



City of Seattle

Department of Planning & Development
Diane Sugimura, Director

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

Application Number: 3011312
Applicant Name: Jodi Patterson-O’Hare, Permit Consultants NW for
City Investors XII LLC
Address of Proposal: 501 - 8th Avenue N.

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a two buildings, one, 7-story and one 8 story containing a total of 295,561 sq. ft. of research and development laboratories for the University of Washington with 650 sq. ft. of retail. Project includes 87,000 cu. yds. of grading. Parking for 269 vehicles to be provided in a three level below grade garage. Existing structures to be demolished. EIS prepared by the City of Seattle.

The following approvals are required:

SEPA to approve, condition pursuant to 25.05.660. Seattle Municipal Code Chapter 25.05 (SMC)

Design Review – SMC Chapter 23.41

Departures from the Land Use Code as follows:

1. Rooftop Equipment Within 10 ft. of the Roof Edge,
SMC 23.48.010(F)(5)(b)
2. Less than the Required Percentage of Large Parking Stalls,
SMC 23.54.030(B)(2)(c)
3. Blank Façade on Other Streets,
SMC 23.48.018(B)(3)

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

*The Seattle Department of Planning and Development issued a Draft Environmental Impact Statement (DEIS) in May 2005, a Final Environmental Impact Statement in (FEIS) in September 2005 and an Addendum to the FEIS in August 2010.

BACKGROUND INFORMATION:

Site and Area Description

The proposal is for development of two research and development laboratory buildings with associated administrative office uses. One building would be a seven-story structure and the other building would be an eight-story structure. The buildings would be sited on the southern two-thirds of the block bounded by Mercer Street to the north, 8th Avenue N to the east, Republican Street to the south, and Dexter Avenue N to the west. An integrated underground parking structure would be developed under both buildings and would serve both buildings with accessory parking for 253 vehicles and loading dock facilities. The block containing the two building sites does not have a mid-block alley. A portion of the block along its northern edge has been acquired by the City of Seattle for the Mercer Street realignment project. The block contains a number of separate legal lots, and DPD is reviewing a Lot Boundary Adjustment application under Project #3011433 to adjust lot lines for the building sites. Together, the two building sites in this Master Use Permit application are just over 1.36 acres (59,362 square feet). New Parcel B (adjusted lots 1 through 4) will be 27,665 sq. ft.; and new Parcel C (adjusted lots 8 through 11) will be 31,697 sq. ft. The site is relatively flat, sloping approximately thirteen feet from the southwest corner toward the northeast corner.

The project site is zoned Seattle Mixed with a 65-foot structure height limit (SM-65) and is located in the South Lake Union Urban Center. Additional height is allowed up to a structure height limit of 120 feet based on compliance with the conditions in SMC 23.48.017. Property to the west, north and east is also zoned SM-65. Property to the south is zoned SM-85. Dexter Ave N and Mercer Street adjacent to the site are Class 2 Pedestrian Streets.

There are no mapped environmentally critical areas on the site.

The current development on the property includes three low-rise buildings and surface parking. The buildings include: a 10,620 sq. ft. masonry warehouse structure, constructed in 1928 and located in the west-central portion of the site (522 Dexter Ave N); a 6,480 sq. ft. retail building, constructed in 1957 and located on the southwest portion of the site (500 Dexter Ave N); and a 4,950 sq. ft. retail/office building, constructed in 1978 and located on the southeast portion of the site (501 8th Ave N). The City of Seattle historic resources data and the historic resources analysis for the project showed that none of the on-site buildings had historic significance. Landmark nominations were prepared for the 500 Dexter Ave N and 522 Dexter Ave N buildings, and City Landmarks Preservation Board staff recommended that neither building should be nominated for Seattle landmark status. The three on-site buildings would be demolished as part of the project.

Adjacent land uses include a mix of research and development laboratories, other commercial and retail uses. North of the project site (on the northern one-third of the project block) is a 26,856 sq. ft. masonry building with surface parking, which was constructed in 1956 (530 Dexter Ave N). That building is scheduled to be demolished as part of the City's Mercer Street realignment project.

Project Description

The project consists of a seven-story structure on the eastern portion of the site (Parcel B of the lot boundary adjustment under Project No. 3011433), an eight-story structure on the western portion of the site (Parcel C of the lot boundary adjustment under Project No. 3011433), and three levels of below-grade parking that would serve both buildings. A public open space as required by SMC 23.48.017(H) would be developed between and to the north of the proposed buildings. In addition to below grade connections, the two buildings would be connected by covered pedestrian walkways at levels 2, 4 and 6. The project anticipates construction of approximately 295,561 sq. ft. of space for research and development laboratory uses and associated administrative office, approximately 33,602 sq. ft. square feet of which would be below grade. Retail space at grade totaling approximately 650 square feet is also proposed. Parking for 253 vehicles would be located in a below-grade garage, which would serve both buildings. The project includes approximately 87,000 cubic yards of grading.

