



City of Seattle  
Gregory J. Nickels, Mayor

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

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

**Application Number:** 3008521

**Applicant Name:** Lori Jay and Michael Medina of Callison Architects for  
City Place IV LLC

**Address of Proposal:** 301 Boren Avenue N

**SUMMARY OF PROPOSED ACTION**

Land Use Application to establish use for future construction of two twelve-story office structures with 517,500 sq. ft. of office space and 26,450 sq. ft. of retail located at ground level. The project includes below-grade parking for 780 vehicles. Preservation of a historic building, open space, landscaping, street trees, and other amenities will be provided as part of the development. The project requires demolition of three existing structures and excavation of approximately 113,969 cubic yards of earth.



The following approvals are required:

**SEPA** – DNS with Conditions pursuant to Chapter 25.05 SMC.

**Design Review** – Chapter 23.41 Seattle Municipal Code (SMC).

Departures from the Land Use Code as follows:

1. Green Factor Point Allocation Modification – SMC 23.47A.016.
2. Blank Façade/Transparency on Class 2 Pedestrian Street – SMC 23.50.051(G).
3. Parking Entry Modification – SMC 23.48.034.
4. Venting Standards – SMC 23.50.042.



To the south are the 13 Coins Restaurant, the Bunge Foods storage warehouse, and an office building. On the east side of Terry Avenue North is the Fred Rogers Building, currently used as a rehearsal studio by the Seattle Opera. On the west side of Terry Avenue North between Thomas Street and Harrison Street is a new five-story office building with Rain Fitness and the Portage Bay Café at street level.

### Project Description

The project includes two connected twelve-story structures with six levels of below-grade parking. The project anticipates construction of approximately 517,500 square feet of above-grade space for administrative office uses and approximately 26,450 square feet of retail space at grade (totaling approximately 544,000 square feet). The two structures will be linked by a multi-story glass connection approximately 60 feet above the central courtyard. Parking for 780 cars will be located below-grade in two garages. The project includes excavation of approximately 113,969 cubic yards of material.

Two significant design features of the project development are a partial alley vacation of the northern two-thirds of the mid-block alley and the preservation and integration of the 320 Terry Avenue N Building (“Terry Avenue Building”).

Open space, an east-west through-block connection, a mid-block courtyard, landscaping, and other amenities will be provided for the public and building occupants. The through-block connection and courtyard will integrate the preserved Terry Avenue Building into the project.

Vehicle access will be via the existing curb-cuts where the existing alley intersects Harrison and Thomas Streets. After the proposed alley vacation, the northern curb-cut will be used as the primary access for the 700-vehicle below-ground garage. Additional access to the project will be via the remainder of the alley at Harrison Street, which will allow access to a secondary below-ground garage for approximately 80 vehicles.

Construction of the project will require removal of the existing surface parking and demolition of three existing structures.

The project includes an alley turn around accomplished by easement for public purpose in a configuration to be approved by DPD in consultation with SDOT. This easement area has been given preliminary approval at a height between pavement and building above of 16 feet at its lowest point.

The Seattle Land Use Code requires the creation and implementation of an Energy Conservation Plan. This plan shall be approved by DPD in consultation with City Light prior to issuance of Construction Permits for the core structures.

### **PUBLIC NOTICES AND MEETINGS**

The Notice of Application for the project was published on May 1, 2008.

## **ANALYSIS-DESIGN REVIEW**

The Magnolia/Queen Anne Design Review Board held a properly noticed Early Design Guidance meeting for the project on March 5, 2008. A properly noticed recommendation meeting was held on May 21, 2008.

### *Design Guidelines Priorities*

The initial ideas for the project were presented at the Early Design Guidance meeting on March 5, 2008. After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified in the City of Seattle's *Design Review: Guidelines for Multifamily and Commercial Buildings* of highest priority to this project. The guidance and recommendations made were agreed to by all of the Board members present, unless otherwise noted. While the notes below indicate the areas the Board found most important, all of the Guidelines for Multifamily and Commercial Buildings were considered.

