



City of Seattle

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: 3009932

Applicant Name: Wolf Saar, VIA Architecture for Belltown Development Partners III

Address of Proposal: 2700 Elliott Ave.

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 13-story structure containing 132 residential units above 3,577 sq. ft. of retail at ground level. Parking for 76 vehicles to be provided below grade. Existing structure to be demolished under separate permit. Early Design Guidance was conducted under Project #3009506.

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. Lot Coverage – SMC 23.49.158.A.1
2. Green Street Setback – SMC 23.49.166.B
3. Maximum Wall Dimensions – SMC 23.49.164.A
4. Bay Window Width – SMC 23.53.035.A.4.c
5. Parking Aisle Turning Radius- SMC 23.54.030.D

SEPA DETERMINATION: Exempt DNS MDNS EIS

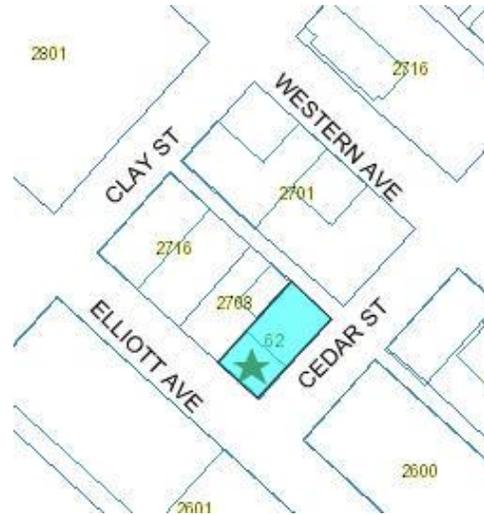
DNS with conditions

DNS involving non-exempt grading, or demolition,
or another agency with jurisdiction.

BACKGROUND INFORMATION:

Site and Area Description

The proposal site is a quarter block segment of a block in the Belltown neighborhood of Seattle. From the northeast corner of Elliott Ave. the proposal site rises steeply eastward along Cedar St. and reaches a mid-block point along Elliott Ave. to the north. The other three quarters of the block are developed with large scale mid-rise, multifamily buildings. The 13-story Bellora is to the north and the Klee across the alley to the east consists of two building elements, one 12 stories and one seven. The south side of the Bellora, immediately north of the site property line, has a blank, green painted, 40 foot long, concrete wall around its exposed parking garage and residential uses, with some setback, above.



An alley crosses the block in the north/south direction. The entire block is zoned DMR/C 125/65, permitting residential development to 125 feet in height. Residential uses are exempted from FAR, and from minimum parking requirements in this zone.

Elliott Ave. is a class II pedestrian street, a principal arterial one-way in the southbound direction serving as a route to access SR 99. Cedar St. is a green street, with two-way traffic and on-street parking which rises steeply to the east. An appropriate green street design vocabulary has been established by previous development in the immediate area. A high level of transit service is available on the north/south avenues in Belltown.

Project Description

The proposal is for a quarter block retail and residential development of 13-stories containing 132 residential units above 3,577 sq. ft. of retail at ground level. Parking for 76 vehicles is proposed to be provided below alley level, within the structure. The massing on the “podium” base is set back between 16 and 21 feet from the north property line and the Bellora residential tower. Provision of this northern setback leads the applicants to request departures to modify the upper level green street setbacks required along Cedar St. Open space atop the podium level on the north side is designed to complement similar open space at the Bellora. Above the podium level the south façade, along Cedar St., is splayed to open toward the west and provide a sense of added space in the westward view down the right-of-way. The pedestrian entry is along Cedar St. next to the alley to allow pedestrians to more easily access Belltown area to the east. Vehicular access is proposed to be from the alley at a point near the mid-block property line.



PUBLIC NOTICES AND MEETINGS

The Notice of Application for the project was published on 4/7/2011. Several written comment letters were received. Comments centered on the height, bulk and scale impacts of the proposed building and how the building should relate to existing buildings nearby. Residents of the Bellora to the north indicated the podium of the new building should relate to its existing one. Others indicated the importance of view corridors down the middle of the block and down Cedar Street.

The Downtown Design Review Board held two Early Design Guidance and two Recommendation meetings to review the proposal. Public comment regarding the most appropriate design for the proposed building was received at each of these meetings.

