



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: 3012256
Applicant Name: Jon Hall of GGLO, for AMLI Residential Partners, LLC
Address of Proposal: 1260 Republican Street

SUMMARY OF PROPOSED ACTION

Land Use Application to establish use for future construction of a seven-story residential building with 175 residential units above 4,149 sq. ft. of retail, parking for 210 vehicles in below grade garage, and demolition of existing structures. The project requires excavation of approximately 25,000 cubic yards of earth. The existing 4,000 sq. ft. building on site is to be demolished.



The following approvals are required:

SEPA - Environmental Determination – Chapter 25.05 SMC.

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

Development Standard Departure: Departure from percentage of setback area allowed to be improved with hardscape (23.84.024.A.2). Applicant proposed 22% landscaped area with large Specimen Japanese Maple and additional landscaping at upper levels.

SEPA Determination: [] Exempt [] DNS [X] 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 is for development of the southern portion of the block bounded by Republican Street on the south, Yale Avenue N. on the east, Mercer Street to the north, and Pontius Avenue N. to the west. The total site area is approximately .71 acres and is relatively flat, sloping gently to the northwest with a drop of approximately eight feet from the southeast corner to the northwest corner of the site. The site has 356 feet of frontage along Republican Street, 120 feet of frontage along Yale Avenue N., and 134 feet of frontage along Pontius Avenue N. Republican Street is a Class 2 Pedestrian Street and is classified as a minor arterial. The block does not include a mid-block alley.

The project site is zoned Seattle Mixed/Residential with a height limit of 55 feet for nonresidential structures and a height limit of 75 feet for residential or mixed-use structures (SM/R 55/75) and is located in the South Lake Union Urban Center. Property to the south, east, and west is zoned SM/R 65/75. Property to the immediate east is zoned Seattle Mixed with a 75 foot height limit (SM-75). The project site is located in the South Lake Union Urban Center.

The current development on the property consists of surface parking, which serviced the former uses on the block. There is also a vacant, two-story concrete building in the southeastern corner of the site that is approximately 4,000 square feet in size.

Surrounding properties are characterized by a mix of uses, including the AMLI535 apartment building to the west, the Pontius Building (office) to the southwest; the Supply Laundry Building and a new mixed-use/residential full-block project to the south; and a low-rise commercial building to the east. The Supply Laundry Building has been designated as a Seattle Landmark.

Project Description

The proposed project is a seven-story residential building, with 175 units of housing, approximately 4,149 sq. ft. of ground level retail, and parking for 210 vehicles in a below grade garage. Vehicle access to the proposed garage access would be from Pontius Avenue N. The project would include demolition of the 4,000 sq. ft. structure on the southeastern corner of the site. The project plans anticipate excavation of approximately 25,000 cubic yards of earth. As part of the project a boundary line adjustment has been processed and approved under DPD Project No. 3012425.

PUBLIC PROCESS, NOTICES AND MEETINGS

Notice of the Early Design Guidance meeting was published May 26, 2011. The Early Design Guidance meeting was subsequently held June 15, 2011.

Notice of Application for Master Use Permit was published on October 13, 2011. The required public comment period ended October 26, 2011.

Notice of the Design Review Recommendation meeting was published December 1, 2011. The Magnolia/Queen Anne Design Review Board held the Recommendation meeting on December 15, 2011.

ANALYSIS-DESIGN REVIEW

Design Presentation

The initial design ideas for the project were presented at the Early Design Guidance meeting on June 15, 2011. Three alternative design schemes were presented. Scheme A, the design team's preferred scheme, was an "S" shape with open courtyards to the southwest and northeast. At the seventh level, the rooftop lowers for amenity space to the north of the courtyard. Scheme B was a modification of the "S" with a curving façade facing south and street level setback at the southwest courtyard. Scheme C provided a central courtyard facing south in a "C" shaped plan.

