



City of Seattle

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

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

Application Number: 3008340
Applicant Name: Randy Brown of Synthesis PC for Schnitzer Northwest
Address of Proposal: 818 Stewart Street

PROPOSED ACTION

Land Use Application to allow a two-story addition containing 6,905 square feet of storage and 4,641 square feet of fitness facility to the building currently under construction (Permit Number 2407418). No additional parking is proposed.

The following approval is required:

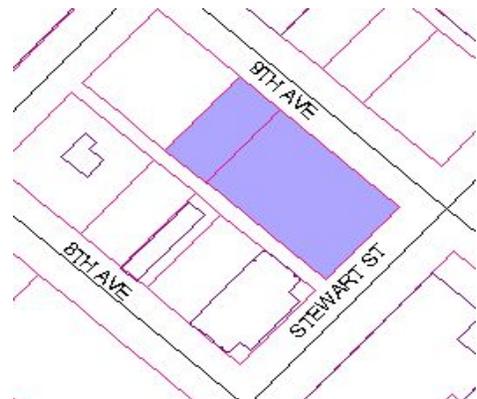
SEPA - Environmental Determination Chapter 25.05, Seattle Municipal Code.

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

BACKGROUND DATA

Site and Vicinity Description

Existing development on the proposal site is the Stewart Tower building which occupies the south portion of the property. The northernmost parcel was vacant and is the site of this proposal. The below grade garage, is accessed from the alley. The site is zoned Downtown Office Core Two with a 500/300-500 height limit. (DOC2) The site is located



on 9th Avenue and bordered to the northwest by Virginia Street and to the southwest by Stewart Street. Adjacent sites are predominantly office buildings. 9th Avenue is a green street.

Proposal

The project proposal is a two level addition to the 818 Stewart Tower and would occupy the 60 x 120 foot lot directly north of the Tower. The intent is that the addition will look like it is a part of the original building. The addition would provide an extension to the Tower's second level plaza. A fitness facility with lockers is proposed for use by the Tower's tenants. A street level unheated storage with box truck access via the alley is proposed. The windows at the street level would be used for display. The building height at this lot is limited by restrictive covenant to approximately 40 feet above the 9th Avenue Sidewalk. The green street design and the overhead weather protection will continue similarly to the 818 Tower and has been approved by SDOT.

Public Comment

One comment letter was received during the official comment period which ended on February 6th, 2008. The comments included concerns on views, screening of mechanical equipment, noise, open space, HVAC control systems, deliveries and disposal, scale and bulk, and construction and use of the site.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (December 15th, 2008). The information in the checklist, 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 23.05 665.D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short - Term Impacts

The following short-term impacts that could occur during demolition and construction include: 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. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Engineering Department, and no further SEPA conditioning is needed.

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.

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

Long - Term Impacts

Long-term or use-related impacts are also anticipated from the proposal: 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 and the level of adversity is mitigated by compliance with city codes and ordinances. Baseline levels of noise, energy consumption, air quality, and solid waste generation will not alter substantially.

The long-term impacts are typical of a downtown office/retail building 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. Longer term impacts such as 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.

Height, Bulk and Scale, and View Protection

The height of the proposed structure along 9th Avenue is approximately 38 feet to the top of the coping at the northernmost building edge. The façade height along 9th Avenue diminishes to about 25 feet where the addition meets the Stewart Tower façade. This is significantly below the height allowed for the downtown area. City height and setback standards have been met; therefore no additional mitigation is warranted under SEPA. Adopted Land Use Codes attempt to protect private views through height and bulk controls and other zoning regulations, but it is impractical to protect private views through project specific review (SMC 25.05.675.P.1(f)).

DECISION - SEPA

The application is **CONDITIONALLY GRANTED.**

CONDITIONS - SEPA

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.

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

1. Limit the hours of any construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. Limited work on weekdays between 6:00 p.m. and 8:00 p.m. and on Saturdays between 9:00 a.m. and 5:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner at DPD. Such after-hours work would include emergency construction necessitated by safety or street use (traffic) concerns, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Limited work at other times or on Sundays may also be allowed if necessary to align with SDOT or utility requirements. Such limited after-hours work may be authorized only if the owner(s) and or responsible party(s) provide 3-days prior notice to allow DPD to adequately evaluate the request.

Signature: _____ (signature on file) Date: August 25, 2008
Holly Godard, Land Use Planner
Department of Planning and Development

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