Access for the underground garage, which would contain both accessory parking and loading facilities, would be via a curb-cut on Republican Street on Parcel C near mid-block between 8th Ave N and Dexter Ave N.

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

The project is part of a larger South Lake Union Research and Administrative Office Space development for the University of Washington, which provides biomedical research and development laboratory space and associated office space in three phases. That overall project was studied by the City in an Environmental Impact Statement dated May 2005 (Draft EIS) and September 2005 (Final EIS). Phases 1 and 2 this overall project has already been completed on the block immediately to the east of the currently proposed project site. Phase 3 of the overall project is planned for the block on which the current project is proposed. The current Master Use Permit application is for Phases 3.1 and 3.2 of this overall project and is proposed for the southern two thirds of the block bounded by Dexter Ave N, Mercer Street, 8th Ave N, and Republican Street. The remaining (northern) one third of the block would be Phase 3.3 and would be the subject of a future permit application. The currently proposed project (Phases 3.1 and 3.2) would likely be constructed in two stages, with the first stage being the entire parking garage under Phases 3.1 and 3.2, along with the Phase 3.1 building – the seven-story building on the southeast portion of the block. The proposed retail space would be developed along the 8th Avenue N façade near the northeast corner of the Phase 3.1 building. The Phase 3.2 building would be constructed at a later date, and, in the interim, the surface of the Phase 3.2 site would be landscaped.

PUBLIC NOTICES AND MEETINGS

The Notice of Early Design Guidance Meeting was published May 10, 2010; the Notice of Application for the project was published on July 1, 2010; the Notice for Design Review Meeting was published July 22, 2010; and the Notice of Availability of EIS Addendum was published August 9, 2010.

The West (Magnolia/Queen Anne) Design Review Board held a properly noticed Early Design Guidance meeting for the project on July 2, 2010. A properly noticed Recommendation Meeting was held on August 4, 2010.

Public comment was received at each of the public design review meetings and in writing during the review period.

ANALYSIS-DESIGN REVIEW

Design Guidelines Priorities

The initial ideas for the project were presented at the Early Design Guidance meeting on October 7, 2009, prior to revision of the project to include the Phase 2 building. After the project was revised to include both the Phase 3.1 and Phase 3.2 buildings, a second early design guidance application was submitted, and the second Early Design Guidance meeting was held on June 2, 2010. 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 the highest priority design guidelines for the project from the City of Seattle's *Design Review Guidelines for Multifamily and Commercial Buildings* and the *South Lake Union Design Guidelines*. The guidance and recommendations made were agreed to by all of the Board members present, unless otherwise noted.

Two members of the public commented on concerns about massing and shadowing, especially with respect to the desired character of 8th Ave N. There were mixed public comments about the location of the proposed retail, with some desire to see it at the corner of Republican Street and 8th Ave N. There were positive comments about the cross-block public pedestrian connection that would be developed as part of the project.

While the notes below indicate the areas the Board found most important, all of the *Design Review Guidelines for Multifamily and Commercial Buildings*, as well as the *South Lake Union Design Guidelines*, 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.

The full block site which is very long in the north/south direction, and rises about 13 feet across its full length presents the possibility that first floor heights may diminish along street facing facades. This should be avoided and the height of first floors above grade should be kept high, providing an adequate, attractive base to the proposed buildings.

A-2 Streetscape compatibility - The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

The Board indicated this guideline applies without adding specific information.

A-3 Entrances Visible from the Street - Entries should be clearly identifiable and visible from the street.

Building entrances should be visible from the surrounding streets even when not placed directly along them.

A-4 Human Activity - New Development should be sited and designed to encourage human activity on the street.

Location of retail. The Board discussed whether the retail would work best at the cross-block connection, where it is currently proposed, or at the corner of Eighth and Republican, where it could enliven the corner and better draw customers from and provide added engagement with the surrounding area. The University representative responded that their consultants have advised them that retail/commercial use along Eighth Ave. is unlikely to be successful and that locating it at the corner of the mid-block crossing and Eighth Ave. would be the best because it could serve persons in the UW Medicine buildings and pedestrians crossing through the blocks. The Board concurred that the mid-block location would be acceptable, but wanted the space designed to be visible from the south. The Board wanted the retail space to be very inviting, in order to draw people in from surrounding areas. It should also be located close to the sidewalk along Eighth Ave., not set back in beyond an open space.