ANALYSIS-DESIGN REVIEW

Design Guidelines Priorities

The initial ideas for the project were presented at the Early Design Guidance meeting on June 23, 2009. 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, as well as the Belltown neighborhood design review guidelines, were considered. Bulleted items are Belltown-specific supplemental guidance.

A Site Planning

A-1 Respond to the physical environment.

Develop an architectural concept and compose the building's massing in response to geographic conditions and patterns of urban form found beyond the immediate context of the building site.

- **The topography of the neighborhood lends to its unique character. Design buildings to take advantage of this condition as an opportunity, rather than a constraint. Along the streets, single entry, blank facades are discouraged. Consider providing multiple entries and windows at street level on sloping streets.**

The topography of the project site could potentially result in areas of blank façade along Cedar Street. The Board stated that the design of the project should avoid blank façades at street level.

A-2 Enhance the Skyline.

Design the upper portion of the building to promote visual interest and variety in the downtown skyline.

The Board encouraged the applicant to consider the project's view from water as well as the view from the upper Belltown neighborhood when designing rooftop features. The Board was favorably inclined to allow flexibility in designing an attractive building top and contributing to skyline.

A. B. Architectural Expression: Relating to the Neighborhood Context

B-3 Design a Well-Proportioned & Unified Building

Compose the massing and organize the publicly accessible interior and exterior spaces to create a well-proportioned building that exhibits a coherent architectural concept. Design the architectural elements and finish details to create a unified building, so that all components appear integral to the whole.

- **Use regulating lines to promote contextual harmony, solidify the relationship between new and old buildings, and lead the eye down the street.**

The Board commented on the unsuccessful design of a number of recent projects in the vicinity. The applicants were encouraged to design an interesting building against the repetitive bland design of existing neighboring structures. Use of color, shadow lines, and relief in facades was recommended. The Board recommended incorporating whimsy or playfulness distinctive of the Belltown neighborhood.

C. *The Streetscape: Creating the Pedestrian Environment*

C-5 Encourage Overhead Weather protection

Encourage project applicants to provide continuous, well lit overhead weather protection to improve pedestrian comfort and safety along major pedestrian routes.

The project should include continuous overhead weather protection along public streets.

C-6 Develop the alley façade

To increase pedestrian safety, comfort, and interest, develop portions of the alley facade in response to the unique conditions of the site or project.

- **Services and utilities areas, while essential to urban development, should be screened or otherwise hidden from the view of the pedestrian.**

The Board recommended designing an attractive alley facade for the benefit of the neighbors across the alley and uphill from the site.

D. *Public Amenities: Enhancing the Streetscape & Open Space*

D-2 Enhance the Building with Landscaping

Enhance the Building and site with substantial landscaping, which includes special pavements, trellises, screen walls, planters, and site furniture, as well as living plant materials.

No specific guidance provided.

D-3 Provide Elements that Define the Place

Provide special elements on the facades, within public open spaces, or on the sidewalk to create a distinct, attractive, and memorable “sense of place” associated with the building.

- **Consider incorporating art that relates to the established or emerging theme of that area.**

The design should attempt to involve artists along the Cedar “Green” Street facade and on any blank facade areas. One member of the Board suggested that use of “something funky” at the street level would be appropriate for the site.

D-5 Provide Adequate Lighting

To promote a sense of security for people downtown during nighttime hours, provide appropriate levels of lighting on the building façade, on the underside on overhead weather protection, on and around street furniture, in merchandising display windows, and on signage.

- **Install lighting to illuminate distinctive features of the building, including entries, signage, canopies, and areas of architectural detail and interest.**

Attractive lighting fixtures at street level should be included to complement the overall design of street facades.

E. Vehicular Access & Parking: Minimizing the Adverse Impacts

E-1 Minimize curb cut impacts

Minimize adverse impacts of curb cuts on the safety and comfort of pedestrians.

The Board noted that parking access and access to service areas should be at the alley as proposed.

E-2 Integrate Parking Facilities

Minimize the visual impact of parking by integrating parking facilities with surrounding development. Incorporate architectural treatments or suitable landscaping to provide for the safety and comfort of people using the facility as well as those walking by.

The Board appreciated the proposed concept design for the accessory garage: access from the alley, the interior above-grade parking space to be separated from the street by residential spaces.

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 and the application was deemed complete on November 4, 2009. The application was put on hold for a period of time by applicant request and reinstated to finish Design and SEPA reviews.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted two recommendation meetings one on May 10, 2011 and a second on June 28, 2011, 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 applicants requested five development standard departures of which the Board unanimously recommended approval.