**A-1 Responding to Site Characteristics - The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation, and views or other features.**

### *Board Comments*

*Site characteristics of note include an over three quarter block size of the development site, a topographical rise from east to west across the site of approximately 24 feet, the presence of an architecturally important two-story, brick, heavy timber building along Terry Ave. The proposed vacation of the northern portion of the mid-block alley would create another unique site characteristic.*

*Incorporating the Terry Building, as proposed in one of the alternatives and incorporating a mid-block, hill climb crossing along two sides of the building would be an outstanding response to the site characteristics. Also highly favorable would be the reuse of the Terry building with retail or restaurant frontage from three sides; the sidewalk, the south side along the lower portion of the crossing and from the east at the second story level of the building onto a higher level of the crossing.*

### **Project Response**

An existing two-story, brick, heavy timber building along Terry Avenue is incorporated into the design and will have retail or restaurant frontage accessible from three sides. The integration of a through block connection takes advantage of the 24'-0" slope from east to west and allows for terraced outdoor areas adjacent to the Terry Avenue Building. The Terry Avenue Building has been designated as a Seattle historic landmark and the modifications to that building will require a Certificate of Approval from the Landmarks Preservation Board.

- A-2 Streetscape compatibility - The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.**
- A-3 Entrances Visible from the Street - Entries should be clearly identifiable and visible from the street.**
- A-4 Human Activity - New Development should be sited and designed to encourage human activity on the street.**

Board Comments

*While the proposed mid-block, hill climb crossing is desirable feature and it should be highly animated by surrounding uses directly accessing it, the very long street frontages must be treated similarly. The project must not turn inward. Street life equally vibrant to the interior pedestrian areas much be present. Along sidewalks, uses must interact. Along the east/west streets the topographical change will make this most challenging. The full block Harrison St. frontage is particularly important because of its length and because parking uses will present blank walls but for intervening uses.*

- B-1 Height, Bulk and Scale Compatibility - Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.**

SLU-specific supplemental guidance

- Address both the pedestrian and auto experience through building placement, scale and details with specific attention to regional transportation corridors such as Mercer, Aurora, Fairview and Westlake. These locations, pending changes in traffic patterns, may evolve with transportation improvements.
- Encourage stepping back an elevation at upper levels for development taller than 55 feet to take advantage of views and increase sunlight at street level. Where stepping back upper floors is not practical or appropriate other design considerations may be considered, such as modulations or separations between structures.
- Relate proportions of buildings to the width and scale of the street.
- Articulate the building facades vertically or horizontally in intervals that relate to the existing structures or existing pattern of development in the vicinity.
- Consider using architectural features to reduce building scale such as:
  - landscaping;
  - trellis;
  - complementary materials;
  - detailing;
  - accent trim.

Board Comments

*The Board did not express particular concern about the application of this guideline when presented with the preferred Option 3 massing plan. Given the proposed 120-foot height of the project and its great length along street frontages the height, bulk and scale guidelines must be kept in mind and they, like all applicable guidelines, continue to apply even without specific Board emphasis.*

- C-1 Architectural Context - New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.**
- C-2 Architectural Concept and Consistency - Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.**

Board Comments

*The concept of architectural consistency is important between the two new building expressions proposed, the Terry Building to be preserved, and the Bio-Rad building also on the block. It is important that the large, new buildings have expressions within them that introduce variation and interest without being too dissonant. The Bio-Rad building should be considered as it too is part of the architectural context of the block; although it is not a building from which design cues should be taken.*

*The Board encouraged the applicants to continue with the warehouse/industrial design influence indicated in the materials shown.*

Project Response

The warehouse/industrial design concept directly relates to the original use of the Terry Avenue Building and is continuing to be pursued. Variations in size of window openings are expressed in the two new buildings which respond uniquely to views of Lake Union, the Space Needle and downtown. Components such as operable windows provide a similar language between the two buildings.

- C-3 Human Scale - The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.**
- D-1 Pedestrian Open Spaces and Entrances - Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.**
- D-7 Personal Safety and Security - Project design should consider opportunities for enhancing personal safety and security in the environment under review.**

Board Comments

*These large buildings on a large site with long street frontages and a large plaza/hill climb passing through have a scale which could easily create a sense of insignificance for the pedestrian. Instead, all of the pedestrian areas need to be designed with human scale features and amenities, with building features encouraging interaction with and liveliness of the pedestrian realm, and with "outdoor rooms" which are sized appropriately to provide an appealing space for pedestrians (e.g. Harbor Steps not Red Square at U of W).*

### Project Response

The longer street frontages are broken up with architectural pilasters and canopies at appropriate locations. Along Terry Avenue North and near the courtyard entry on Boren Avenue North, retail uses have exterior seating to encourage pedestrian interaction. The courtyard and exterior plazas introduce smaller areas sized appropriately to appeal to pedestrians. Glass display cases are incorporated along Harrison when parking is located beyond to avoid blank façade areas.