Initial Public Comment

Approximately 4 members of the public attended this Early Design Review meeting and affixed their names to the sign-in sheet. The following comments, issues and concerns were raised at the meeting:

- One commenter questioned whether this development would aesthetically match AMLI535, owned by same developer. The desire was for this one to not match;
- Pursuing LEED Gold was suggested.
- One commenter wondered whether there would be alley access for this project similar to developments to the south.
- A commenter wondered whether building to the northeast of this site is a Seattle Landmark (it is not).
 - One commenter noted that the development to south proposed parking garage entry on Republican.

Design Guideline Priorities

After visiting the site, considering the analysis of the site and context provided by the applicant team, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified by letter and number those siting and design guidelines found in the City of Seattle's *Design Review: Guidelines for Multifamily and Commercial Buildings* and the *South Lake Union Design Guidelines* 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 apply.

I. Site Planning

- A-1 Responding to Site Characteristics – The siting of buildings should respond to site specific conditions and opportunities.**

Board Comments:

The Board noted that development should respond to adjacent and future developments.

Project Response:

The project responds to the alley to the south (in the mixed-project incorporating the Supply Laundry Building) with a visually prominent elevation and artwork to add interest and draw people toward the building. The two-story retail portion of the southeast façade responds to the historic Supply Laundry Building with similar massing and materials. The seven-story southwest portion responds to the seven-story building being constructed across the street to the south.

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

Board Comments:

This was one of the highest priority items identified by the Board. The Board noted that the development should respond to the north/south alley on the block to the south. That response could be architectural and not necessarily open space. The Board noted that equal attention needed to be devoted to each of the three streets abutting the project. Further development of the proposal along Yale Ave. N. was recommended for compatibility with proposed and existing developments.

Project Response:

Stoop entries for units along Yale and Pontius provide visual interest, continuity with existing development, and semi-private space to differentiate between public and private realms. Character of sidewalks and landscaping along each of the streets is different – relating to context. Yale continues the planting palette and wide sidewalks from the project to the south. Pontius is narrower, but still provides a buffer between the street and units. The Republican streetscape is different, with more of a retail emphasis on the corners and open space accessible by the public at the ground level courtyard. Each portion of the south façade responds to the project to the south.

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

Board Comments:

The Board recommended clarification of the entry sequence for the residential uses. The board recommended further clarification and definition of pedestrian access from northeast courtyard to Yale Ave N. in a manner which also maintains pedestrian security.

Project Response:

The main residential entry will be from Republican. Stoops will access individual units from Pontius and Yale. Private residential access through a gate will provide access to the upper level courtyard from Yale at the northeast corner of the building.

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

Board Comments:

This guideline was also identified as being a high priority. The Board asked that additional street level open space be considered in lieu of all open space at upper levels.

Project Response:

The design was revised from the Early Design Guidance application to provide significant ground-level, publicly-accessible courtyard open space in the southwest portion of the site.

- A-5 Respect for Adjacent Sites – Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.**

Board Comments:

The Board linked this to the A1 and A2 guidelines and the importance of addressing the interface of the proposed structure and the existing building to the north along Yale Avenue North.

Project Response:

The proposed building sets back from the building to the north with a courtyard on that side of the building.

- A-6 Transition Between Residence and Street – For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.**

Board Comments:

The Board recommended to further address the zone between sidewalk and street as transition for live-work units on Yale and Pontius.

Project Response:

These units were provided with additional setbacks in the revised design at the Recommendation meeting with landscaping, stoops and gates to provide visual privacy and areas for outdoor seating under cover and to provide connections to the neighborhood.

- 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.**

Board Comments:

The Board noted that access from Pontius should achieve this guideline.

Project Response:

The design was changed to provide access from Pontius Avenue North.

II. Height, Bulk, and Scale

- 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.

Board Comments:

The Board requested consideration of modulation at different levels both vertically and horizontally. Also South Lake Union Neighborhood Guideline B1 calls for articulation of building facades vertically or horizontally in intervals that relate to the existing structures or existing pattern of development in the vicinity.

