



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: 3012675
Applicant Name: Paul Klansnic of Touchstone Development
Address of Proposal: 307 Fairview Avenue North

SUMMARY OF PROPOSAL

Land Use Application to allow two office towers (one, 12-story and one, 13-story, 800,000 sq. ft.) with 4,000 sq. ft. of retail at street level. Parking for up to 1,120 vehicles will be provided below grade. Review includes demolition of 85,000 sq. ft. of existing structures. The facades of the two existing structures are proposed to remain.

The following approvals are required:

Design Review – Chapter 23.41 Seattle Municipal Code.

Development Standard Departure to exceed the maximum façade modulation.
(SMC 23.48.013.D)

Development Standard Departure to exceed the maximum setback on Class 2
Pedestrian Streets. (SMC 23.48.014.A.3.a)

Development Standard Departure to allow smaller than the minimum size loading
berths. (SMC 23.48.035.A)

Development Standard Departure to exceed the maximum square feet per floor.
(SMC 23.48.013.B)

Development Standard Departure to allow less than the required amount of
transparency. (SMC 23.48.014.D.1.a)

Development Standard Departure to exceed the maximum amount of blank
facades on Class 2 and Green Streets. (SMC 23.48.014.D.2.a)

Development Standard Departure to allow more than the maximum number of curb cuts. (SMC 23.54.030.F)

Development Standard Departure to locate the building entries more than 3' above or below grade (SMC 23.48.014.A.1)

Development Standard Departure to allow less than the minimum façade height. (SMC 23.48.010)

Development Standard Departure to allow less than the minimum landscaped open space at grade. (SMC 23.48.013.F.4.c)

Development Standard Departure to allow less than the minimum amount of landscaping in setback areas. (SMC 23.48.024.B.2)

Special Exception to Exceed Maximum Parking – Chapter 23.48.032 Seattle Municipal Code.

SEPA – Environmental Determination – Chapter 25.05 Seattle Municipal Code.

SEPA DETERMINATION: Exempt DNS MDNS EIS

MDNS with conditions

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

Site:

Site Zone: SM 160/85-240

Nearby Zones: (North) SM 160/85-240
(South) SM 160/85-240
(East) SM 160/85-240
(West) SM 160/85-240

Lot Area: 109,129 square feet

Current Development

The site includes the Troy Laundry Building (a designated historic landmark), Boren Investment Building (a designated historic landmark), surface parking, and structured parking.

Existing vehicular access is via curb cuts from the street frontages.



Surrounding Development and Neighborhood Character

Nearby development includes a wide range of uses including older 1-3 story residential and industrial/commercial uses, newer multi-story office and residential uses, and historic landmarks. Recreational opportunities include Lake Union a few blocks to the north and Cascade Playground one block to the east. The area offers frequent transit service, including the Streetcar two blocks to the west and several nearby bus routes.

PUBLIC COMMENT:

The public comment period ended on January 9, 2013. A notice of revised application was added, and included a public comment period that ended on July 3, 2013. Comments were received in response to the proposal, and are available for viewing in the DPD MUP file.

I. ANALYSIS – DESIGN REVIEW

EARLY DESIGN GUIDANCE MEETING: November 16, 2011

The EDG packet includes materials presented at the EDG meeting, and is available online by entering the project number at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

or contacting the Public Resource Center at DPD:

Address: Public Resource Center
700 Fifth Ave., Suite 2000
Seattle, WA 98124

Email: PRC@seattle.gov

PUBLIC COMMENT

Approximately 7 members of the public attended this Early Design Review meeting. The following comments, issues and concerns were raised:

- The EDG presentation lacked discussion of neighborhood context; 3-D modeling is needed in comparison with existing development within 3-4 blocks
- The Floor Area Ratio of 7 is a limit, not a guarantee
- Height bulk and scale (Guideline B-1) is particularly important in providing a transition from 160' to IC-65 and IC-85
- Concerns with the proposed garage exits in relation to traffic patterns; internal garage queuing may be needed
- Presentation should have better explained the development standards of the zone
- Unclear if departures are the same for all the alternatives
- Solar studies are unclear regarding building overhangs or deck shadows

SECOND EARLY DESIGN GUIDANCE MEETING: November 7, 2012

The EDG packet includes materials presented at the EDG meeting, and is available online by entering the project number (3012675) at this website:

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The applicant noted that the proposed contract rezone and design is intended to be consistent with the proposed legislative (City-sponsored) South Lake Union rezone. Harrison Street is anticipated to be designated a Green Street as part of the South Lake Union changes. The proposed development has been designed in response to the proposed South Lake Union changes.

The applicant explained that the Boren Investments Building has been designated as an historic landmark since the last EDG meeting. The proposed design intent for this development would integrate the landmark buildings with the new construction, using scalar techniques.

The preferred alternative at the previous EDG meeting showed two faceted new buildings, facing diagonally across the site with a direct visual connection through the site. The preferred massing option now includes two L-shaped upper towers facing into the site, creating an interlocked massing scheme.

The applicant noted that they have taken this new preferred massing option to the Architectural Review Committee (ARC) related to the review of impacts to the landmarks on site. The ARC was supportive of the proposed massing as a response to the context of the historic landmarks, and the proposal to set the upper additions approximately 15' back from the historic landmarks. However, the ARC had suggestions for the treatment of mass at the corners, in relation to the landmark buildings.

The design concept for the proposed new development is to provide one type of 'skin' on the street facing facades and the facades that wrap into the mid-block connection, and provide a different treatment on the courtyard-facing facades. This concept would be used on both the historic landmarks and the upper mass.

The overall design parti consists of a strong horizontal expression to reference the horizontal datum lines in the historic structures. The lower areas of the new construction would include darker horizontal bands alternating with glazed horizontal bands. The upper areas would continue the pattern, but with lighter bands and glazed bands. The solid bands may be metal

panels or fritted glass. A ‘zipper’ of glass would follow the datum line of the historic landmarks and the grade, and would separate the historic buildings from the new upper building mass.

The applicant clarified that the entry points to the mid-block connection would include gates for potentially securing the site at night, if it proves necessary. The intent is to keep the connection open 24/7.

The applicant described an exceptional birch tree that is proposed for removal. The tree is adjacent to the north property line. The street trees would be retained at the edges, with potential pruning to open views to the historic structures.