### **MASTER USE PERMIT APPLICATION**

The applicant revised the design according to the Design Review Board's guidance and applied for a Master Use Permit with a design review component on April 15, 2008. The application was deemed complete on April 23, 2008.

### **DESIGN REVIEW BOARD RECOMMENDATION**

The Design Review Board conducted a recommendation meeting on May 21, 2008, to review the applicant's project proposal developed in response to the previously identified priorities. At the public meeting, proposed departures, site plans, elevations, floor plans, landscaping plans and a palette of proposed exterior materials were presented for the Board members' consideration.

#### Development Standard Departures

The applicant requested three development standard departures pursuant to SMC 23.41.012. Departures may be granted when an applicant demonstrates that departures from Land Use Code requirements would result in a development that better meets the intent of adopted design guidelines.

#### *Green Factor Point Allocation Modification - SMC 23.47A.016*

The Land Use Code provides for a 125-point maximum allocation for a single existing tree or an 80-point maximum for new trees. The Applicant requested increasing point allocation for the single large specimen tree proposed to be provided in lieu of several smaller trees. The requested point allocation is 320 points for the single large specimen tree rather than a combined 320 points for four smaller trees. The single large specimen tree will have greater community and environmental benefits over multiple smaller trees, particularly in creating an inviting public space and wayfinding point.

#### *Blank Façade / Transparency on Class 2 Pedestrian Street – SMC 23.50.051(G)*

The Land Use Code requires transparency for a minimum of 60% of a building's street-level façade along Class 2 Pedestrian streets. The applicant proposes to count display windows towards the transparency requirement. If display windows are counted towards transparent façade area, 77% of the Thomas Street façade and 65% of the Harrison Street façade would be considered transparent. The steep grades along Thomas and Harrison are not conducive to retail use nor visual connection to the interior program, most of which is office space. Display windows will animate the façade and provide some level of transparency and visual interest along these sloping facades.

Parking Entry Modification - SMC 23.48.034

The Land Use Code allows access to parking from an alley or a street, but not both. The Applicant proposes two independently functioning parking structures. The larger, primary structure is accessed from Harrison Street. The smaller secondary structure is accessed from the alley off of Thomas Street. Connecting the parking structures was not feasible due to the elevation change on the site. Separating the two access points also helps to distribute traffic between the two entrances, alleviating traffic demands on both streets. Curb extensions are proposed at both locations to enhance pedestrian safety and add landscaping.

Public Comments

Public comment was received at the meeting. It was commented that pedestrian areas need to be well lit. It was suggested that individual facades could be designed with distinctive expressions incorporating features, such as solar shading, where appropriate.

Board Deliberation

After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, drawings and model showing the proposal, the Design Review Board members recommended approval of the subject design and development standard departures with the following recommended conditions (all recommendations were by all members agreeing, unless otherwise indicated). The recommendations summarized below were based on the plans submitted at that meeting.

- The top of the north building be given some additional architectural expression to “finish it.” This shall be accomplished under the review of and be approved by DPD Design Review staff.
- The applicants shall create a transparent wall treatment, which may include glass display cases, at the northwest corner of the site from the Harrison St. sidewalk into the “J” and “H” levels.
- The plaza area with the single large specimen tree shall be designed with features to draw the eye of a pedestrian into the plaza, past the tree. A high canopy past it might be one such measure.
- Some refinement of the connection between brick and cast elements on building facades shall be accomplished. This detail needs to be developed.
- The applicants should consider the use of façade features to control solar affect upon the project spaces.

The Board recommended that all three requested development code departures be granted.

**DIRECTOR’S ANALYSIS - DESIGN REVIEW**

The Director finds no conflict with SEPA requirements or state or federal laws, and has reviewed the *City of Seattle Design Review: Guidelines for Multifamily & Commercial Buildings (January 2007)* and the *South Lake Union Design Guidelines (May 2005)* and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design and development standard departures.

## **DECISION - DESIGN REVIEW**

### **Development Standard Departure**

A development standard departure to allow vents along alley façades to be 2.5 feet from alley grade is added by the Director as implied from the materials provided in the MUP application and the presented design review graphic materials. This departure is necessary in order to provide for adequate air intake to the garage without interfering with other design and system features of the building.

Therefore, the proposed design and departures as presented at the May 21, 2008 Design Review Board meeting are **CONDITIONALLY APPROVED**. Design Review conditions are listed at the end of this decision.