Project Response:

The building design was modified to break down to appearance of bulk and scale with modulation and changes in material to create a series of components that change in character as one moves around the building, responding to neighborhood context. The stairwells with perforated metal panels serve to break up the building into different segments. Canopies at the ground level provide visual breaks and modulation as do the courtyards and upper level terrace. Different materials and colors are proposed associated with different building components.

III. Architectural Elements

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.

Board Comments:

The Board gave the general directive that the project should “fit in.” The applicant should be able to explain how the design, once developed, fits in.

Project Response:

The southwest elevation responds to the historic Supply Laundry building. The overall character of the building, which blends contemporary metal and “historic” masonry details, echoes the South Lake Union neighborhood and aesthetic of transition, technology, artistic expression and sustainability.

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 context.

Board Comments:

This guideline was selected for the project, without further specificity.

Project Response:

The detailing described in response to Guideline C-1 responds to the neighborhood context while creating a distinctive addition to the community. The courtyard with significant tree, and the landscape “waterfall” down the building, divides the contemporary eastern half of the building from the more traditional western façades.

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

Board Comments:

Related to this guideline was the Board's desire to see details of how the live/work and/or townhouse units interfaced with the sidewalk to achieve a good human scale as well as to promote values of security and comfort.

Project Response:

See the responses to A-2 and A-3 above regarding stoops along Yale and Pontius. Those designs provide privacy and security for residents while also providing public connection for those units. The canopies, masonry detailing, art, landscape, and seating along Republican further provide elements of human scale at that elevation.

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.

Board Comments:

The Board reminded the development team the importance of choosing materials that would be attractive to both dwellers and neighbors and that could be well maintained by the owners.

Project Response:

Masonry, metal siding, concrete and cementitious lap and panel siding as well as storefront glazing will compose the materials for this development. Samples were provided at the Recommendation meeting. The design also incorporates translucent panels with special lighting and layered planting including sedges and ornamental grasses.

IV. Pedestrian Environment

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.

Board Comments:

The Board noted that they would like additional consideration to be given to adding more street level open space instead of all spaces at upper levels as shown in EDG preferred alternate.

Project Response:

The courtyard was revised a street level along Republican to address this comment. Pedestrian amenities include street trees, plantings, fixed and moveable eating, ornamental lighting, and bike racks. Entries are accentuated with accent paving.

D-5 Visual Impacts of Parking Structures – The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.

Board Comments:

The Board's guidance was that the parking should be well screened.

Project Response:

With the exception with the parking entry on Pontius Avenue N., the parking will be completely screened by residential units, retail, or other habitable spaces on all street facades.

D-6 Screening of Dumpsters, Utilities and Service Areas – Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

Board Comments:

While important, the Board thought that this would be taken care of by thoughtful design. The Board presumed that all garbage, utility and service areas would be screened or located within the proposed structure.

Trash, recycling and service areas will all be internal to the building and screened from view from the exterior of the building.

D-11 Commercial Transparency – Commercial storefronts should be transparent.

Board Comments:

The Board noted that this was important for the success of the project.

Project Response:

Storefronts are transparent at all street level retail and lobby spaces.

D-12 Residential Entries and Transitions – Should provide security and privacy and be visually interesting for residents and pedestrians.

Board Comments:

The Board noted again the importance of providing intelligent and well-designed entries and transitions and that these were especially important details for live/work or townhouse units and for the main plaza.

Project Response:

Entry elements are addressed in the responses to Guidelines A-2 and A-3 above.

V. Landscaping

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.

E-2 Landscaping to Enhance the Building and/or Site

Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.

E-3 Landscape Design to Address Special Site Conditions

The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

Board Comments:

The Board commented that the project should demonstrate a comprehensive and coordinated landscaping plan and street improvement effort.

Project Response:

Project landscape plans were refined to develop a comprehensive landscape concept from street level, through project plaza to upper level terrace, reflecting the character of the building and neighborhood, including the following elements:

- Weather protection, accent paving, and pedestrian amenities at entries;
- Layered plant material and site furnishings at each street and open space; and
- Street improvements to fit the character and quality of the neighborhood.