A-8 Parking and Vehicle Access - - Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

The proposed driveway on Republican St. would be adjacent to the public courtyard entryway from the south. This adjacency should be addressed in its design and that of the adjacent courtyard so that the additional width between buildings is utilized to provide increased comfort and visual interest to pedestrians using the courtyard and to preserve pedestrian safety to users of the public sidewalk past the site.

A-10 Corner Lots - Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

Orientation to the two corners along Republican should be accomplished with tall architectural elements with high levels of transparency into interior uses and some degree of projecting out from the building as a whole. Human activity should be clearly visible within the building at these corner locations in order to provide a sense of engagement with the surrounding areas such as might have been provided by entrances, lobbies, common uses or commercial/retail uses at these locations.

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.

One Board member noted that both Dexter and Mercer are very wide rights-of-way and the ratio of building height and ROW width are almost 1:1. Locating the penthouse areas along the roof edges at these streets is consistent with the scale of those wider streets.

Architectural measures should be utilized to limit the apparent height, bulk and scale of the proposed buildings.

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.

The Board acknowledged that it is important to look at UW Phase 2 and at buildings in the South Lake Union area for contextual reference for Phase 3.

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.

The Board appreciated that the design for Phases 3.1 and 3.2 shows a continuation of the “laminations” concept that was established in UW Phase 2. The Board requested that the pedestrian bridges between Phases 3.1 and 3.2 connecting levels 2 and 3 and 5 and 6 be clearly presented at future meetings and that they be evaluated as part of the shadow study (described below).

The pedestrian bridges present an opportunity for a powerful architectural presence carrying forward the forms and styles expressed in the buildings being connected.

C-3 Human Scale - The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

The Board expressed support for the elevation study drawings shown of the corner elements at Eighth and Republican, Dexter and Republican, and at the northwest corner of the Phase 3.2 building at the midblock crossing. These tall elements, set out in a different plane from the building facades, are shown as highly transparent, displaying activities within and incorporating wide canopies over adjacent sidewalks. They should be incorporated into the final design of the building. The Board noted that the use of canopies to bring down the scale of the building at the pedestrian level and to provide a strong architectural connection surrounding sidewalks should be incorporated in the final design.

C-4 Exterior Finish Materials - Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

Materials, especially in the pedestrian realm are important elements to creating a successful architectural environment. They should convey warmth as well as permanence and should be attractive.

C-5 Structured Parking Entrances - The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

See the comments under A-8 above. A successful design of the parking structure entry would minimize its appearance, instead adding to the apparent presence of the adjacent pedestrian courtyard.

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.

The Board noted that there are no entrances on exterior, street-facing corners, and that this could create a "UW-only" feel to the building. The Board liked the activation on Eighth Avenue North with the transparent conference room at the corner. The Board expressed appreciation of the "rooms" aspect of the east/west courtyard, the water feature and path along the north/south courtyard, and the landscaped setback along Eighth Avenue. Lighting should be incorporated into open space areas, sidewalks and entry points so as to increase pedestrian safety. Ample sized covered areas should be provided at building entrances.

D-2 Blank Walls - Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.

No further guidance was offered relating to blank walls.

D-7 Personal Safety and Security - Project design should consider opportunities for enhancing personal safety and security in the environment under review.

Landscape and lighting of pedestrian paths needs to take safety and security into considerations. Lighting elements should be shown on the site and landscape plans.

D-10 Commercial Lighting – Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.

The Board indicated that this guideline applied to the proposal and the measures called for should be incorporated into the proposal.

D-11 Commercial Transparency – Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.

The Board requested a large proportion of clear glass at grade. It was noted that the glass used at UW Phase 2 appears to be much too dark.

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites - Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

This guideline should be applied in consideration of both landscapes around other newer buildings in South Lake Union and the existing phases of the UW Medicine project.

E-2 Landscaping to Enhance the Building and/or Site - Landscaping, including living plant material, special pavements, trellises, screen wall, planter, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

One Board member liked the planting and distinct differences in the Phase 2 courtyard as one moves through it and recommended that this be repeated in the proposed courtyard associated with Phases 3.1 and 3.2. Spaces should be provided in the courtyard where people can pause and gather – the Board liked the concept of ‘outdoor rooms’.

Departure Request

One departure request was discussed at the EDG meeting: To allow the mechanical penthouses to be located at the edge of the roof on 8th Avenue North for 3.1, and the edge of the roof on Dexter Avenue North for 3.2, rather than set back 10 feet from the edge of the roof, as required by SMC 23.48.010. The applicant noted that the proposal for Phase 3.1 is a building height of approximately 105 feet, plus a 15-foot penthouse, bringing the total height to 120 feet. The text amendment allows for a building height of 120 feet, plus an additional 15 feet of mechanical penthouse height. Obtaining a departure to move the equipment to the outside edge of the roof would allow the green roof to be located in one contiguous area, and would strengthen the architectural concept of placing taller ‘laminations’ at the edges of the site. It was noted that the Board was agreeable to this departure at the first EDG.