All the parking and loading would be below grade and accessed from a curb cut at Harrison St.

PUBLIC COMMENT

No public comment was offered at the meeting.

INITIAL RECOMMENDATION MEETING: May 8, 2013

The initial recommendation packet includes materials presented at the meeting and is available online by entering the project number (3012675) at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

or contacting the Public Resource Center at DPD:

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The applicant explained that the design response to the EDG includes glazed internal corners of the towers. The glazed internal corners are set back 4-5’ from the adjacent façade, with the intent of creating additional light and views through the site. The gap will create a view of approximately 7’ – 12’ between the internal corners of the building. The design parti is a “jacket” with varied bands of glass frit facades at the exterior, glazed internal corners, and a different façade treatment on the interior of the site.

The only retail currently planned at the site is an area of the Troy Laundry Building façade on Thomas St. The applicant noted that the Boren Investment Building could potentially include retail or an office tenant. However, the design of the Boren Investment Building includes a floor height that is elevated above the sidewalk at the northwest corner, which included loading docks for the original building tenants. The elevated floor makes retail uses challenging at this corner.

The on-street parking currently on Thomas Street will be removed, consistent with the Green Street plan for this street.

PUBLIC COMMENT

Comments included the following:

- The proposal is large and complex, and includes two historic landmarks.
- The departures are significant and the Board should carefully consider how the resulting design will impact the public.
- The massing and street level design will result in the appearance of a single building, as viewed from most of the adjacent right of way.
- The open space in the courtyard should be public.
- Thomas Street is planned as a green street. The proposal should be consistent with that plan.
- The Floor Area Ratio (FAR) is a maximum, not a guarantee. The site is difficult and the development should not necessarily maximize the FAR if it results in negative impacts.
- The original timbers in the Boren Investment building are more interesting than the brick façade, and the timbers should be retained. If the brick were removed and the timbers were retained, it could allow additional glass storefronts at the northwest corner.
- The tree species should be chosen to prevent root heave in the sidewalks.

FINAL RECOMMENDATION MEETING: June 26, 2013

The recommendation packet includes materials presented at the meeting and is available online by entering the project number (3012675) at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

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The applicant noted that the proposed separation between towers has been increased from 7' at the Initial Recommendation meeting to 16'10." The additional separation is intended to provide additional views through the site, and create the appearance of two structures rather than the impression of a single block development.

Other modifications to the design include:

- Facades that protrude above the entry bays;
- Fritted glass areas have been pulled back from the corners and the separation between towers and replaced with clear glazing;
- A vertical strip of clear glazing framed with an aluminum fin has been inserted into the fritted glass façade at each street frontage;

The applicant noted that the fritted glass is composed of different gradients in 30' modules, with the intent of creating visual interest and reducing the scale of the buildings.

The applicant noted that the Initial Recommendation meeting didn't include graphics demonstrating the design of the mid-block connection entry point from the Troy Laundry building at Thomas Street. Graphics were provided in the Final Recommendation packet, and the applicant explained that this entry would include a canopy with a wood soffit that extends from inside the building to the public right of way. Paving treatment would be consistent from inside the Troy Laundry Building to the sidewalk, with the intent of emphasizing the public entry.

In response to the Initial Recommendation meeting, the applicant noted changes to the design of the building entries. The perforated metal panels proposed at the building entries would be designed by an artist, based on the concept of using perforations to create images that reference South Lake Union history. Additional seating and landscaping are also proposed at the building entries.

PUBLIC COMMENT

Comments included the following:

- The separation between buildings is small compared to the 400' dimension on each street frontage, and will result in minimal views through the site.
- The two buildings are designed to look like a single building, rather than the Board's direction to design the two buildings to appear different from each other.
- The departures relate to the increased floor area of the development. The departures should be based on an improved design. The upper levels protrude over the courtyard which will create an unused plaza.
- The curb cut is located on a very busy pedestrian street. The 3 lane curb cut will create risk to pedestrians and shouldn't be permitted just to avoid queuing within the parking garage.
- Harrison is designated as a bike route in the South Lake Union plans. The number of bicycle parking spaces is minimal and should be increased.
- The garage entry shouldn't be located on Harrison St.
- The proposed development relates well to the historic buildings.
- The design of the mid-block connection entry at Thomas Street is a positive aspect of the design.
- The use of the fritted glass and zipper softens the appearance and creates an interesting transition between the upper and lower portions of the building.
- The entries are prominent and visible, which is a positive aspect of the design.

PRIORITIES & BOARD RECOMMENDATIONS

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 siting and design guidance.

EARLY DESIGN GUIDANCE (NOVEMBER 16, 2011):

1. The Board was generally supportive of the preferred massing scheme (Alternative 3), with the guidance listed below.
2. Massing and Context. The applicant should provide additional information and a response to the following guidance at the next EDG meeting:
 - a. Clarify the proposed solar/shadow impacts, especially at the NE corner and on the site across the street to the north. Indicate how the proposed design will minimize those impacts. Arrange the massing to retain sun during times of high usage (ex. Lunch time for office uses).
 - b. Clarify massing impacts, especially to the northeast.
 - c. Erode the massing at the northeast corner to reduce impacts.
 - d. Hold the tower away from the historic buildings.
 - e. Provide information indicating how the proposed massing will respond to the Fairview Ave N street edge.
 - f. Provide information indicating how the proposed design will step down with topography at the north edge.
 - g. Provide conceptual information about how the existing historic materials and the proposed new materials will be handled in a cohesive site design.
 - h. Due to the size of the site and complexity of the massing, provide a physical model to demonstrate the proposed massing in relationship to the existing and adjacent structures.
 - i. Provide several pedestrian level perspective graphics from various points at the edges and interior of the site.
 - j. The Board was supportive of the use of 304 Boren and the applicant's acknowledgement of historic buildings. The Board advised the applicant to seek expertise from an adaptive reuse expert to adequately integrate the landmarks with the proposed structures.
3. The Board indicated that the massing should shift to the southwest on the site, in order to reduce shadow and bulk and scale impacts to Fairview Ave N and to the northeast.
4. Street Level Development. The applicant should provide additional information and a response to the following guidance at the next EDG meeting:
 - a. Areas of proposed transparency and solid materials
 - b. Building entries' design and details
 - c. Pedestrian circulation patterns
 - d. Indicate uses at street level (office entry, lobby, retail, garage entry, etc.).
 - e. Clarify areas that are intended for the public (the Troy Laundry building should clearly be designed to be open to the public).
 - f. Conceptually indicate how the design would respond to the Green Street designation at Thomas St. This street frontage should include a high degree of transparency.
5. The applicant should provide information about any proposed phased construction, in order to understand how portions of the site may relate to the Guidelines between phases of development.
 - a. The Board noted that construction of the south tower first would be the best option for scale transition and solar impacts.