DEVELOPMENT STANDARD DEPARTURES

At the time of the Early Design Guidance meeting, no departure(s) were requested.

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 September 20, 2011. Notice of application was published on October 13, 2011.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a recommendation meeting on December 15, 2011 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meeting, site plans, elevations, floor plans, landscaping plans and a palate of proposed exterior materials were presented for the Board members' consideration. The applicant's comments as noted above were also presented.

Public Comments

The following comments, issues and concerns were raised by members of the public at the meeting:

- Support was expressed for the many trees to be planted on and around the site; particularly the large Japanese maple.
- Concern was expressed about the stability of small sunshades to be attached to the building; to which an assurance was made by the architect that these would be engineered to withstand wind loads.
- A person indicated that the amount of landscape lost through departure was unlikely to be made up through the specimen tree, but that it would be if some three bedroom units suitable for families were added.
- A representative of a multifamily building to the east indicated that the new design shown at this meeting would block more views of the Space Needle than the schemes shown at EDG.
- Concern was expressed about locating a dog run adjacent to a preschool play area; to which it was offered that a fence and landscaped buffer would be added to lessen health concerns.
- It was stated that low bushes in street planting areas would not be expected to survive due to pedestrian traffic from people exiting and entering automobiles.
- Concern about potential light pollution, especially from a rooftop, outdoor movie screening area, was expressed.

Board Deliberation

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 following Recommendations to the Department of Planning and Development. All recommendations are by all the Board members present unless otherwise specified.

The Board indicated the applicants responded well to the Early Design Guidance. It indicated the plaza was developed well and the retail corner would be a good amenity.

The Board discussed the height of the proposed building which was taller than the options shown at the Early Design Guidance meeting and decided that the site is in an urban context, the proposal is within the zoning envelope and height, bulk and scale issues have been addressed with the proposed building forms on the two story base. The Board stated that the height, bulk and scale considerations were adequately addressed in the design of the proposed building.

The Board endorsed the proposed approach of using interstitial space for mechanical equipment.

The Board discussed the stairway leading to the publicly accessible plaza on Republican St. to the private, second story outdoor space. The members considered whether it should be light, unimposing structure as proposed and whether it should be gated at the bottom or at the top. The Board concluded that the proposed delicate stairway is appropriate and it directed that the public

should be able to access it to view the area below or sit on a sunny day. A gate at the top could prevent public access further into the site.

The Board endorsed the specific building form and design details including: the materials, the fins, grills, and “Juliet” balconies with translucent panels. All of the elements were directed to remain in the completed project.

The Board considered the building lights under the “floating” façade element on the south wall and stated they need to be located so they do not disturb residents in the building. It indicated that building façade lighting should be directed and/or shielded so as to avoid causing light and glare entering residential units in the building.

The Board indicated that the sculpture and “field of green” in the curb bulb-like element marking the location of the alley in the block to the south should remain in the project as constructed.

The Board stated the dog run at ground level should be separated from the property line by a landscaped area which is outside the fenced area and which functions to contain rainwater from the dog run and drains it in a manner compliant to the Seattle Stormwater and Drainage Code.

The Board made a request of the developer to provide some three bedroom units in the constructed project to accommodate families.

Development Standard Departure

One development standard departure was requested – a departure from the SMC 23.48.024.A.2.

The Land Use Code requires certain setback areas (SMC 23.84.014.D.1). The Code requirement from which the departure was requested (SMC 23.48.042.A.2) provides that those setback areas shall be landscaped, and that features such as pedestrian access, decorative pavers, sculptures or fountains may cover a maximum of 30% of that required landscape area.

The applicant proposed to limit the landscaping materials in the setback area to 22%, with the rest being hardscape. A large Specimen Japanese Maple would be provided in the plaza area. Additional landscaping would also be provided at Levels 2, 7, and on the sloping roof up from Level 7.