The Board requested a lighting/shadow study to support the Applicant’s request for a departure. If the shadows created across the street from the project are no worse than what is allowed by code, the Board indicated that they would support the departure request. Parameters of the shadow study are the equinox period and summer solstice with shadows depicted for 9AM, noon and 3 PM on each of these key solar days.

The Board approved moving ahead to the Recommendation Meeting.

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 July 1, 2010.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a recommendation meeting on August 4, 2010, 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.

Project Development in Response to EDG Comments

In response to the Board's EDG comments, the project proposed a consistent architectural concept, but with each elevation articulated somewhat differently in response to the character of the adjacent streetscape. Materials would be similar to those that were used for the adjacent Phase 2 site, and would be utilized in a way that responds both to solar orientation and to surrounding street frontages. Building canopies and the placement of transparent building elements (highly fenestrated building forms) would occur along the ground-level façade at 8th Ave N., with a focus on the corner of 8th Ave N and Republican Street.

Building corners adjacent to street intersections would be expressed with transparent glass elements that would provide a view into activities occurring within the building. These corners would include use of glass building canopies, located twelve to sixteen feet above sidewalk level.

The retail space proposed along Eighth Avenue North near the Phase 3.1 building entrance, cross-block connection, and plaza area, would provide varied uses and character in the street façade along 8th Ave N. The east façade of the retail space was brought forward to meet the public sidewalk. The retail storefront and entrance is accented by colored glass and canopy signage.

The courtyard façade is comprised of vertical glass 'ribbons', which bend at different angles to reflect light and create a dynamic experience for the pedestrian. These ribbons would contain both spandrel (opaque) and vision (transparent) glazing, and the exposed edges of the ribbons provide additional opportunities for interesting color.

In the landscaping plan, the north-south courtyard would be graded to provide zones of movement and areas of "pause" where seating would be provided. The planting in this area seeks to create a sense of enclosure when sitting within the courtyard. Plant heights will allow one to see beyond into the building. The proposed water feature responds to the art requirement in the Land Use Code section allowing additional height, and would be a combination of a flat scrim of water below the walking plane and a raised water table. It would be designed to be sculptural, as well as purposeful as a seating edge when turned off. The walking surface at the south end of the courtyard was widened to encourage pedestrians on Republican Street to enter the courtyard. The east-west portion of the courtyard would provide a sequence of places to sit and meet. Planting would consist of shade-loving Pacific Northwest understory species. The site will be ADA accessible off of Republican Street and Dexter Ave N, and through the building off of the entrance on 8th Ave N. Permeable paving, street trees, and open tree pits would be provided at sidewalks on 8th Ave N, Republican Street, and Dexter Ave N. Curb bulbs would be provided at the mid-block crossing of 8th Ave N and the sidewalk width would be increased to improve the pedestrian environment. The scale of the plantings on Dexter Ave N would be consistent with the larger scale of the street. Lighting in the east-west corridor would be integrated with the planting. Lighting in the north-south courtyard would be accent lighting along benches and the water feature.

Departure Requests

The applicant requested three departures:

- 1.) Departure from SMC 23.48.010(F)(5)(b) – location of mechanical penthouse on the roof
This departure would allow the mechanical penthouses to be aligned with the 8th Ave N side of Phase 3.1, the Dexter Ave N of Phase 3.2, and portions of the Republican Street side of both buildings, rather than being set back 10 feet from the edge of the roof. At the June 2, 2010 EDG, the Design Review Board requested a shadow study to ensure that this location of the penthouses would not result in more shading on the 8th Ave N pedestrian sidewalk. The architect produced a shadow study demonstrating that pushing the penthouses out to the building edge does not result in additional shading on the sidewalk.

Rationale/Benefit: This departure will facilitate a better scale at the courtyard space and allow for the noise to be emitted at the north end of the project, away from residences along 9th Avenue. The penthouse space would read as part of the building volume, with taller laminations at the outer edges of the site, where the scale is more appropriate. Finally, it allows more usable, contiguous space for a green roof. This would further special site characteristics (Guideline A-1) as it responds to the special site characteristic of the public open space. This would also respond to landscaping issues (Guideline E-2) because it allows for an integrated and more successful green roof area.