### **ANALYSIS-SEPA**

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle 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 on April 15, 2008 and annotated by the Department. The information in the checklist, the supplemental information submitted by the applicant, and the experience of the lead agency with review of similar projects forms the basis for this analysis and decision.

The Seattle SEPA ordinance provides substantive authority to require mitigation of adverse impacts resulting from a project (SMC 25.05.655 and 25.05.660). Mitigation, when required, must be related to specific adverse environmental impacts identified in an environmental document and may be imposed only to the extent that an impact is attributable to the proposal. Additionally, mitigation may be required only when based on policies, plans, and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675, inclusive, (SEPA Overview Policy, SEPA Cumulative Impacts Policy, and SEPA Specific Environmental Policies). In some instances, local, state, or federal requirements will provide sufficient mitigation of a significant impact and the decision maker is required to consider the applicable requirement(s) and their effect on the impacts of the proposal.

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 specific circumstances (SMC 25.05.665 D 1-7) mitigation can be required.

The policies for specific elements of the environment (SMC 25.05.675) describe the relationship with the Overview Policy and indicate when the Overview Policy is applicable. Not all elements of the environment are subject to the Overview Policy (e.g., Traffic and Transportation). A detailed discussion of some of the specific elements of the environment and potential impacts is appropriate.

### Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, increased vibration levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. Additionally, due to the temporary nature and limited scope of these impacts, they are not considered significant per SMC 25.05.794. The following is an analysis of construction-related noise, vibration, drainage, earth, grading, traffic and parking impacts as well as mitigation.

### Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos or other hazardous substances during demolition. Prior to demolition, the asbestos, lead-based paint and other similar hazardous materials that may be encountered during demolition would be removed by a qualified abatement contractor in accordance with State and Federal guidelines. The applicant will also take the following precautions to reduce or control emissions or other air impacts during construction:

- *During demolition, excavation and construction, debris and exposed areas will be sprinkled as necessary to control dust; and truck loads and routes will be monitored to minimize dust-related impacts.*
- *Using well-maintained equipment and avoiding prolonged periods of vehicle idling will reduce emissions from construction equipment and construction-related trucks.*

### Noise

The project is expected to generate increased noise impacts during demolition, grading and construction. Compliance with the Noise Ordinance (SMC 25.08) is required and will limit the use of loud equipment registering 60 dBA (not including construction equipment exceptions in SMC 25.08.425) or more at the receiving property line or 50 feet to the hours between 7:00 a.m. and 10:00 p.m. on weekdays, and between 9:00 a.m. and 10:00 p.m. on weekends and holidays. This condition may be modified by DPD to allow work of an emergency nature or allow low noise interior work after the exterior of the structure is enclosed. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD. Construction noise is within the parameters of SMC 25.05.675.L, which states that the Noise Ordinance provides sufficient mitigation for most noise impacts.

Vibration

Although the project is expected to generate vibration impacts during certain portions of the construction process including demolition, placement of any piles, and grading, it is not expected that these vibration levels will exceed the levels typically involved with a construction activity of this nature, nor is it expected that such vibration levels will have significant adverse impacts on the environment. If it is necessary in the construction process to place pilings, the piles should be placed using auger drilling techniques rather than pile driving. If it is determined that increased vibration during construction is affecting the business operations of a nearby business including Bio-Rad, a neighboring business located on the southwest corner of the subject block, the applicant shall meet with the business to discuss whether it would be practical to temporarily reschedule the construction activities resulting in increased vibration.

Earth/Grading

An excavation to construct the below grade parking for the proposal will be necessary. Approximately 113,969 cubic yards of soil and existing material will be removed from the site, which could create potential earth-related impacts. Compliance with the Stormwater, Grading, and Drainage Control Code (SMC 22.800) will require the proponent to identify a legal disposal site for excavation and demolition debris prior to commencement of demolition/construction.

Compliance with the Seattle Building Code and the Stormwater, Grading, and Drainage Control Code will also require that Best Management Practices (BMPs) be employed during demolition/excavation/construction including that the soils be contained on-site and that the excavation slopes be suitably shored and retained in order to mitigate potential water runoff and erosion impacts during excavation and general site work.