- b. The applicant should demonstrate how the second building site would be treated in the lag between phases of construction.
6. Provide graphics indicating the conceptual design of the courtyard.
 - a. Indicate how the courtyard would be activated.
 - b. Indicate how the courtyard activity would be linked to activity at the sidewalks.
 - c. Indicate how the courtyard would be visually linked with other areas of the site and through the site.
 - d. Transparency should wrap the southwest corner into the courtyard.

SECOND EARLY DESIGN GUIDANCE (NOVEMBER 7, 2012):

1. Massing:

- a. The upper masses should be designed to avoid the appearance of a single superblock mass.
 - i. The Board suggested rearranging the two buildings to provide additional views of daylight across the site. The proposed new building masses could shift to respond to the landmarks, and also provide more directly visible openings between the upper masses. (A-1, A-2, A-4, B-1, C-1, C-2, D-7)
 - ii. If the buildings are not rearranged, at a minimum the corners of the upper masses facing the courtyard should be glazed or treated to maximize daylight through the site and enhance the appearance of two different buildings. The Board noted that the left hand sketch on page 25 of the packet demonstrates this concept. (A-2, B-1, C-1, C-2)
 - iii. Regardless of massing, the two buildings should be designed to be visually distinct, while creating a related design concept for the entire site. The Board noted that one strategy would be to reference the different color and scale of each historic building in the new building above the related historic landmark. (B-1, C-1, C-2, C-3, C-4)
 - iv. The new buildings should be designed with a scale that relates to both the horizontal and the vertical scale of the historic structures below. The Board suggested referencing the historic structure bay widths is one strategy to meet this guidance. (B-1, C-1, C-2, C-3, C-4)
- b. The glazed 'zipper' should be enhanced to strengthen the upper building mass design intent and distinction from the historic buildings. (C-1, C-2, C-4)
 - i. The Board noted that one strategy to meet this guidance could be an additional street level setback at the northeast corner, similar to the setback between the zipper and upper mass at the courtyard.

2. Entries:

- a. The building entries should be enhanced in the proposed new portions of the building. (A-2, A-3, C-2, D-1)

- b. The northeast corner may offer an opportunity for a primary entry. (A-2, A-3, A-10, C-2)
3. **Streetscape Compatibility and Context:**
- a. The proposed design should respond to the Harrison Street “heart location” in the Design Review Guidelines and the proposed development across Harrison Street to the north. (For “heart location” guideline statements, see pages 8-9 of the South Lake Union Design Guidelines). (A-1, A-2, A-8, A-10, C-1, C-5, D-2, D-6, D-10, D-11, E-1)
 - b. The site should include opportunities for passenger loading/unloading, and the street level treatment should respond to the context and uses at each street frontage. The Board suggested that Thomas Street should include opportunities for on-street passenger load/unload areas, and Boren Ave may be a more appropriate street for rain gardens. (A-2, A-4, A-8, E-1, E-2, E-3)

INITIAL RECOMMENDATIONS (MAY 8, 2013):

1. **Massing:** The massing and design response indicates a full block building that holds a continuous horizontal line at the floor plates and roofline, with a consistent architectural expression including minimal modulation and articulation. The Board noted that the proposed design does not appear to respond sufficiently to the EDG. (A-1, A-2, A-4, B-1, C-1, C-2, C-3, C-4)
 - a. The view through the courtyard doesn’t provide the visual separation as directed by the Board at the Second EDG meeting. The internal corners should be set back further or chamfered to increase the appearance of separation between the buildings. The Board noted that the glazing and stepped back façade at the internal corners is a positive direction, but the massing and treatment doesn’t provide a sufficient response to EDG. (A-1, A-2, A-4, B-1, C-1, C-2, C-3)
 - b. The glazed “zipper” creates visual interest, especially on the sloping street frontages, but it doesn’t serve to reduce the appearance of upper building mass on the north, east, and south facades. (A-2, A-4, B-1, C-1, C-2, C-3, C-4)
 - c. The Board appreciated the articulation indicating the entries at the northeast and southwest corners. However, the Board directed the applicant to further develop the articulation to both enhance the entries and reduce the scale of the north, east, and south facades. (A-2, A-3, B-1, C-2, D-1)
 - d. The applicant should provide studies showing alternate design techniques and massing changes to reduce the scale of the north, east, and south facades. Possible treatments include texture, modulation, color, material change, interrupting the continuous horizontal banding. The Board noted that the solutions should respond to the design parti and concept, but should result in a reduction of scale to the north, east and west facades. (A-2, A-3, B-1, C-1, C-2, C-3, C-4)
 - e. The Board appreciated the following aspects of the exterior façade design: the upper building response to the Boren Investment Building at the west façade, the design of the ‘zipper’ as a response to the historic landmark buildings on the

sloped street frontages, the use of different colors of glass frit to respond to the existing brick colors, and the courtyard entry break in the massing at the west façade.