REQUIREMENT	PROPOSAL	RATIONAL	BOARD RECOMMENDATION												
<p><u>LOT COVERAGE</u> <i>SMC 23.49.158 A1</i></p>															
<p>Permitted Coverage</p> <table border="0"> <tr> <td>0 - 65 ft.</td> <td>100%</td> </tr> <tr> <td>66 - 85 ft.</td> <td>75%</td> </tr> <tr> <td>86 - 125 ft.</td> <td>65%</td> </tr> </table>	0 - 65 ft.	100%	66 - 85 ft.	75%	86 - 125 ft.	65%	<p>Proposed Coverage</p> <table border="0"> <tr> <td>0 – 65 FT.</td> <td>90%</td> </tr> <tr> <td>66 - 85 FT.</td> <td>75%</td> </tr> <tr> <td>86 – 125 FT.</td> <td>75%</td> </tr> </table>	0 – 65 FT.	90%	66 - 85 FT.	75%	86 – 125 FT.	75%	<p>The proposed concept results in superior massing to that prescribed by the Land Use Code by avoiding a forced two step setback pattern and instead make that first step early, to lower the podium level about 2 floors -- better suiting the context, establishing a better pedestrian scale at both Cedar Street and Elliott Avenue, and mitigating the apparent mass of the building's bulkiest component. The proportions of the building are improved, and the relationship between the podium and the top is vastly enhanced, thereby supporting the Design Guideline to <i>Design a Well-Proportioned and Unified Building</i>.</p>	<p>The Board recommended approval.</p>
0 - 65 ft.	100%														
66 - 85 ft.	75%														
86 - 125 ft.	65%														
0 – 65 FT.	90%														
66 - 85 FT.	75%														
86 – 125 FT.	75%														
<p><u>GREEN STREET SETBACK</u> <i>SMC 23.49.166 B</i></p>															
<p>Required Setback</p> <table border="0"> <tr> <td>65 - 85 ft.</td> <td>10'</td> </tr> <tr> <td>86 - 240 ft.</td> <td>18'</td> </tr> </table>	65 - 85 ft.	10'	86 - 240 ft.	18'	<p>Proposed Setback</p> <table border="0"> <tr> <td>65 – 85 ft.</td> <td>10'</td> </tr> <tr> <td>86 - 240 ft.</td> <td>10'</td> </tr> </table>	65 – 85 ft.	10'	86 - 240 ft.	10'	<p>The reduced setback above 65' allows balance between competing interests, by opening up the space above the green street and allowing more distance between the project and its neighbors to the North and the Northeast. As noted in the previous departure rationale, making the step early – well below the 65' threshold – enhances the green street as well, and offers a superior walking scale along Cedar Street.</p>	<p>The Board recommended approval.</p>				
65 - 85 ft.	10'														
86 - 240 ft.	18'														
65 – 85 ft.	10'														
86 - 240 ft.	10'														

MAXIMUM WALL DIMENSIONS			
<i>SMC 23.49.164 A</i>			
Maximum Length	Proposed Length	The maximum projected length of the Elliott Avenue façade is 93'-10", although the maximum perceived façade length is a little less than 88 feet because the 3'-10" projected length beyond the maximum occurs approximately 60' back from Elliott Avenue. Part of the increased wall dimension is represented by the smaller 5' deep "bumps" along the north side of the building - important to the livability of the units along that side as they allow some views to the east and west and help mitigate the oppressive bulk of the Bellora's tall, blank concrete wall. The proposed approach to wall articulation would result in a building for which better fits the area context and artfully provides the visual interest intended by the maximum wall length standard.	The Board recommended approval.
65 - 125 ft. 90' on Avenue	65 - 85 ft. 93'-10" on Elliott		
65 - 125 ft. 120' on Street	86 - 240 ft. 120' On Cedar		
VERTICAL BAY WINDOW			
<i>SMC 23.53.035.A.4.c</i>			
The maximum length of bay window shall be 15' and shall be reduced in proportion to the distance from such line by means of 45° angles drawn inward, reaching a maximum of 9' along a line parallel to and at a distance of 3' from the line establishing the open area.	Applicants propose a bay window near the corner of Elliott and Cedar, to project 2'-0" over the Elliott Avenue property line for a length of 15'-0. We request an exception only to the requirement that the sides of a bay window be reduced by 45 degree angles to a max face of 9'-0". The proposed bay window is square-sided with a face of 15'-0".	The proposed bay window is a small but strong gesture. It creates a signal along the Elliott Avenue approach heralding the green street, supporting the Design Guideline to <i>Provide Elements that Define the Place</i> (D-3). It also reinforces the building's lower pedestrian scale along Cedar and offers an indicator of the Cedar Street lobby and entrance. The geometry of the building contains no 45-degree angles, and a bay window element thus defined would represent an anomaly. A bay window per the development standard would result in a 3'-0" deep overhang beyond the property line occupying 36 sf; the proposed bay window is smaller at 30 sf with an overhang of 2'-0".	The Board recommended approval.