According to the geotechnical study, on-site groundwater levels occur at depths 36 feet or greater below grade. Some dewatering may be necessary during construction. Generally, however, the groundwater table is expected to remain below the bottom of the building basement floor slab. A drainage control plan, including a temporary erosion and sedimentation control plan will be required with the building permit application. In addition, a Shoring and Excavation Permit will be required by SDOT prior to issuance of a building permit.

Although a portion of the eastern-half of the block is in a 40% steep-slope area, DPD has granted an exemption from the Environmentally Critical Area steep-slope requirements based on previous legal grading and/or construction activities.

Based upon the above considerations it is concluded that no SEPA-based conditioning is necessary for the anticipated short-term impacts related to earth/grading.

Construction-Related Traffic and Parking

Under SMC 25.05.675.B.2, DPD has authority under SEPA to impose conditions to mitigate parking impacts related to the project. During construction, parking demand will increase due to construction personnel and equipment. Off-site parking during construction hours in the general vicinity of the project is limited. Truck trips could be generated during excavation, shoring, and foundation construction.

It is the policy of the City of Seattle to minimize or prevent temporary adverse impacts associated with construction activities, including measures to address parking and transportation impacts during construction per SMC 23.05.675.B.1.g. Pursuant to this policy, project approval shall be conditioned upon the following:

- To minimize on-street parking in the project vicinity due to construction impacts, construction workers will be required to park off-street at facilities made available by the applicant and/or the applicant's contractor.
- Prior to issuance of a street use permit, the applicant shall provide the City with a construction traffic plan. Site work shall be conducted in a manner that would minimize interference with vehicular, pedestrian, and other non-motorized forms of circulation. Temporary traffic control or pedestrian obstructions during construction (if any) shall be managed in accordance with the current City of Seattle Traffic Control Manual for In-Street Work and Manual of Uniform Traffic Control Devices. In the event that work requires closure of an entire sidewalk or travel lane, a signage plan and traffic control plan shall be prepared for approval by SDOT.

#### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased on-site bulk and scale, increased ambient noise due to increased human activity, increased demand on public services and utilities, increased light and glare, increased energy consumption, increased on-street parking demand, increased vehicle traffic, and demolition of three buildings. These long-term impacts are not considered significant.

Notwithstanding the Determination of Non-Significance, the following impacts merit more detailed discussion.

#### Environmentally Critical Areas

Although a portion of the eastern-half of the block is in a 40% steep-slope area, DPD has granted a limited exemption from the Environmentally Critical Area steep-slope requirements based on previous legal grading and/or construction activities. There are no other environmentally critical areas on the site.

#### Historic

The Landmarks Preservation Board has designated the exterior of the Terry Avenue Building as a Seattle Landmark. The landmark process is currently in the "controls and incentives" phase; a public meeting is scheduled for September 17, 2008. The building is located at the center of Terry Avenue on the western side of the project block. The two-story brick building was constructed in 1915 for warehouses and offices in the then rapidly industrializing South Lake Union neighborhood. A 1975 survey cited the building as "significant to the community" and the Seattle Commons EIS noted the building as having secondary or community significance.

As part of the project, the Terry Avenue Building will be preserved and fully integrated into the project along the planned central courtyard and through-block connection. Any changes to the designated portions of the Terry Avenue Building will be reviewed by the City's Landmarks Preservation Board pursuant to a Certificate of Approval that must be issued before any work proceeds on the Terry Avenue Building.

There are a number of other designated landmark buildings near the site, including:

- Troy Laundry (1927, at Fairview Avenue North);
- Seattle Times Building (1920, at 1120 John Street);
- Metropolitan/New Richmond Laundry( 1917-1944, at 224 Pontius Avenue South);
- Supply Laundry (ca. 1906+, 1265 Republican Street);
- Ford Assembly Plant (1913, 1155 Valley Street);
- Van Vorst Building (1909, 413-421 Boren Avenue North);
- Pacific McKay and Ford McKay Buildings (1925 and 1922, 601 and 615 Westlake Avenue North);
- Lake Union Steam Plant and Hydro House (1914-1921, 1179 Eastlake Avenue East);
- Immanuel Lutheran Church (1912, 1215 Thomas Street);
- St Spiridon Russian Orthodox Cathedral (1941, 400 Yale Avenue North);
- Jensen Block (1906, 601-611 Eastlake Avenue East); and
- Old Norway Hall (1915, now Cornish College Raisbeck Performance Hall, 2015 Boren Avenue).

In addition, numerous older buildings exist in the South Lake Union area and may be eligible for consideration as historic resources. The project is not expected to have any impact on any of these structures.