- 2.) Departure from SMC 23.54.030(B)(2)(c) – mix of parking stall sizes
The request is to reduce the requirement of 35 percent of large parking vehicle stalls to 20 percent. Based on a parking utilization study at Phase 2 project, which has the same mix of UW users as the proposed Phase 3.1/3.2 project, a 20 percent large vehicle requirement is more than enough to accommodate the percentage of large cars accessing the project.

Rationale/Benefit: The departure would allow for more efficient use of parking space and require less excavation for accessory parking. This would further minimize parking impacts (Guideline A-8) by allowing for more off-street parking spaces in the proposed garage.

- 3.) Departure from SMC 23.48.018(B)(3) – blank façade on other streets
The request is to allow is to allow wider blank facades along Republican Street at Phases 3.1 and 3.2 because core elements of the structure have been shifted to the north and south ends of the buildings. There is a blank façade length of 22 feet on Phase 3.1 and a blank façade length of 24 feet on Phase 3.2.

Rationale/Benefit: The blank walls along Republican Street will be made visually interesting through the use of patterned concrete panels and a colorful vine wall at grade extending at least one story and possibly two stories. The wall faces south, so the plantings will be quite lush. A colorful vine with red fall coloring, such as Virginia creeper, will easily climb up one to two stories. Filling in the gaps and providing seasonal interest would be Coral Honeysuckle, which would add bright color and fragrance in the spring and summer. This would further the intent of design guideline for increased pedestrian interest (Guideline D-2).

Public Comment

Public comment was received at the meeting.

Public comment was received at the meeting. One person commented on the following:

- EDG Meeting notes were not posted online.
- Courtyard open space was constrained since the space is 30 feet wide and 100 feet high and the skybridges further reduced the expansiveness of the open space.
- The buildings overhang the sidewalk unnecessarily encroaching on the sidewalk realm.
- Opposed all three design departures as not being justified, not meeting code and not being in the public interest. Adding 15 feet in perceived height to an element of a street facing façade is not trivial and is contrary to the Neighborhood guideline calling for increased upper level setbacks for tall buildings. The alleged fact that smaller cars are driven to these facilities is not logical and not supported by data. Transparency along Republican is important to the community and transparency is a stated design guideline priority. If the garage entry were to be included in the blank façade calculation it would approach 40% of the south facades. (Note the garage entry is a ramp to below grade parking with transparent building façade beyond it.)
- The retail should have been at the corner of Eighth and Republican (A Board member explained that this location had been determined by the Board at the June 2, 2010 EDG).
- Would the exclusion of large stalls lead to an insufficient availability of parking for carpool vans?

Board Deliberation

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

1. That the proposed “ribbon wall” at the courtyard is needed to animate the courtyard. If the ribbon wall is too costly as designed, it is appropriate to simplify the design (move to a wider module of ribbon, for example), as long as the movement and dynamism of the ribbon wall is maintained. It would not be acceptable to go to a plain wall because it would strip the courtyard of its lively, inviting character. If there are changes to the ribbon wall design as proposed to the DRB at the August 4, 2010 meeting they must be approved by DPD Planning staff.
2. The pedestrian bridges in the courtyard need to be further designed so they are more of an architectural amenity and do not act to block light and vision through the central courtyard. Applicant should reduce their scale, make them feel lighter and more transparent and perhaps two floors of space between them with an open walk above each. The revised form of these bridges shall be approved by DPD Planning staff.
3. The main entrance along Eighth Avenue needs to be more strongly expressed in the architecture; similar to the way the entry on the Dexter Street façade is expressed.
4. A vine wall along the Eighth Avenue façade should be provided in the multilayered form shown as a condition of the departure to allow additional blank façade.
5. Measures shall be incorporated into the design and implementation of the internal courtyards to convey a message of public welcome. These measures shall be incorporated into the MUP plans in a form approved by the DPD Planning staff.

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. 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 was conducted pursuant to the State Environmental Policy Act (SEPA) RCW Ch. 43.21C, the State's SEPA Rules WAC Ch. 197-11, and the Seattle SEPA Ordinance SMC Ch. 25.05. As the environmental review for this project, the City is using the Environmental Impact Statement for the South Lake Union Research & Administrative Office Space: Phase 2 and 3 Development (the "South Lake Union EIS"). The Draft South Lake Union EIS was published in May 2005 and the Final South Lake Union EIS was published in September 2005. An Addendum to the South Lake Union EIS was published August 9, 2010. A fifteen-day comment period was provided pursuant to SMC 25.05.625, and no comments were received during that comment period. The Addendum provides additional site-specific information and analysis for the entire Phase 3 proposal, which includes Phases 3.1 and 3.2 that are the subject of this application under Project 3011312. The Addendum did not substantially change the analysis of significant impacts and alternatives that are described in the South Lake Union EIS. Accordingly, no SEPA threshold analysis is required or made for this project. Based on the environmental impacts disclosed in the South Lake Union EIS and the Addendum, and on the adopted Seattle SEPA Policies, SEPA conditions are imposed in this decision pursuant to SMC Ch. 25.05.