2. Entries:

- a. The Board appreciated the use of reveals above the entry and recessed facades at the entry. (A-2, A-3, C-2, D-1)
- b. The Board indicated support for the departure for transparency and blank walls to allow the use of perforated metal panels at entries, provided that the perforated panels are designed to create visual interest and human scale. The applicant should demonstrate creative use of the perforated metal panels, as well as possible benches and landscaping to soften the use of this panel and create human scale and visual interest at the entries. (A-3, C-2, C-3, D-1, E-2)

3. Streetscape Compatibility and Context:

- a. The Board noted that the design of the public spaces around the building, relocating the entries to the corners, and the design of the courtyard are positive responses to EDG. (A-2, A-4, D-1, E-1, E-2, E-3)
- b. The Board noted that the inclusion of on-street short term (3 minute) parking on Boren is an important aspect of the site planning and design. (A-2, A-8, A-10, D-7)
- c. The mid-block connection through the site is great, but it's not evident from the Troy Building. The mid-block connection should be designed to be obviously public and visible from the public right of way. (A-2, D-1, E-3)

FINAL RECOMMENDATIONS (JUNE 26, 2013):

1. **Massing:** The Board noted that design has improved since the Initial Recommendation, but they struggled with whether the design had changed enough to achieve sufficient reduction in scale, and discussed concerns that the proposed development results in the appearance of a superblock. After some discussion, most of the Board members recommended that the design modifications are a sufficient response to the Initial Recommendations. The Board noted that the proposed modifications to the design are critical in achieving sufficient reduction of mass and scale, and therefore recommended several conditions.
 - a. The Board recommended a condition that the silver aluminum frame around the 'slots' and the vertical silver mullions should be retained, since these areas provide important moves to reduce the scale of the building (B-1, C-1, C-2, C-3, C-4)
 - b. The Board discussed the location of the 'slots' in relation to the proposed design concept and consistency on various facades. The Board expressed concern with the location of the slot on Harrison Street, since it appears unrelated to the historic structure and vertical datum lines. The Board recommended that the design of the 'slots' should align with mullions or vertical datum lines in a consistent manner on all four facades. (B-1, C-2, C-4)

- c. The Board recommended that the design showing the clear glazed building corners facades at the courtyard should be retained, since these areas are important in reducing the scale of the design. The Board further recommended that these areas should be composed entirely of vision glass, or vision glass and spandrel glass that reads as transparent. (B-1, C-2, C-3, C-4)
 - d. The Board discussed the alternative entry corner bay designs shown on page 25 of the packet received June 17, 2013 (mailed to the Board members). This page was not included in the packet distributed at the Final Recommendation meeting. The Board recommended a condition that the design labeled “Current” on page 25 of the June 17, 2013 packet is the design recommended by the Board. The Alternate A and Alternate B images are not recommended by the Board since they don’t include sufficient reduction in mass and scale. The applicant’s proposed design is based on the “Current” image. (A-3, A-10, B-1, C-1, C-2, C-3, C-4)
 - e. The Board recommended that the proposed variation in frit pattern in 30’ modules, and the variety of these modules shown in the Final Recommendation packet should be retained, since this variation is an important aspect of reducing the scale of the design. (B-1, C-1, C-2, C-3, C-4)
2. **Entries:**
- a. The Board recommended that the design of the perforated panels include a graphic art element that maintains the appearance of transparency, since this is an important aspect of creating human scale and visual interest at the proposed entry. This aspect of the design also relates to the transparency departure. (A-1, A-2, A-3, C-2, C-3, D-1, E-2)
3. **Streetscape Compatibility and Context:**
- a. The Board noted that the proposed mid-block connection entry point at Thomas Street responds sufficiently to the Design Review Guidelines. The Board recommended a condition to design the wood canopy, paving treatment, signage, and lighting to visually enhance this public entry. The Board noted that aspects of this design are also subject to Certificate of Approval review by the Landmarks Board, since the entry is located at the Troy Laundry building façade. (A-2, A-3, D-1, D-10, D-11, E-3)
 - b. The Board noted that 40 proposed bicycle parking spaces are minimal for this size of development and the property location on a bicycle corridor. The Board recommended a condition to provide additional bicycle parking on Harrison St, to enhance the streetscape usability and design. The Board noted that this relates to the proposed departure for more than the maximum hardscaping in the proposed open space on site. (A-1, A-2, A-4)

DESIGN REVIEW GUIDELINES

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 siting and design guidance. The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

The Neighborhood specific guidelines are summarized below. For the full text please visit the [Design Review website](#).

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 natural features.

SLU-specific supplemental guidance:

- Encourage provision of “outlooks and overlooks” for the public to view the lake and cityscapes. Examples include provision of public plazas and/or other public open spaces and changing the form or facade setbacks of the building to enhance opportunities for views.
- Minimize shadow impacts to Cascade Park.
- New development is encouraged to take advantage of site configuration to accomplish sustainability goals. The Board is generally willing to recommend departures from development standards if they are needed to achieve sustainable design. Refer to the Leadership in Energy and Environmental Design*(LEED) manual which provides additional information. Examples include:
 - Solar orientation
 - Storm water run-off, detention and filtration systems
 - Sustainable landscaping
 - Versatile building design for entire building life cycle

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

SLU-specific supplemental guidance:

The vision for street level uses in South Lake Union is a completed network of sidewalks that successfully accommodate pedestrians. Streetscape compatibility is a high priority of the neighborhood with redevelopment. Sidewalk-related spaces should appear safe, welcoming and open to the general public.

- Provide pedestrian-friendly streetscape amenities, such as: tree grates; benches; lighting.
- Encourage provision of spaces for street level uses that vary in size, width, and depth. Encourage the use of awnings and weather protection along street fronts to enhance the pedestrian environment.
- Where appropriate, consider a reduction in the required amount of commercial and retail space at the ground level, such as in transition zones between commercial and residential areas. Place retail in areas that are conducive to the use and will be successful.
- Where appropriate, configure retail space so that it can spill-out onto the sidewalk (retaining six feet for pedestrian movement, where the sidewalk is sufficiently wide).

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

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

SLU-specific supplemental guidance:

- Create graceful transitions at the streetscape level between the public and private uses.
- Keep neighborhood connections open, and discourage closed campuses.
- Design facades to encourage activity to spill out from business onto the sidewalk, and vice-versa.
- Reinforce pedestrian connections both within the neighborhood and to other adjacent neighborhoods. Transportation infrastructure should be designed with adjacent sidewalks, as development occurs to enhance pedestrian connectivity.
- Reinforce retail concentrations with compatible spaces that encourage pedestrian activity.
- Create businesses and community activity clusters through co-location of retail and pedestrian uses as well as other high pedestrian traffic opportunities.
- Design for a network of safe and well-lit connections to encourage human activity and link existing high activity areas.

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.

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

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 anticipated development potential of the adjacent zones.