PARKING AISLE TURNING RADIUS			
<i>SMC 23.54.030.D</i>			
<p>Parking aisles for residential uses must have a minimum width of 22 feet and a minimum radius of 18 feet.</p>	<p>The Departure allows maneuvering clearances in lieu of those described in the turning path radius diagram shown on Exhibit 23.54.030 B within section SMC 23.54.030. Maneuvering clearances are achieved by introducing smaller graduated radius turns at the corners and creation of drive aisles that exceed the minimum requirement of 22' (as required by 23.54.030C):</p> <p>North driveway: 26'-1" @ parking stalls; 24'-8" @ column East driveway: 24'-3" South driveway: 31'-0" @ parking stall; 29'-3" @ column West driveway: 23'-10".</p>	<p>The departure for driveway width and turning radius is necessary to fit the proposed parking garage with a single access point on the alley onto the steep, quarter block site. This will allow sidewalks around the proposed building be uninterrupted by driveways.</p>	<p>The Board recommended approval.</p>

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 based on the above noted rationales with the following recommended conditions (all recommendations were by all members agreeing, unless otherwise indicated). The Board found that the design had progressed greatly and responded well to the guidance provided at the Early Design Guidance Meeting. The recommendations summarized below were based on the plans submitted at that meeting.

Recommended Conditions:

1. Applicants shall work with DPD staff to resolve the issue pedestrian safety, building entry and alley right-of-way.
2. Applicants shall work with DPD staff to modify the design of deck railings to increase the perception of size, quality and design compatibility with the structure.
3. Mullions at seven feet from the floor height should be limited to the greatest extent possible.
4. The location of exhaust vents on the alley shall be away from the open spaces of surround properties.
5. The Board is not in favor of creating a parking spot, even for loading and unloading, on the Green Street, Cedar.
6. The trees in the Cedar St. landscape shown at the first Recommendation Meeting shall be included in the finished project.

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 *Belltown Design Guidelines* and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design and development standard departures. In addition, the Director is bound by any condition where there was consensus by the Board and agrees with the conditions recommended the Board members and the recommendation to approve the design and departures, as stated above.

DECISION - DESIGN REVIEW

Therefore, the proposed design and departures as presented at the October 15, 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 February 17, 2011 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. Analysis of some construction-related potential impacts is warranted.

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; a truck wash, and quarry spill areas, would be provided on-site to treat construction vehicles prior to their exiting the site; 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.*
- *Using electrically operated small tools in place of gas powered small tools wherever feasible.*
- *Trucking building materials to and from the project site would be scheduled and coordinated to minimize congestion during peak travel times associated with adjacent roadways.*

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 limitation 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. Construction noise is expected to be within the parameters of SMC 25.05.675.L, which states that the Noise Ordinance provides sufficient mitigation for most noise impacts.

Earth/Grading

An excavation to construct the below-grade parking for the proposal will be necessary. Approximately 14,000 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.

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.

No SEPA policy based conditioning of earth and grading related impacts is warranted.

Carbon Footprint

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

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:

- 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 a building. These long-term impacts are not considered significant.

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

Historic

A referral to staff of the Landmarks Preservation Board was made inquiring whether the two existing buildings on the site is likely to meet the criteria for City Landmark designation. The determination was made that it is unlikely to do so. This Department agrees with this determination and concludes that further review of the potential historic significance of the structures is unwarranted.

Archaeological

The site is at the edge of the 300 feet of the historic shoreline area of Puget Sound and, although it is unlikely that archeological resources of past settlement would be encountered at this location at elevation of 30 to 60 feet above sea level within what is today and likely was in the past a relatively steep upland area rising towards the Denny Re-grade area, it is close enough to the historic shoreline that measures should be taken to be alert for the discovery of historic artifacts and plan should be in place to be implemented if necessary.