The rationale for the departure is that it would enable the project to better meet the guidelines related to the pedestrian experience (e.g., A-4 and D-1). The Board requested additional plaza space in order to enhance the pedestrian experience. The large tree is an important element in making the plaza work, providing the effect of a landscaped plaza setback with less square foot of landscape.

The Board recommended approval of this development standard departure.

Board Recommendation and Conditions

The Board **recommended approval** of the project design and of the requested **departure** the requested **design departure** with the following recommended **conditions**:

1. The proposed, delicate looking, stairway is appropriate. The public should be able to access it to view the area below or sit on a sunny day. A gate at the top could prevent public access further into the site.
2. The applicant should build the specific building form and design details shown, including: the materials, the fins, grills, and balconies with translucent panels. All of the elements should remain in the completed project.
3. Building façade lighting should be directed and/or shielded so as to avoid causing light and glare entering residential units in the building.
4. The sculpture and “field of green” in the curb bulb-like element marking the location of the alley in the block to the south should remain in the project as constructed.
5. The dog run at ground level should be separated from the property line by a landscaped area, functioning to contain rainwater from the dog run and draining it away in a manner compliant with the Seattle Stormwater and Drainage Code.

The Board indicated these conditions could be approved by the project planner and incorporated into the Master Use Permit plans prior to Master Use Permit issuance.

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. In addition, the Director is bound by any condition where there was consensus by the Board and agrees with the conditions recommended by four Board members and the recommendation to approve the design, as stated above.

The conditions and the development standard departure approved by the Board will be incorporated into this Decision

DECISION - DESIGN REVIEW

Therefore, the proposed design as presented at the February 13, 2008 Design Review Board meeting is **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) at Chapter 43.21C RCW, the SEPA Rules at Chapter 197-11 WAC, and the Seattle SEPA Ordinance at Chapter 25.05 SMC.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant on September 20, 2011, and annotated by the Department. The information in the checklist, the supplemental information submitted by the applicant including the transportation impacts memorandum dated November 15, 2011, from Transportation Engineering NorthWest, LLC, and the experience of the lead agency with review of similar projects forms the basis for this analysis and decision.

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

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: “*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,*” subject to some limitations. Under specific circumstances (SMC 25.05.665 D 1-7) mitigation can be required.

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

Short-Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, increased vibration levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction-related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as the Noise Ordinance, the Stormwater

Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. Additionally, due to the temporary nature and limited scope of these impacts, they are not considered significant per SMC 25.05.794. The following is an analysis of construction-related noise, vibration, drainage, earth, grading, traffic and parking impacts as well as mitigation.

Air Quality

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

- *During demolition, excavation and construction, water down debris and exposed areas as needed to control dust; and monitor truck loads and routes to minimize dust-related impacts.*
- *Use well-maintained equipment and avoid prolonged periods of vehicle idling to help reduce emissions from construction equipment and construction-related trucks.*

Noise

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

Vibration

Although the project is expected to generate vibration impacts during certain portions of the construction process including demolition, placement of any piles, and grading, it is not expected that these vibration levels will exceed the levels typically involved with a construction activity of this nature, nor is it expected that such vibration levels will have significant adverse impacts on the environment. If it is necessary in the construction process to place pilings, the piles should be placed using auger drilling techniques rather than pile driving.

Earth/Grading

Excavation to construct the below-grade parking for the proposal will be necessary. Approximately 44,830 cubic yards of soil and existing material will be removed from the site, which could create potential earth-related impacts. Compliance with the Stormwater, Grading, and Drainage Control Code (SMC 22.800) will require the proponent to identify a legal disposal site for excavation and demolition debris prior to commencement of demolition/construction.

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

According to the geotechnical study, on-site groundwater levels were encountered at depths of 42 to 47 feet below grade. Perched groundwater was observed in previous borings within the glacially consolidated soils at the site, so some dewatering may be necessary during construction. Generally, however, the static water table is expected to remain below the bottom of the building basement floor slab. A drainage control plan, including a temporary erosion and sedimentation control plan will be required with the building permit application. In addition, a Shoring and Excavation Permit will be required by the Seattle Department of Transportation prior to issuance of a building permit.