SLU-specific supplemental guidance:

- Address both the pedestrian and auto experience through building placement, scale and details with specific attention to regional transportation corridors such as Mercer, Aurora, Fairview and Westlake. These locations, pending changes in traffic patterns, may evolve with transportation improvements.
- Encourage stepping back an elevation at upper levels for development taller than 55 feet to take advantage of views and increase sunlight at street level. Where stepping back upper floors is not practical or appropriate other design considerations may be considered, such as modulations or separations between structures.
- Relate proportions of buildings to the width and scale of the street.

- Articulate the building facades vertically or horizontally in intervals that relate to the existing structures or existing pattern of development in the vicinity.
- Consider using architectural features to reduce building scale such as: landscaping; trellis; complementary materials; detailing; accent trim.

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.

SLU-specific supplemental guidance:

- Support the existing fine-grained character of the neighborhood with a mix of building styles.
- Re-use and preserve important buildings and landmarks when possible.
- Expose historic signs and vintage advertising on buildings where possible.
- Respond to the history and character in the adjacent vicinity in terms of patterns, style, and scale. Encourage historic character to be revealed and reclaimed, for example through use of community artifacts, and historic materials, forms and textures.
- Respond to the working class, maritime, commercial and industrial character of the Waterfront and Westlake areas. Examples of elements to consider include: window detail patterns; open bay doors; sloped roofs.
- Respond to the unique, grass roots, sustainable character of the Cascade neighborhood. Examples of elements to consider include: community artwork; edible gardens; water filtration systems that serve as pedestrian amenities; gutters that support greenery.

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.

SLU-specific supplemental guidance:

Design the “fifth elevation” — the roofscape — in addition to the streetscape. As this area topographically is a valley, the roofs may be viewed from locations outside the neighborhood such as the freeway and Space Needle. Therefore, views from outside the area as well as from within the neighborhood should be considered, and roof-top elements should be organized to minimize view impacts from the freeway and elevated areas.

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

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.

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.

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.

SLU-specific supplemental guidance:

- New developments are encouraged to work with the Design Review Board and interested citizens to provide features that enhance the public realm, i.e. the transition zone between private property and the public right of way. The Board is generally willing to consider a departure in open space requirements if the project proponent provides an acceptable plan for features such as: curb bulbs adjacent to active retail spaces where they are not interfering with primary corridors that are designated for high levels of traffic flow; pedestrian-oriented street lighting; street furniture.

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.

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.

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

SLU-specific supplemental guidance:

- Enhance public safety throughout the neighborhood to foster 18-hour public activity. Methods to consider are: enhanced pedestrian and street lighting; well-designed public spaces that are defensively designed with clear sight lines and opportunities for eyes on the street; police horse tie-up locations for routine patrols and larger event assistance.

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.

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.

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.

SLU-specific supplemental guidance:

- Support the creation of a hierarchy of passive and active open space within South Lake Union. This may include pooling open space requirements on-site to create larger spaces.
- Encourage landscaping that meets LEED criteria. This is a priority in the Cascade neighborhood.
- Where appropriate, install indigenous trees and plants to improve aesthetics, capture water and create habitat.
- Retain existing, non-intrusive mature trees or replace with large caliper trees.
- Water features are encouraged including natural marsh-like installations.
- Reference the City of Seattle Right Tree Book and the City Light Streetscape Light Standards Manual for appropriate landscaping and lighting options for the area.

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.

SLU-specific supplemental guidance:

- Consider integrating artwork into publicly accessible areas of a building and landscape that evokes a sense of place related to the previous uses of the area. Neighborhood themes may include service industries such as laundries, auto row, floral businesses, photography district, arts district, maritime, etc.

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.

SLU-specific supplemental guidance:

Landscaping should be designed to take advantage of views to waterfront and downtown Seattle.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departures is based upon the departure's potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departures.

- 1. Façade Modulation (SMC 23.48.013.D):** The Code requires a maximum length of 150' for unmodulated facades that are above 65' tall and located within 15' of the street lot line. The Code also requires a maximum length of 120' for unmodulated facades that are above 125' tall and located within 15' of the street lot line. The applicant proposes unmodulated facades that are 135' in length on Harrison Street.

This departure would provide an overall design that would better meet the intent of Design Review Guideline C-2 by locating the modulation in an area of the façade that relates to the datum lines of the historic landmark at the street level (Boren Investment Building).

The Board unanimously recommended that DPD grant the departure, subject to the conditions listed below regarding materials, and the location of the modulation 'slot' on Harrison Street.

- 2. Setbacks (SMC 23.48.014.A.3.a):** The Code requires street-facing facades to be built to the property line for 70% of the façade on Class II Pedestrian Streets, with a maximum setback of 12'. Fairview, Boren, and Harrison are Class II Pedestrian Streets. Thomas St is a Neighborhood Green Street. The applicant proposes to set the building back up 13'7" on Fairview Ave and 11'5" on Boren Ave, in response to the historic landmark buildings at the street level.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines C-1 and C-2 by relating the design concept to the historic landmark structure context.

The Board unanimously recommended that DPD grant the departure.

- 3. Required Parking and Loading (SMC 23.54.035.A):** The Code requires 45' long loading berths for the size and use proposed with this development. The applicant proposes that 3 of the 8 loading berths are 25' long.

This departure would provide an overall design that would better meet the intent of Design Review Guideline D-6 by providing some smaller loading berths and therefore locating all loading berths inside the parking garage.

The Board unanimously recommended that DPD grant the departure.

- 4. Floor Area Size (SMC 23.48.013.B):** The Code requires a maximum floor area of 30,000 square feet for a lot of this size that includes historic landmark structures. The applicant proposes a floor area of 31,500 square feet to provide more open space at the interior pedestrian courtyard level, as opposed to a podium building type with increased building separation at the upper floors.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines D-1, E-1, and E-2 by providing usable pedestrian space and landscaping to enhance the courtyard area.

The Board unanimously recommended that DPD grant the departure, subject to the conditions listed below to reduce the scale of the upper levels of the building.

- 5. Transparency (SMC 23.48.014.D.1.a):** The Code requires a minimum of 60% of the street facing, street level façade to be transparent between 2' and 8' above the sidewalk. Fairview, Boren, and Harrison are Class II Pedestrian Streets. Thomas is a Neighborhood Green Street. The applicant proposes to exempt the historic landmarks and perforated mesh panels at the entries from this calculation. This would result in 2,171 square feet of street level transparency for the entire site (all four street frontages).