The other three structures on the project site have no known historic significance and will be demolished as part of the project.

### Archaeological

There is no surficial evidence to indicate that any archaeologically significant resources exist on-site and would be disturbed by the project. However, the project site is in an area that has a number of historic resources.

Due to the potential for encountering archaeological deposits during project construction, an archaeological monitoring plan has been recommended in conjunction with final project construction plans. The plan will include an inadvertent discovery protocol to ensure that if resources of potential archaeological significance are encountered during excavation or construction associated with the Proposed Action, the following measures would apply:

- work that is occurring in the portion of the site where potential archaeological resources are found would be stopped immediately;
- the City of Seattle land use planner that is assigned to the project and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAHP) would immediately be contacted; and
- regulations would be adhered to pertaining to discovery and excavation of archaeological resources, including but not limited to, Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25-48 WAC, as applicable or as revised.

Otherwise, the project should not have any significant adverse impacts on archaeological resources.

### Traffic, Transportation, and Parking

The Transpo Group (“Transpo”) completed a traffic study for the project which was submitted to the City as part of the application and review process.

For its analysis, Transpo utilized trip generation rates associated with ITE Land Use 814 Specialty Retail and LU 710 General Office Building, to estimate trips that would be generated for the project. All rates were obtained from the ITE 7th Edition (2003). The study estimated that the project would generate approximately 2,810 new trips per day, of which 378 new trips would be generated during the AM peak hour, and 371 new trips during the PM peak hour.

The project will include 780 parking spaces, and would displace the existing 56 surface stalls. The proposed 780 on-site parking stalls would exceed the minimum Land Use Code requirements of 1 stall per 1,000 square feet of office space and 1 stall per 500 square feet for general sales and service (the Code requires at least 627 stalls, including allowed deductions). Peak parking demand for the project is 702 stalls. Assuming an effective supply of 95 percent, (to account for the efficiency lost by circulating in the garage in search of a vacant stall), or 740 spaces, the project can accommodate its peak parking demand. The urban site, served by the South Lake Union Streetcar and a number of Metro bus routes, can be expected to attract some number of employees and retail customers without cars. The number of visitors without cars would be expected to increase over time in this increasingly urban location. The Land Use Code requirements for this project also require a Transportation Management Plan (“TMP”) that meets the requirements of Director’s Rule 14-2002. The TMP goal will be no more than 40 percent of PM peak hour trips shall be single-occupant vehicle trips.

The traffic study also evaluated transportation concurrency for the proposed project. The calculated v/c ratios for the four tested screenlines were determined to remain below the adopted LOS standard; therefore, the proposed project was determined to meet the City of Seattle concurrency requirements.

Transit service to and from the project vicinity is provided by King County Metro Transit, including routes 17, 70, 71, 72, 73, 83, 98 and the South Lake Union Streetcar. These transit options provide access to downtown Seattle and (via connections) destinations throughout King County.

Expected traffic impacts (as mitigated through the voluntary contribution discussed below) and parking impacts of the proposal are not considered significant and while present are considered to be consistent with the density of uses envisioned for an urban center context. No SEPA-based conditioning of traffic or parking impacts is imposed.

### Transportation Mitigation

In July 2004, the Seattle Department of Transportation completed the South Lake Union Transportation Study with the help of consultants Parsons Brinckerhoff and Enviroissues. The study recommended a package of transportation improvements for the South Lake Union area which has broad support from a diverse group of neighborhood, business and community

representatives. The improvements include a two-way Mercer Street, a narrower Valley Street, a streetcar, and a number of transit, pedestrian and bicycle measures. These improvements are intended to reconnect the South Lake Union area to the city, untangle streets that create barriers in the middle of the city, improve mobility, promote alternatives to single-occupant-vehicles, and continue a smooth flow of freight and people through the area.

As an alternative to mitigation measures that focus solely on minor improvements to nearby streets and intersections, DPD has determined that a more effective mitigation approach is for the applicant to contribute to the costs of the more comprehensive transportation improvements recommended in the South Lake Union Transportation Study. DPD has reviewed the projected transportation impacts of the project, as detailed in the May 2008 Transpo Analysis, and concluded that the transportation improvements in the South Lake Union Transportation Study would adequately mitigate those impacts.