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 mitigate specific adverse environmental impacts identified in an environmental document and must be based on adopted SEPA 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 discussion of some of the specific elements of the environment and potential impacts is included below, and a more detailed discussion is included in the South Lake Union EIS and the Addendum.

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; a truck wash, and quarry spall 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 Seattle 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 governed by 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 75,000 bank 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, there is some perched groundwater below grade. Some dewatering may be necessary during construction. 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 meeting Seattle International Building Code requirements will be required.

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 should park off-street at facilities made available by the applicant and/or the applicant's contractor.
- Prior to issuance of construction permits, 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.

Environmental Health

Preliminary site assessments indicate that due to its age, the existing buildings on the project site may have asbestos-containing materials, lead-based paint, and other similar hazardous materials that may be encountered during demolition.

If necessary, the applicant will take the following precautions to reduce or control potential environmental health issues:

- A hazardous materials remediation plan would be prepared for the various hazardous materials that may potentially be encountered on the site. Remediation work will be professionally monitored throughout demolition and excavation.
- Prior to demolition, 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.
- Any underground storage tanks would be removed and disposed of by a qualified UST removal contractor in accordance with state and federal guidelines.
- The excavation would be monitored by an environmental consultant and if contaminated soils are identified, the soils will be sorted, stockpiled, and disposed pursuant to applicable state and/or federal law.

Based upon the above considerations it is concluded that no SEPA-based conditioning is necessary for the potential short-term impacts related to environmental health.

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. The following impacts merit more detailed discussion.

Environmentally Critical Areas

There are no other environmentally critical areas on the site.

Historic Resources

The three on-site buildings that would be demolished as part of the project are not considered historic resources as documented in the SEPA Addendum. Landmark nominations for the buildings at 800 Dexter Ave N and 522 Dexter Ave N were prepared. City Landmarks Preservation Board staff reviewed the nominations and recommend that the buildings not be nominated for City of Seattle Landmark status.

There are a number of other designated landmark buildings in the general vicinity of the site, including:

- Naval Reserve Armory at 860 Terry Ave N;
- Seattle Times Building at 1120 John Street;
- Van Vorst Building at 413-421 Boren Ave N;
- Pacific McKay and Ford McKay Buildings at 601 and 615 Westlake Ave N;
- Ford Assembly Plant at 1155 Valley Street;
- Lake Union Steam Plant and Hydro House at 1179 Eastlake Ave E;
- Old Norway Hall now Cornish College Raisbeck Performance Hall at 2015 Boren Ave;
- Troy Laundry at 307 Fairview Ave N;
- Kelly Goodwin Building/Terry Avenue Building at 320 Terry Ave N

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 immediately adjacent to any such buildings and is not expected to have any impact on any of these structures. Therefore, no SEPA conditions are necessary or appropriate.

Archaeological

The site is not within the historic shoreline area of Lake Union and no known archaeological resources have been identified on or next to the site.

If resources of potential archaeological significance are encountered during excavation or construction associated with the proposal, the following measures would apply pursuant to DPD Director's Rule 2-98.

- 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 assigned to the project and the State Department of Archaeology and Historic Preservation would immediately be contacted;
- 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.

With the protections in Director's Rule 2-98 and state law for handling inadvertent encounters of archaeologically significant materials, the project should not have any adverse impacts on archaeological resources and no SEPA conditions are necessary or appropriate.

Housing Impacts

The City's SEPA policies encourage preservation of existing housing, especially low income housing. SMC 25.05.675.I. These policies require compliance with City Code provisions on housing relocation, demolition, and conversion for proposed development to be in compliance with the housing policy. SMC 25.05.675.I.2.C. The proposed project will demolish warehouse and retail structures and replace them with research and development laboratories and associated office space. No existing housing will be demolished, relocated, or converted. Therefore, no mitigation to housing impacts is required.

Aesthetics and Views

As disclosed in the South Lake Union EIS, it is the City's policy to protect views of mountains, water and significant manmade resources from certain scenic viewpoints and scenic routes. The SEPA Policies give the City authority to protect views of historic landmarks and views of the Space Needle from a limited number of locations.