This departure would provide an overall design that would better meet the intent of Design Review Guidelines C-1 and C-2 by relating the design concept to the historic landmark structure context and providing artist-designed metal mesh panels at the building entries.

The Board unanimously recommended that DPD grant the departure, subject to condition 7 to include artist-designed mesh panels at the building entries for artistic treatment and transparency.

- 6. Blank Facades (SMC 23.48.014.D.2.a):** The Code requires a minimum of 15' wide blank facades on Class I, II, and Green Streets. Fairview, Boren, and Harrison are Class II Pedestrian Streets. Thomas is a Neighborhood Green Street. The applicant proposes blank facades to accommodate the existing landmark structures (up to 195' long blank facades) and to allow the use of perforated metal panels at the building entries (up to 70'9" long blank facades).

This departure would provide an overall design that would better meet the intent of Design Review Guidelines C-1 and C-2 by relating the design concept to the historic landmark structure context.

The Board unanimously recommended that DPD grant the departure, based on the stated intent to provide vegetated walls at blank wall areas, and subject to condition 7 to include artist-designed mesh panels at the building entries for visual interest and transparency.

- 7. Curb Cuts (SMC 23.54.030.F):** The Code requires a maximum of 2 curb cuts for this size of street frontage. The applicant proposes 3 curb cuts to allow a right out lane, a left out lane, and one lane of incoming traffic at the garage entry on Harrison Street. The applicant stated that the departure is requested to alleviate long queuing inside the parking garage.

The Board unanimously recommended that DPD deny the departure, since it wasn't evident how the proposed departure better met the intent of the Design Review Guidelines. The Board noted that even with the pedestrian island between lanes, the proposed departure

would result in negative design impacts to the pedestrian experience on a busy pedestrian street, and a Heart Location as identified in the South Lake Union Design Guidelines.

8. **Pedestrian Entry (SMC 23.48.014.A.1):** The Code requires that the required primary pedestrian entry shall be no more than 3' above or below the sidewalk grade. The applicant proposes entries that are more than 3' above (northeast entry) and below (southwest entry) the sidewalk grade.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines D-1 and E-2 by providing artistically designed mesh panels at the building entries, as well as the proposed landscaping and seating near the entries.

The Board unanimously recommended that DPD grant the departure, based on the proposal to provide landscaping and seating near the entries, and subject to condition 7 to include artist-designed mesh panels at the building entries for artistic treatment and transparency.

9. **Façade Height (SMC 23.48.010):** The Code requires a minimum façade height of 25'. Due to the sloping site, the façade height at the southwest corner of the site is proposed between 14' and 17' high.

This departure would better meet the intent of Design Guidelines C-1 and C-2 by providing a consistent design concept and response to the historic landmarks on all sides of the proposed development.

The Board unanimously recommended that DPD grant the departure.

10. **Tower Standards (Landscape Requirements) (SMC 23.48.013.F.4.c):** The Code requires landscaped open space to cover at least 15% of the lot area at ground level, for sites with more than one non-residential tower per block. The applicant proposes 10% landscaped areas at grade to provide more paved surfaces and pedestrian furniture in the mid-block pedestrian path.

The applicant also noted that a Type I zoning determination requires input from the Design Review Board regarding sufficient bicycle amenities on site.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines D-1, E-1, and E-2 by providing usable open space areas, subject to the condition to provide additional bicycle spaces on site.

The Board noted that the reduction in landscaping is satisfactory as long as the hardscaped areas provide usable open space that relates to the pedestrian and bicycle plans near the site. The Board discussed the nature of Harrison St as a heavily used pedestrian and bicycle route, and therefore unanimously recommended that DPD grant the departure, subject to the condition 9 listed below, to provide additional bicycle spaces adjacent to Harrison Street.

11. Setback Landscape (SMC 23.48.024.B.2): The Code requires all setback areas be landscaped, with a maximum of 30% of the setback area to be covered in paving, ADA access, sculptures, or fountains. The applicant proposes to place paving and hardscape over 57% of the setbacks.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines D-1, E-1, and E-2 by providing larger caliper trees, pedestrian furnishings, and direct accessible routes to the courtyard.

The Board unanimously recommended that DPD grant the departure, based on the proposed landscape and hardscape design. The Board noted that if future revisions include a reduction in the amount of trees or size of trees in the courtyard, the ADA routes to the courtyard, or the pedestrian furnishings, those reductions would constitute a major design review revision.

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated June 26, 2013, and the materials shown and verbally described by the applicant at the June 26, 2013 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the six Design Review Board members recommended APPROVAL of the subject design and departures, with the following conditions:

1. The silver aluminum frame around the 'slots' and the vertical silver mullions should be retained. (B-1, C-1, C-2, C-3, C-4)
2. The design of the 'slots' should align with mullions or vertical datum lines in a consistent manner on all four facades. (B-1, C-2, C-4)
3. The design showing the clear glazed building corners facades at the courtyard should be retained. (B-1, C-2, C-3, C-4)
4. The clear glazed building corners should be composed entirely of vision glass, or vision glass and spandrel glass that reads as transparent. (B-1, C-2, C-3, C-4)
5. The recommendation for approval is based on the design labeled "Current" on page 25 of the June 17, 2013 packet. (A-3, A-10, B-1, C-1, C-2, C-3, C-4)
6. The proposed variation of frit pattern in 30' modules, and the variety of these modules shown in the Final Recommendation packet should be retained. (B-1, C-1, C-2, C-3, C-4)
7. The perforated panels should be graphically designed by an artist and maintain the appearance of transparency. (A-1, A-2, A-3, C-2, C-3, D-1, E-2)
8. The wood canopy, paving treatment, signage, and lighting should be designed to visually enhance the public mid-block connection entry at Thomas St. (A-2, A-3, D-1, D-10, D-11, E-3)
9. Provide additional bicycle parking on Harrison St. (A-1, A-2, A-4)

Response to Recommended Design Review Condition:

1. The proposal has been modified since the Recommendation meeting, in order to meet some Land Use Code requirements that were identified after the Recommendation meeting. The proposed changes include the silver aluminum frame around the ‘slots,’ with vertical silver mullions. The proposal meets recommended condition #1.
2. The location of the ‘slots’ has been modified as shown in the MUP plan set. The proposal meets recommended condition #2.
3. Recommended condition #3 will be made a condition for the life of the project, as listed at this end of this document.
4. The applicant has demonstrated that the proposed clear glazed corners will be composed of glass that reads as transparent. Recommended condition #4 will be made a condition for the life of the project, as listed at this end of this document.
5. The proposed design is documented in the MUP plan set, consistent with condition #5.
6. Recommended condition #6 will be made a condition for the life of the project, as listed at this end of this document.
7. The applicant has provided DPD with graphics demonstrating the artist’s conceptual design for the graphic panels. The final design will be approved by the DPD Land Use Planner prior to installation. This will be made a condition prior to final certificate of occupancy, as listed at the end of this document.
8. The applicant has provided DPD with graphics demonstrating the design of the canopy, paving treatment, signage, and lighting at the mid-block entry. This entry is located at the historic Troy building façade, and modifications to the façade are subject to Landmarks Preservation Board approval. Additional MUP conditions for this item are not required, since the requirement for Landmarks Preservation Board Certificate of Approval is defined in the Seattle Municipal Code.
9. Additional bicycle parking has been provided on the Harrison Street frontage, as shown in the MUP plan set. The proposal meets recommended condition #9.

DECISION – DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED** subject to the conditions listed below.

II. ANALYSIS – SPECIAL EXCEPTION

SMC 23.40.032 B2 states “*parking for nonresidential uses in excess of the maximum quantity identified in subsection 23.48.032 B1 may be permitted as a special exception... the Director shall consider evidence of parking demand and the availability of alternative means of transportation, including but not limited to the following*”:

- a. *Whether the additional parking will substantially encourage the use of single occupancy vehicles;*

The additional parking is not expected to encourage the use of single occupancy vehicles. Pursuant to SMC 23.48.011 E2, the project will be required to achieve a maximum 40% single-occupant vehicle goal; achieving such a goal will require a thorough and aggressive Transportation Management Program. A typical office building has roughly 4 employees per 1,000 square feet of gross floor area. A parking rate of 1 space/1,000 sf would require three out of four employees to commute by other than a single-occupant vehicle. This would be consistent with, roughly, a 25% SOV rate. It is unlikely at present that even a very aggressive TMP for this project could achieve an SOV rate this low.

- b. *Characteristics of the work force and employee hours, such as multiple shifts that end when transit service is not readily available;*

The project is not expected to have an appreciable number of employees who work shifts that end when transit service is not readily available.

- c. *Proximity of transit lines to the lot and headway times of those lines;*

Traffic modeling performed for the South Lake Union Height and Density EIS incorporated existing and future transit service in the South Lake Union neighborhood. Even so, the EIS predicted that approximately 41% of employees would drive alone and 10% would carpool. Transit service near this site is typical of the South Lake Union neighborhood, and is unlikely to result in transit usage substantially greater than that forecast in the Height and Density EIS.

- d. *The need for a motor pool or large number of fleet vehicles at the site;*

The project is not expected to require a substantial motor pool or have a large number of fleet vehicles at the site.

- e. *Proximity to existing long-term parking opportunities within the area which might eliminate the need for additional parking;*

Existing long-term parking opportunities may exist within the area, particularly at Seattle Center. However, as noted below (item f) providing such parking could adversely affect vehicular and pedestrian circulation through the area. Several surface lots are located within two blocks of the project, with a total parking capacity of approximately 237 stalls among the lots. The large majority of these spaces are unlikely to be available for use as long-term spillover parking from the project, for the following reasons: (i) utilization of these spaces currently is high, leaving relatively few empty spaces; (ii) redevelopment of the 307 Fairview Avenue N site is expected to displace up to 159 vehicles, many of which may attempt to park in these nearby lots; (iii) development proposals are pending on several of these lots, which will reduce the number of off-street parking spaces available to spillover parking from other sites.

- f. *Whether the additional parking will adversely affect vehicular and pedestrian circulation in the area;*

Not granting the special exception would not be expected to encourage a further shift to non-auto modes; the most likely result would be increased use of off-site parking by drivers to the site. Depending on the location of such parking, this could result in increased auto travel through the area, which could adversely affect vehicular and pedestrian circulation.

- g. *Potential for shared use of additional parking as residential or short-term parking;*

Office (long-term) spaces are expected to be available in the evening and on weekends when commercial (short-term) parking demand is expected to peak.

- h. *The need for additional short-term parking to support retail activity in areas where short-term parking and transit service is limited.*

A majority of commercial trips to and from the site are expected to be made by walking or transit. However, during peak demand time for the office use (midday on a weekday), the commercial uses are expected to generate a parking demand of about eight vehicles. This small amount of commercial parking will be accommodated either on-site or by nearby on-street parking.

DECISION – SPECIAL EXCEPTION

Based on evidence of parking demand, availability of alternative means of transportation, and the other criteria listed above, the special exception for parking exceeding the maximum quantity is **GRANTED**.

III. ANALYSIS - SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated December 13, 2012. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans and any additional information in the file, and any pertinent comments which may have been received regarding this proposed action have been considered.

As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature, limited effects, or proposed mitigation, the impacts are not expected to be significant.

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, and 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.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for many short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. Additional discussion of short and long term impacts is found below.

Short Term Impacts

Air

Greenhouse gas emissions associated with development come from multiple sources; the extraction, processing, transportation, construction and disposal of materials and landscape disturbance (Embodied Emissions); energy demands created by the development after it is completed (Energy Emissions); and transportation demands created by the development after it is completed (Transportation Emissions). Short term impacts generated from the embodied emissions results in increases in carbon dioxide and other greenhouse gases thereby impacting air quality and contributing to climate change and global warming. While these impacts are adverse they are not expected to be significant. The other types of emissions are considered under the use-related impacts discussed later in this document. SEPA conditioning is not necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675.A.

Environmental Health

The applicant submitted studies that demonstrated that past uses of the site resulted in soil contamination of dry cleaning solvents, heating oil, and gasoline products. If not properly handled, existing soil contamination could have an adverse impact on environmental health.

Mitigation of soil contamination and remediation is in the jurisdiction of Washington State Department of Ecology (“Ecology”), consistent with the City’s SEPA relationship to Federal, State and Regional regulations described in SMC 25.05.665.E. This State agency Program functions to mitigate risks associated with removal and transport of hazardous and toxic materials, and the agency’s regulations provide sufficient impact mitigation for these materials. The City considers Ecology’s jurisdiction and requirements for soil remediation will mitigate impacts associated with any contamination.