DPD has considered the share of the transportation improvement costs that should be borne by this project. A portion of the improvement costs is attributable to existing deficiencies and must be funded with resources other than private developer mitigation payments. This project should bear its fair share of the remaining costs, based on the expected trip generation. Based on DPD's analysis of costs and allocation to this project, a payment of \$612,500 is appropriate for traffic impact mitigation.

#### *Plants/Animals*

Any existing vegetation would be removed during the site excavation and construction. There is no known occurrence of threatened or endangered species on or near the site.

Frontage improvements will include street trees. Landscaped open spaces will be provided in the public rights-of-way and in the mid-block courtyard open to the public.

Impacts to plants and animals are not considered significant and no mitigation is warranted.

#### *Energy and Natural Resources*

Natural gas and electricity would be used as the principal source of energy for space heating. Electrical energy would be used for lighting and operating appliances. It is not expected that the height and configuration of the proposed structure would interfere with the potential use of solar energy by adjacent properties. Building construction would comply with this and other requirements of the Seattle Energy Code, at a minimum, to be reviewed at the time of Building permit application.

Long term impacts to energy and natural resources are not considered significant and no mitigation is warranted.

#### *Carbon Footprint/Greenhouse Gas Emissions*

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide 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*

The subject proposal has been through the Design Review Process, previously discussed in this decision. A project that is approved pursuant to the design review process is presumed to comply with the City's height, bulk and scale policies. This presumption may be rebutted only by clear and convincing evidence that the height, bulk and scale impacts documented through environmental review have not been adequately mitigated. SMC 25.05.675.G.2. Measures employed to mitigate height, bulk and scale impacts, as incorporated into the building architecture, were reviewed by the Design Review Board and found sufficient.

Long-term height, bulk and scale impacts have been addressed through the Design Review process. No additional SEPA mitigation measures are warranted.

*Public Services and Utilities*

The change of use, increase in development on the site, and type of development (office and retail) are expected to result in an increased demand for public services. There are no existing deficiencies in needed services or utilities to the site. The project would comply with applicable codes and requirements of the Seattle Fire Department for fire protection and fire suppression, to be reviewed at the time of Building Permit application. All exterior entrances to the building would be well-lit and equipped with security gates.

All utilities required to serve the proposed development are located within adjacent street frontages. Only side service connections should be required for each utility service. Overall, the impacts to public services and utilities are not considered significant and no mitigation is warranted.

*Existing and Projected Land Use; Comprehensive and Neighborhood Plan*

The site is currently occupied by four commercial warehouse, auto service, and office buildings. With the redevelopment proposal, the site would be redeveloped into a commercial office building with ground-floor retail uses. The land use of the site would thus be changed with the proposal.

The proposed project is compatible with surrounding uses and is located in an area of mixed Industrial-Commercial and Seattle Mixed zoning. The site itself is zoned Industrial-Commercial (IC-65). The redevelopment proposal is consistent with the IC-65 zoning of the property. Office and retail uses are permitted outright in the IC zone. The proposal complies with development standards applicable to commercial office and retail development within the IC-65 zone.

The City of Seattle Comprehensive Plan designates the site as an Industrial Area, and it is located in the South Lake Union Urban Center. The proposed commercial office and retail development is consistent with the Comprehensive Plan designation.

In addition, the proposed project complies with the South Lake Union Neighborhood Plan. This Plan is one of 37 neighborhood plans prepared with the participation of people in the neighborhood to articulate a vision for growth and change over the next 20 years, which identifies actions to be taken to help achieve this vision and further implement the Citywide Comprehensive Plan. The Plan adopts several neighborhood specific goals and policies. The project is consistent with the following policies and goals:

- SLU-G1: A vital and eclectic neighborhood where people both live and work, where use of transit, walking and bicycling is encouraged, and where there are a range of housing choices, diverse businesses, arts, a lively and inviting street life and amenities to support and attract residents, employees and visitors.
- SLU-G2 A neighborhood that recognizes its history as a maritime and industrial community and embraces its future as a growing urban center
- that provides for a wide range of uses.
- SLU-G3: A neighborhood that serves as a regional center for innovative organizations and that supports a diverse and vibrant job base.
- SLU-G6: A livable, walkable community that is well served by transit and easy to get around by foot, bike or transit.
- SLU-P6 Establish incentives to encourage preservation, reuse and rehabilitation of historically significant structures in the neighborhood; explore incentives to encourage the adaptive reuse of other older buildings in the neighborhood that provide a visual reminder of the past and promote diversity of character and building types.
- SLU-P9 Support the growth of innovative industries in South Lake Union including biotechnology, information technology, environmental sciences and technology, and sustainable building.
- SLU-G10: Parks and open spaces provide an obvious and inviting purpose, accessible to and meeting the needs of an increasingly diverse neighborhood as it grows and changes.
- SLU-P31: Use visual and physical connections between open spaces, adjacent streets and surrounding activities to stimulate positive social interactions.