To this end it is necessary to condition this project proposal to require that if resources of potential archaeological significance are encountered during excavation or construction associated with the proposal, the following measures shall be implemented:

- *Work that is occurring in the portion of the site where potential archaeological resources are found shall be stopped immediately;*
- *the City of Seattle land use planner assigned to the project and the State Department of Archaeology and Historic Preservation shall immediately be contacted;*
- *State regulations shall 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.*

Traffic, Transportation, and Parking

The Institute of Transportation Engineers (ITE), reference work “Trip Generation, 8th Edition” predicts that a high-rise apartment building would, in the P.M. Peak hour of the generator, generates an average of .20 vehicle trip ends per apartment unit. The 132 units which might be expected under the proposal would be expected to generate 26.4 vehicle trip ends during its p.m. peak hour using ITE survey data. The location of the proposal site within the highly urbanized Seattle Downtown Hub Urban Center with a high level of transit service, with a large employment base nearby, is a situation where the actual experience is likely to be lower than that found in the ITE surveys. In any case the proposed development, making exclusive of a public alley access point on Cedar St. is not expected to cause either a significant or an appreciable impact on the level of performance of surrounding streets or intersections. The alley itself is also expected to function at an acceptable level with the addition of project generated traffic.

The proposed ratio of on-site parking to residential units of .58 is within the range of parking demand found by DPD to be generated by other multi-family apartment in similar high density locations of the city. Little, if any, spill over residential parking is expected from the proposed project. It is expected that parking for users of the commercial uses to be found at street level along Elliott Ave. N. would be met in metered spaces and private parking facilities; as would that of visitors to the residents.

Loading and unloading for both pedestrians and for move-in and move-out activities will most likely make use of the alley adjacent to the site as stopping along the steep Cedar St. is unlikely to be enabled by the Green Street configuration without curb side parking spaces. A legal parking arrangement for such vehicles would not allow blocking the alley for passing traffic, or

blocking the sidewalk. While the alley traffic lane would be narrowed by these activities, legal uses of the alley can be relied upon by residents and should not be prohibited here through SEPA conditioning. The ultimate configuration of adjacent right-of-ways is within the authority of SDOT and it may decide to provide on-street loading areas.

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.

Carbon Footprint

Operational activities associated with the completed project, particularly vehicular trips generated by the project and the project's energy consumption, are expected to result in an increase in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and may contribute to climate change. While these impacts are adverse, they do not rise to the level of significance and no mitigation is therefore necessary.

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 AND DESIGN REVIEW

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

Prior to Issuance of Master Use Permit

1. Applicants shall work with DPD staff to resolve the issue pedestrian safety, building entry and alley right-of-way.
2. Applicants shall work with DPD staff to modify the design of deck railings to increase the perception of size, quality and design compatibility with the structure.
3. Mullions at seven feet from the floor height should be limited to the greatest extent possible.
4. The location of exhaust vents on the alley shall be away from the open spaces of surround properties.
5. The trees in the Cedar St. landscape shown at the first Recommendation Meeting shall be included in the finished project.

Prior to Issuance of Demolition, Grading, or Construction Permits

6. Prior to issuance of a construction permit, the contractor shall provide a construction traffic plan to SDOT 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.
7. 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 as reflected in the issued MUP plans.

8. If resources of potential archaeological significance are encountered during excavation or construction associated with the proposal, the following measures shall be implemented:
 - a. Work that is occurring in the portion of the site where potential archaeological resources are found shall be stopped immediately;
 - b. the City of Seattle land use planner assigned to the project and the State Department of Archaeology and Historic Preservation shall immediately be contacted;
 - c. State regulations shall 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.
9. 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.
10. 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). 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.

During Construction

11. Comply with the limitations contained in the approved construction-phase transportation plan.

Prior to Certificate of Occupancy

12. Compliance with all images and text on the MUP drawings, Design Review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project, or by the Design Review Manager.
13. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
14. All of the conditions contained in this decision must be embedded in the cover sheet for updated permit plans and for all subsequent permits including any future MUP revisions, and all building permits.

Signature: _____ (signature on file)
Scott Kemp, Senior Land Use Planner
Department of Planning and Development
Land Use Services

Date: October 20, 2011