Because the current project proposes greater structure height that was allowed at the time the 2005 South Lake Union EIS was published, the EIS Addendum provided additional analysis and photosimulations from potentially impacted viewpoints and scenic routes. That analysis showed that no protected views would be affected. In addition, no view of historic landmarks or of the Space Needle from any of the protected viewpoints will be affected. Accordingly, no SEPA mitigation is necessary or appropriate.

Traffic, Transportation, and Parking

The Transpo Group ("Transpo") completed a transportation impact analysis study for the South Lake Union EIS. Transpo completed an updated transportation analysis for Phase 3 of the overall UW Medicine South Lake Union project for the EIS Addendum, which included an update on the transportation and parking impacts expected from the current proposal to develop Phases 3.1 and 3.2 under Project No. 3-11312, which was submitted to the City as part of the application and review process.

For its 2005 analysis in the South Lake Union EIS, Transpo utilized trip generation and peak parking rates from the Institute of Transportation Engineers Manual. For the EIS Addendum study, Transpo was able to utilize the actual trip generation and peak parking rates experienced at the Phase 1 and Phase 2 of the UW Medicine South Lake Union project. Because UW Medicine will be the user of the currently proposed project as well (Phases 3.1 and 3.2), those actually experienced rates provide a better predictor of the impacts that would likely be experienced for the currently proposed project.

The EIS Addendum study estimated that Phase 3.1 would generate 590 new daily trips, with 83 new trips in the AM Peak hour and 79 new trips in the PM Peak hour. Phase 3.2 would generate 580 new daily trips, with 82 in the AM Peak hour and 75 in the PM Peak hour. The impact of this increased traffic was studied for eleven nearby intersections. One intersection would be significantly impacted – the intersection of Republican Street with Dexter Ave N, which is currently stop-controlled on the east and west approaches. However, signalization of that intersection is planned under the City's South Lake Union Transportation Plan, and the project will contribute mitigation payments to assist in construction of that mitigation improvement.

The project will include 253 accessory parking spaces below grade. No minimum number of accessory parking spaces is required by the Seattle Land Use Code in urban centers such as the South Lake Union Urban Center. Peak parking demand was calculated using a methodology similar to the trip generation calculations, by using the actual experience of the same user (UW Medical) at the adjacent Phase 1 and Phase 2 projects. Evaluation of the parking demand for Phase 3.1 and 3.2 showed an anticipated peak parking demand (early afternoon) of 283 stalls. A total of 253 stalls are proposed in the on-site parking garage. In order to arrive at a conservative estimate of parking impacts, Transpo assumes only 95 percent utilization of the on-site garage, which would mean a parking spillover at the peak parking demand time of 43 stalls. This is within the range of impacts disclosed in the 2005 South Lake Union EIS. There is sufficient parking supply within walking distance of the project to accommodate a parking spillover of this magnitude, including a limited number of on-street spaces, some surface parking lots, and most significantly over 100 available spaces in the adjacent Phase 2 garage at the time of peak parking demand. In addition, the project site is an urban site, served by the South Lake Union Streetcar and a number of Metro bus routes, and 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 require a Transportation Management Plan (“TMP”) that meets the requirements of Director’s Rule 14-2002. SMC 23.48.017(I). 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 volume/capacity ratios for the three 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.

Expected traffic 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 other than the South Lake Union transportation mitigation payment discussed below.

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 transits, 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 EIS Addendum, 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. The total mitigation fee for Phases 3.1 and 3.2 would be \$289,718.75, of which \$150,866.25 is attributable to Phase 3.1 and \$138,852.50 is attributable to Phase 3.2. These fees should be paid prior to issuance of a core and shell construction permit for those respective buildings.

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 phased construction in the public rights-of-way and in the public courtyards/plazas.

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.

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 a small retail building, a small industrial building and surface parking. With the redevelopment proposal, the site would be redeveloped into a research and development laboratory buildings. 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 uses in Seattle Mixed zoning. The redevelopment proposal is consistent with the SM-65 zoning of the property, with additional height allowed pursuant to SMC 23.48.017. Research and development laboratory uses are permitted outright in the SM zone, and the proposal complies with applicable development standards.

The City of Seattle Comprehensive Plan designates the site as the South Lake Union Urban Center. The proposed 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. As set out in more detail, the proposed project is consistent with the goals and policies of the Comprehensive Plan and the South Lake Union Neighborhood Plan, which include policies to promote innovative industries such as biotechnology in the South Lake Union Urban Center.

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 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, the foregoing conditions are reasonable and capable of being accomplished and are consistent with the Seattle SEPA Policies in SMC Ch. 25.05.