The applicant is participating in the Department of Ecology’s cleanup program and the project will be required to comply with requirements of the State of Washington’s Model Toxic Cleanup Act. An Interim Action Plan has been approved by Ecology.

Per SMC 25.05.675.F, Ecology's review of the proposed cleanup activities at this site are assumed to be sufficient impact mitigation.

Noise

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends. Most of the surrounding properties are developed with housing and will be impacted by construction noise.

The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM, unless modified through a Construction Noise Management Plan, to be determined by DPD prior to issuance of a demolition, grading, or building permit, whichever is issued first.

Construction Parking and Traffic

During construction, parking demand is expected to increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

Increased trip generation is expected during the proposed demolition, grading, and construction activity, with haul routes restricted to nearby arterials (Fairview Ave N, Westlake Ave N, and N. Mercer St). The immediate area is subject to traffic congestion during the PM peak hours, and large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic.

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted.

To mitigate construction haul route and truck trip impacts, the applicant shall submit a Construction Haul Route to SDOT for approval. Evidence of this approved plan shall be provided to DPD prior to the issuance of demolition and building permits.

To mitigate construction parking impacts, the applicant shall submit a Construction Parking Plan to DPD for approval. This plan shall identify nearby off-street parking lot locations, number of stalls per lot, and distance from the subject property. The plan shall also include the peak number of construction workers anticipated at the proposed development during construction. The plan shall also identify any strategies to reduce the amount of single occupancy commuting by construction workers at the site. Approval of this plan by DPD will be required prior to the issuance of demolition and building permits.

Long Term Impacts

Long term or use-related impacts are also anticipated as a result of this proposal, including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

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 and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Historic Resources

The site includes two designated City of Seattle historic landmarks. Modification to these landmarks requires a Certificate of Approval from the Landmarks Preservation Board, prior to MUP issuance. The applicant has applied for this Certificate and is proceeding through the Landmarks Board review and process, per the requirements of the Landmarks Preservation Ordinance.

Per the Overview policies in SMC 25.05.665.D, the existing codes and regulations to mitigate impacts to historic landmarks are presumed to be sufficient, and no further conditioning is warranted.

Transportation and Parking

As part of the environmental checklist, the project submitted a transportation analysis (Transportation Technical Report by Heffron, Inc., dated March 2013).

The project is expected to generate a net total of 4,250 daily vehicle trips, with 478 net new AM Peak Hour trips and 471 net new PM Peak Hour trips. These trips will be distributed in a way that will cause some change in the level of service ("LOS") at three nearby intersections by 2015. Fairview Ave N and N. Republican St would be expected to go from LOS C to LOS E. Boren Ave N. and N. Harrison St would go from LOS B to C. Boren Ave N. and Thomas St would go from LOS C to E northbound in the morning, and from B to C southbound in the morning. Other Levels of Service for nearby intersections would remain the same with, or without the project.

The Transportation Technical Report also found that the peak parking demand for the proposed development is 1,108 vehicles. The proposed amount of parking is for 1,120 spaces. This number of parking spaces accommodates the anticipated parking demand, but is beyond the

maximum parking limit in this zone and requires a Special Exception. The Special Exception review and approval are documented in section II of this MUP Decision.

In order to mitigate the traffic impacts described in the Technical Report, a Transportation Management Plan (TMP) was required. 40% Single Occupancy Vehicle (SOV) auto use was included as an assumption of the TMP and in the technical analysis. DPD and SDOT have reviewed and approved the proposed TMP, and it was subsequently recorded with King County.

The project will also mitigate traffic impacts by participating in the City of Seattle transportation mitigation program for South Lake Union as outlined in DPD Client Assistance Memo (CAM) 243. This mitigation payment is based on a proportional share payment that identifies the project's impacts at specific locations within South Lake Union. The payment is expected to mitigate the adverse significant transportation impacts to a non-significant level.

Pursuant to that mitigation payment system, the project proposes to pay a pro rata contribution of \$428,699 in order to help reduce project transportation impacts. This fee shall be paid prior to building permit issuance, consistent with DPD business rules, and conditioned with this decision.

The condition to pay a pro rata contribution of \$428,699 is expected to adequately mitigate the adverse impacts from the proposed development.

DECISION - STATE ENVIRONMENTAL POLICY ACT

The proposed action is APPROVED WITH CONDITIONS.

SEPA - CONDITIONS OF APPROVAL

Prior to Issuance of a Demolition, Grading, or Building Permit

1. If the applicant intends to work outside of the limits of the hours of construction described in condition #5, a Construction Noise Management Plan shall be required, subject to review and approval by DPD, and prior to a demolition, grading, or building permit, whichever is issued first. The Plan shall include the specific mitigation listed in the Addendum, and may include additional proposed management of construction related noise, efforts to mitigate noise impacts, and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short-term transportation impacts that result from the project.
2. The applicant shall provide DPD with a copy of a Construction Haul Route, approved by Seattle Department of Transportation.

3. A DPD-approved Construction Parking Plan is required. This plan shall be provided to the Land Use Planner for review and approval (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

Prior to Issuance of a Building Permit

4. The applicant shall make a pro rata mitigation payment pursuant to CAM 243 in the amount of \$428,699 to the City of Seattle.

During Construction

5. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. This condition may be modified through a Construction Noise Management Plan, required prior to issuance of a building permit as noted in condition #1.

DESIGN REVIEW - CONDITIONS OF APPROVAL

Prior to Certificate of Occupancy

6. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).
7. The perforated metal panel pieces at the building entries shall be designed by a graphic artist. The final design shall be verified by the DPD Land Use Planner prior to fabrication and installation, and inspected by the Land Use Planner after installation (Shelley Bolser (206) 733-9067 or shelley.bolser@seattle.gov).
8. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Shelley Bolser (206) 733-9067 or shelley.bolser@seattle.gov).

For the Life of the Project

9. The clear glazed building corners facades at the courtyard shall be retained, as shown in the MUP drawings.
10. The clear glazed building corners should be composed entirely of vision glass, or vision glass and spandrel glass that reads as transparent, as shown in the MUP drawings.