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

Construction-Related Traffic and Parking

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

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

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

Long-term Impacts

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

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

Historic

The Landmarks Preservation Board has designated the Supply Laundry Building, which is located just to the south of the site at 1265 Republican St., as a Seattle Landmark. The Department of Neighborhoods reviewed the proposal and did not identify any impacts to the Supply Laundry Building (Reference # LPB 123\12).

There are a number of other designated Seattle Landmark buildings in the vicinity of the project – most notably the St. Spiridon Cathedral (1941) located to the southeast of the project at 400 Yale Ave. N. Other Seattle Landmarks in the general vicinity of the site include:

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

In addition, numerous older buildings exist in the South Lake Union area and may be eligible for consideration as historic resources. The project is not expected to have an adverse impact on any of these structures; and the design of the project does not adversely impact public views of the Supply Laundry Building or the St. Spiridon Cathedral.

The structures on the project site or just north of the project have no known historic significance.

Archaeological

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

Due to the potential for encountering archaeological deposits during project construction, a condition to ensure protection of archaeological resources in the event of an inadvertent discovery associated with the project is appropriate. If such resources are encountered, the following measures would apply:

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

The project should not have any significant adverse impacts on archaeological resources.

Traffic, Transportation, and Parking

Transportation Engineering NorthWest, LLC, completed a traffic study for the project which was submitted to the City as part of the application and review process. That study was based on up to 175 apartment units and 6,500 sq. ft. of retail (more retail than is currently proposed), so the results are conservative.

The project proposes minor changes to adjacent streets as part of site development. The applicant is coordinating with SPU with respect to location of bioswale projects in the area. Curb bulbs will be provided on the two south corners of the site.

In its analysis, transportation consultant estimated that the overall project would generate approximately 993 daily vehicle trips, with 48 total AM peak hour trips and 81 total PM peak hour trips.

The project will include 210 parking spaces. This is expected to provide parking sufficient to meet its peak demand and no parking impacts are expected.

Transportation concurrency was evaluated for the earlier Yale Campus Master Use Permit proposal, which was a much denser project proposed previously for the entire block. The calculated v/c ratios for the relevant screenlines were determined to remain below the adopted Level of Service standard for that proposal. Therefore, the proposed project, which is less dense, was determined to meet the City of Seattle concurrency requirements.

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

Expected traffic impacts (as mitigated through the voluntary contribution discussed below) and parking impacts of the proposal are not considered significant and while present are considered

to be consistent with the density of uses envisioned for an urban center context. No SEPA-based conditioning of traffic or parking impacts is imposed.

Transportation Mitigation

In July 2004, the Seattle Department of Transportation completed the South Lake Union Transportation Study with the help of consultants Parsons Brinckerhoff and Enviroissues. The study recommended a package of transportation improvements for the South Lake Union area which has broad support from a diverse group of neighborhood, business and community representatives. The improvements include a two-way Mercer Street, a narrower Valley Street, a streetcar, and a number of transit, pedestrian and bicycle measures. These improvements are intended to reconnect the South Lake Union area to the city, untangle streets that create barriers in the middle of the city, improve mobility, promote alternatives to single-occupant-vehicles, and continue a smooth flow of freight and people through the area.

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

DPD has considered the share of the transportation improvement costs that should be borne by this project. A portion of the improvement costs is attributable to existing deficiencies and must be funded with resources other than private developer mitigation payments. This project should bear its fair share of the remaining costs, based on the expected trip generation. Based on DPD's analysis of costs and allocation to this project, a payment of \$52,811.00 is appropriate for traffic impact mitigation. That mitigation payment may be made prior to issuance of construction permits.

Plants/Animals

Existing vegetation on the site is very limited and 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.