DECISION – SEPA

This decision utilizes the South Lake Union EIS issued in May 2005 (Draft EIS) and September 2005 (Final EIS) for the South Lake Union Research & Administrative Office Space; Phase 2 and 3 Development, along with the additional analysis and information provided in the August 2010 Addendum to the South Lake Union EIS prepared for UW Medicine: Lake Union Phase 3. Accordingly, no Threshold Determination is required for this project application and decision. As discussed above, and listed below, SEPA conditions are appropriate pursuant to SMC Ch. 25.05.

CONDITIONS – SEPA and DESIGN REVIEW:

The owner(s) and/or responsible parties shall comply with the following conditions of approval.

SEPA and Design Review Conditions:

Prior to MUP Issuance

1. The pedestrian bridges in the courtyard need to be further designed to so they are more of an architectural amenity and do not act to block light and vision through the central courtyard. Applicant shall reduce their scale, make them feel lighter and more transparent and perhaps two floors of space between them with an open walk above each. The revised form of these bridges shall be approved by DPD Planning staff and incorporated into MUP and Construction plan sets.
2. The main entrance along Eighth Avenue shall be more strongly expressed in the architecture, similar to the how the entry on the Dexter Street façade is expressed and this revision shall be incorporated into MUP and Construction plan sets.
3. That the proposed “ribbon wall” at the courtyard is needed to animate the courtyard. If the ribbon wall is too costly as designed, it is appropriate to simplify the design (move to a wider module of ribbon, for example), as long as the movement and dynamism of the ribbon wall is maintained. It would not be acceptable to go to a plain wall because it would strip the courtyard of its lively, inviting character. If there are changes to the ribbon wall design as proposed to the DRB at the August 4, 2010 meeting they must be approved by DPD Planning staff.
4. A vine wall along the Eighth Avenue façade shall be provided in the multilayered form shown as a condition of the departure to allow additional blank façade. This feature shall be incorporated into MUP and Construction plan sets.
5. Measures shall be incorporated into the design and implementation of the internal courtyards to convey a message of public welcome. These measures shall be incorporated into the MUP and Construction plans in a form approved the DPD Planning staff.
6. All of the conditions contained in this decision must be embedded in the cover sheet for updated MUP permit plans and for all subsequent permits including any MUP revisions, and all building permits.

Prior to Issuance of Demolition, Grading, or Construction Permits

7. 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.

8. 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.
9. The applicant shall pay a transportation mitigation fee of \$150,866.25 prior to issuance of a core and shell construction permit for the Phase 3.1 building and shall pay a transportation mitigation fee of \$138,852.50 prior to issuance of a core and shell construction permit for the Phase 3.2 building.
10. The pedestrian bridges in the courtyard need to be further designed to so they are more of an architectural amenity and do not act to block light and vision through the central courtyard. Applicant shall reduce their scale, make them feel lighter and more transparent and perhaps two floors of space between them with an open walk above each. The revised form of these bridges shall be approved by DPD Planning staff and incorporated into MUP and Construction plan sets.
11. The main entrance along Eighth Avenue shall be more strongly expressed in the architecture, similar to the how the entry on the Dexter Street façade is expressed and this revision shall be incorporated into MUP and Construction plan sets.
12. That the proposed “ribbon wall” at the courtyard is needed to animate the courtyard. If the ribbon wall is too costly as designed, it is appropriate to simplify the design (move to a wider module of ribbon, for example), as long as the movement and dynamism of the ribbon wall is maintained. It would not be acceptable to go to a plain wall because it would strip the courtyard of its lively, inviting character. If there are changes to the ribbon wall design as proposed to the DRB at the August 4, 2010 meeting they must be approved by DPD Planning staff.
13. A vine wall along the Eighth Avenue façade shall be provided in the multilayered form shown as a condition of the departure to allow additional blank façade. This feature shall be incorporated into MUP and Construction plan sets.
14. Measures shall be incorporated into the design and implementation of the internal courtyards to convey a message of public welcome. These measures shall be incorporated into the MUP and Construction plans in a form approved the DPD Planning staff.
15. All of the conditions contained in this decision must be embedded in the cover sheet for updated MUP permit plans and for all subsequent permits including any MUP revisions, and all building permits.

During Construction

16. To minimize on-street parking in the project vicinity due to construction impacts, construction workers shall park at off-street facilities made available by the applicant and/or the applicant’s contractor.
17. Comply with the limitations contained in the approved construction-phase transportation plan.

18. 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.
19. Use well-maintained equipment to reduce emissions from construction equipment and construction-related trucks and avoid prolonged periods of vehicle idling.
20. Use electrically operated small tools in place of gas powered small tools wherever feasible.
21. 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.

Prior to Certificate of Occupancy

22. 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.
23. 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
24. During construction, 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.

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

Date: September 30, 2010