The proposal conforms to the above-stated goals and policies. The new office space is designed to accommodate users who support the goals cited above. The site is in close proximity to transit facilities and residential areas. The tenant for this building is Amazon.com, a company which will add to the neighborhood's burgeoning reputation as a center for innovation and creativity. Users such as Amazon.com will help to create the vital and eclectic South Lake Union neighborhood sought by the Plan. The planned mid-block courtyard, through-block connection, and street landscaping will provide open space and improve physical connections in the neighborhood.

It is the City's SEPA policy to ensure that proposed uses in development projects are reasonably compatible with surrounding uses and are consistent with adopted City land use policies. The subject proposal is compatible with surrounding uses, zoning, and City policies. The proposed mixed use project is consistent with the South Lake Union Neighborhood Plan and the Seattle Comprehensive Plan. No mitigation resulting from land use impacts is warranted.

### Summary

In conclusion, no significant adverse impacts on the environment are anticipated to result from the proposal.

### **DECISION - SEPA**

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

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

### **CONDITIONS - SEPA**

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

#### **Prior to Issuance of Demolition, Grading, or Construction Permits**

1. Prior to issuance of a construction permit, the contractor shall provide a construction traffic plan to DPD for review and approval. Site work shall be conducted in a manner that would minimize interference with vehicular, pedestrian, and other non-motorized forms of circulation. Temporary traffic control or pedestrian obstructions during construction (if any) shall be managed in accordance with the current City of Seattle Traffic Control Manual for In-Street Work and Manual of Uniform Traffic Control Devices. In the event that work requires closure of an entire sidewalk or travel lane, a signage plan and traffic control plan shall be prepared for approval by SDOT.
2. An Energy Conservation Plan shall be approved by DPD in consultation with City Light prior to issuance of a building permit for construction of the core and shell structures.

#### **During Construction**

3. To minimize on-street parking in the project vicinity due to construction impacts, construction workers will be required to park at off-street facilities made available by the applicant and/or the applicant's contractor.
4. Comply with the limitations contained in the approved construction-phase transportation plan.
5. Debris and exposed areas shall be sprinkled as necessary to control dust; and truck loads and routes shall be monitored to minimize dust-related impacts.
6. Use well-maintained equipment to reduce emissions from construction equipment and construction-related trucks and avoid prolonged periods of vehicle idling.

7. Trucking building materials to and from the project site shall be scheduled and coordinated to minimize congestion during peak travel times associated with adjacent roadways.
8. If it is necessary in the construction process to place pilings, the piles should be placed using auger drilling techniques rather than pile driving.
9. If it is determined that increased vibration during construction is affecting the business operations of a nearby business including Bio-Rad, a neighboring business located on the southwest corner of the subject block, the applicant shall meet with the business to discuss whether it would be practical to temporarily reschedule the construction activities resulting in increased vibration.
10. Any work on the landmark-designated portions of the Terry Avenue Building may not begin until a Certificate of Approval for that work has been issued by the Landmarks Preservation Board.

Prior to Certificate of Occupancy

11. The applicant shall pay a transportation mitigation fee of \$612,500 to SDOT, to be apportioned among South Lake Union transportation projects.

Design Review Conditions

12. Construct the project with siting, materials, and architectural details substantially the same as those presented to and receiving a recommendation of approval from the Design Review Board meeting on May 21, 2008, except as noted in the following conditions.
13. The applicant shall add additional architectural expression to the top of the north building. DPD Design Review Staff shall approve the design prior before the applicant submits building permit applications.
14. The building shall have a transparent wall treatment, which may include glass display cases, at the northwest corner of the site from the Harrison Street sidewalk to the “J” and “H” levels.
15. The applicant shall explore the following:
  - Use of a high canopy or other feature to draw the pedestrian eye into the plaza past the single large specimen tree.
  - Refinement of the connection between the brick and cast elements on the building facades.
  - Use of façade features to control solar effect on project spaces.
16. Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval of the Land Use Planner (Scott Kemp, [scott.kemp@seattle.gov](mailto:scott.kemp@seattle.gov)). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