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

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

Carbon Footprint/Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Height, Bulk and Scale

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

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

Public Services and Utilities

The change of use, increase in development on the site, and type of development (office and retail) are expected to result in an increased demand for public services. There are no existing deficiencies in needed services or utilities to the site. The project would comply with applicable codes and requirements of the Seattle Fire Department for fire protection and fire suppression, to be reviewed at the time of building permit application. All exterior entrances to the building would be well-lit and appropriately secured. 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 surface parking and a vacant, two-story commercial building of approximately 4,000 sq. ft. With the redevelopment proposal, the site would be redeveloped into a residential building with ground-floor retail uses. The land use of the site would thus be changed with the proposal.

The proposed project is compatible with surrounding uses and is located in an area of Seattle Mixed zoning. The site itself is zoned Seattle Mixed/Residential (SM/R 55/75). The

redevelopment proposal is consistent with the SM/R 55/75 zoning of the property. Residential and retail uses are permitted outright in the SM/R 55/75 zone. The proposal complies with development standards applicable to mixed use and office/retail development within the SM/R 55/75 zone, with one design departure approved during the Design Review process.

The City of Seattle Comprehensive Plan designates the site as a Commercial Area and it is located in the South Lake Union Urban Center. The proposed mixed use development is consistent with that Comprehensive Plan designation.

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

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

The proposal conforms to the above-stated goals and policies.

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

Summary

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

DECISION - SEPA

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

[X] Mitigated Determination of Non-Significance. This proposal as conditioned has been determined to not have a significant adverse impact upon the environment. An EIS is not required under SMC 25.05.350.

CONDITIONS

SEPA CONDITIONS

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

Prior to Issuance of Demolition, Grading, or Construction Permits

1. Prior to issuance of a construction permit, the contractor shall provide a construction traffic plan to DPD for review and approval. Site work shall be conducted in a manner that would minimize interference with vehicular, pedestrian, and other non-motorized forms of circulation.

During Construction

2. 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.
3. To minimize on-street parking impacts in the project vicinity due to construction, the applicant will require its contractors to provide off-street parking for construction workers sufficient to reasonably mitigate parking impacts to the surrounding neighborhood.
4. Comply with the limitations contained in the approved construction-phase transportation plan.

5. Debris and exposed areas shall be sprinkled/watered as necessary to control dust; and truck loads and routes shall be monitored to minimize dust-related impacts.
6. Use well-maintained equipment to reduce emissions from construction equipment and construction-related trucks and avoid prolonged periods of vehicle idling.
7. Trucking building materials to and from the project site shall be scheduled and coordinated to minimize congestion during peak travel times associated with adjacent roadways.
8. If archaeological resources are inadvertently encountered during construction: work that 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 Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAHP) would be contacted; and regulations would be adhered to pertaining to discovery and excavation of archaeological resources, including but not limited to, Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25-48 WAC, as applicable or as revised.

Prior to Issuance of Construction Permit

9. The applicant shall pay a transportation mitigation fee of \$52,811.00.

DESIGN REVIEW CONDITIONS

Prior to Issuance of a Construction Permit

10. The proposed, delicate looking, stairway shall be incorporated into the building. A gate at the top could be used to prevent public access further into the site.
11. The applicant shall build the specific building form and design details shown, including: the materials, the fins, grills, and balconies with translucent panels. All of the elements shall remain in the completed project.
12. Building façade lighting shall be directed and/or shielded so as to avoid causing light and glare entering residential units in the building.
13. The sculpture and “field of green” in the curb bulb-like element marking the location of the alley in the block to the south shall remain in the project as constructed.
14. The dog run at ground level shall be separated from the property line by a landscaped area, functioning to contain rainwater from the dog run and draining it away in a manner compliant with the Seattle Stormwater and Drainage Code.

During Construction

15. 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.

Prior to Certificate of Occupancy

16. 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.
17. An appointment with the assigned Land Use Planner must be made at least three working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance with Design Review conditions has been achieved.
18. 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.

Signature: _____ (signature on file) Date: May 10, 2012
Scott Kemp, Senior Land Use Planner
Department of Planning and Development
Land Use Services

SK:bg

H:kemp\doc\3012256 MUP Decision.doc