and water-related industrial uses. The code permits outright office and retail uses. The proposed parking being clearly accessory to these permitted uses and on the same site is also permitted outright.

General retail sales and services and office uses must meet the development standards for the UI Environment (SSMP 23.60.870), as well as the general development standards for all shoreline environments (SSMP 23.60.600). Additionally, the proposed project must also meet the development standards of the underlying General Industrial (IG2 U/65) zone (SMC Chapter 23.50).

SMC 23.60.152 - General Development Standards

These general standards apply to all uses in the shoreline environments. The standards require that design and construction of all uses be conducted in an environmentally sound manner, consistent with the Shoreline Management Program and with best management practices for the specific use or activity. All shoreline development and uses shall minimize any increases in surface runoff, and control, treat and release surface water runoff so that receiving water quality and shore properties and features are not adversely affected. All development and uses shall be located, designed, constructed and managed to avoid disturbance, minimize adverse impacts and protect fish and wildlife habitat conservation areas.

The large majority of the proposal, namely the on-site portions, will be consistent with these development standards for the following reasons: The Stormwater, Grading and Drainage Control Code regulates new development and land-disturbing activities and requires best management practices be used to accomplish the control of erosion and the transport of sediment from the site by mulching, matting and/or the use of silt fences; permanent stabilization of exposed soils that are not being actively worked by the installation of permanent vegetative cover and/or installation of slope protective materials; and, the control of the introduction of contaminants and pollutants, and reduction and treatment of contaminants in City systems by the regular cleaning of catch basins, gravel truck loading and heavy equipment areas, sweeping, and maintaining erosion control protective features. A drainage control plan and grading plan, prepared by a licensed civil engineer in accordance with standards adopted by DPD are required with submittal of the building permit. The proposal will not require any work within the waters of Puget Sound.

Further, the project is located on an upland lot that is across a right of way (NW 45<sup>th</sup> St) from the ship canal and the impact to the shoreline are negligible or non-existent; and as a result does not significantly impact the shoreline environment to a level that requires mitigation or conditioning.

SMC 23.60.870 - Development Standards for UI Environment

All development must conform to the development standards in the UI Shoreline Environment. The portion of the proposal meets the maximum height of 35 feet as specified by SMC Section 23.60.872-A. Lot coverage is not an issue, because the UI Environment allows structures on upland and waterfront lots to occupy up to 100 percent of the lot. No view corridors are required because the site is not adjacent to waterfront lots designated CM, CR, CP or CN. Regulated public access is not required for upland lots. The proposal, as designed, meets the development standards of the UI Environment.

SMC 23.50.015 - Industrial Development Standards

The project proposal must meet the development standards of the underlying General Industrial 2 zone. The proposal meets the 65 foot height, screening, floor area ratio, maximum size limits, landscaping, venting, odor, glare, and access standards.

*C. WAC Chapter 173-27*

WAC 173-27 establishes basic rules for the permit system to be adopted by local governments, pursuant to the language of RCW 90.58. It provides the framework for permits to be administered by local governments, including time requirements of permits, revisions to permits, notice of application, formats for permits, and provisions for review by the state's Department of Ecology (DOE). As the Seattle Shoreline Master Program has been approved by DOE, consistency with the criteria and procedures of SMC Chapter 23.60 is also consistency with WAC 173-27 and RCW 90.58.

Conclusion

Development requiring a Shoreline Substantial Development Permit can only be approved if in conformance with the policies and procedures of the WAC, RCW and with the regulations of Chapter 23.60, Seattle Shoreline Master Program.

The project as proposed, meeting required codes during construction and also the specific standards for development in the Urban Industrial Environment will conform to the intent and letter of the Shoreline Master Program. It also conforms to the general development standards, as well as the requirements of the underlying General Industrial zone, and therefore should be approved.

Thus, the proposal is consistent with the criteria for a shoreline substantial development permit and may be approved.

## **DECISION - SEPA**

The proposed action is **CONDITIONALLY GRANTED**

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

- 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 43.21.030\(2\)\(C\)](#).

## **DECISION – SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT**

The proposed action is **GRANTED**.

## **CONDITIONS - SEPA**

### *Prior to Issuance of the Master Use Permit*

1. Enter into a shared parking agreement with the 4609 14th Ave NW and 1416 NW 46th St projects (located across the street from the project sites). The agreement should ensure that a total of at least 65 stalls are made available to the subject site and the adjacent proposal located at 1401 NW 46<sup>th</sup> St by way of a shared parking agreement during non-holiday (City of Seattle, Washington State, and federally recognized holidays) weekdays from 9:00 am to 5:00 pm.

### *During Construction*

The following conditions to be enforced during construction shall be posted at each street abutting 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 shall 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.

2. During grading activities, watering of the site and uncovered materials in trucks shall be required to reduce construction dust.

3. After the parking structure is complete and certified to occupy, worker parking, construction staging and construction vehicles shall park in the parking structure parking when feasible to relieve parking congestion from the street.
4. Construction vehicles leaving the construction site shall make provisions to wash vehicle tires, wheels and exteriors in order to prevent spillover of particulates into the adjacent rights of way.
5. Have a professional archaeologist on site to monitor land disturbing activity of native soils. If items of archaeological significance are discovered, work related to grading and land disturbing activity must be stopped and DPD and Department of Archaeology and Historic Preservation (DAHP) must be notified.
6. Continue to work with SDOT related to design of the Burke Gilman Trail.

Prior to Issuance of the Building Permit

7. Ensure that the design uses Solarban 60 windows or equivalent low reflectance glass in order to minimize light and glare impacts.

Prior to Issuance of any Demolition Permit (non-appealable)

8. The owner(s) and/or responsible party(s) shall provide documentation to the DPD Planner (Lucas DeHerrera (206.615.0724) or Land Use Supervisor Cheryl Waldman (206.233.3861) that Puget Sound Clear Air Agency (PSCAA) has received all information necessary to assess and mitigate likely air impacts at least 10 days in advance of the demolition of any structures on site greater than 120 sq. ft.

Prior to Major Site Excavation (not including demolition of structures)

9. Per the Archaeologist's recommendation, an archaeologist shall meet with construction workers to determine how to identify the interface between fill and native soils. Documentation from the archaeologist must that this occurred shall be provided to the Land Use Planner. (Lucas DeHerrera – 206.615.0724 – [lucas.deherrera@seattle.gov](mailto:lucas.deherrera@seattle.gov)).
10. Provide the DOE approved or preliminary approval consent decree and clean-up action plan to the Land Use (Lucas DeHerrera – 206.615.0724 – [lucas.deherrera@seattle.gov](mailto:lucas.deherrera@seattle.gov)).

Prior to Certificate of Occupancy

11. Install the following street improvements as recommended in the associated traffic impact analysis:
  - Install a traffic signal at the intersection of NW 46th St and 14th Ave NW. The proponent should work with SDOT to design the signal.

- Create an all-way stop-controlled intersection at NW Ballard Way and 14th Ave NW.

These improvements are subject to SDOT review and permitting process. If the improvements are changed or denied by SDOT in any fashion, consultation with DPD must occur prior to any final decisions and or changes.

**CONDITIONS – SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT**

None.

Signature: \_\_\_\_\_ (signature on file)

Lucas DeHerrera, Senior Land Use Planner  
Department of Planning and Development

Date: August 11, 2008

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