



City of Seattle
Edward B. Murray, Mayor

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

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

Application Number: 3014781

Applicant Name: Melissa Wechsler of Runberg Architecture for Wolf Enterprises II, LLC

Address of Proposal: 430 8th Ave N

SUMMARY OF PROPOSED ACTION

Land Use Application to allow an 8-story structure containing 211 residential units with 14,000 sq. ft. of ground floor retail. Parking for 184 vehicles to be provided below grade. Existing structures to be demolished. Project includes 26,500 cu. yds. of grading.

The following Master Use Permit components are required:

Design Review Departures (SMC Chapter 23.41)

Development Standard Departure to allow set backs greater than 12' from the street lot line. (SMC 23.48.014.D)

Development Standard Departure to allow more than 30% hardscape in setback areas. (SMC 23.48.024.B.2)

Development Standard Departure to allow more medium parking stalls than allowed, and fewer large parking stalls than required. (SMC 23.54.030.A.2.C)

Development Standard Departure to allow less than 14' clearance in the loading bays. (SMC 23.54.035.A.1)

SEPA-Environmental Determination (Chapter 25.05 SMC)

DPD SEPA DETERMINATION:

Mitigated Determination of Non-significance

- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts

Site:

Site Zone: SM-85

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



Current Development:

One-story commercial structures and surface parking at the alley.

Surrounding Development and Neighborhood Character:

Newer 6 story office and institutional buildings are located to the north (UW Medicine buildings). Newer 6-story residential development (including Veer Lofts) and 1-2 story early 20th century commercial structures are located to the east across the alley. An early 20th century 2-story residential building is located adjacent to the south. Early 20th century 1-2 story commercial buildings and surface parking are located to the west. A warehouse building and surface parking lot are located to the south and southwest. These sites are proposed for 6-story commercial developments (applications 3014981 and 3014982).

This site is located near the southwest edge of the larger South Lake Union neighborhood, and is referred to as the Denny Park area in the South Lake Union Design Review Guidelines. The Denny Park area of South Lake Union provides a diverse mix of buildings and uses.

Denny Park anchors the quiet non-arterial 8th Avenue at the south end of this block, with a playground area and off leash dog area. Dexter Ave N. is a busy arterial located one block to the west with a high level of cyclist, vehicle and transit traffic connecting downtown with areas north of the Ship Canal. A few blocks further to the north, the busy arterials of Mercer and Broad Streets provide a clear break with the rest of the South Lake Union neighborhood.

The Denny Park area consists of mostly older 1-2 story commercial uses with some newer mixed-use and multi-family structures. The epicenter of the neighborhood is the heavily wooded Denny Park, Seattle's oldest public park and the site of the Seattle Parks Department offices.

The recently adopted South Lake Union rezone includes designation of 8th Avenue as a quiet residential street, with street level residential uses, wider sidewalks, and landscaping requirements.

EARLY DESIGN GUIDANCE MEETING: May 22, 2013

The packet includes materials presented at the 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.

The packet is also available to view in the 3014781 file, by contacting the Public Resource Center at DPD:

Mailing Public Resource Center
Address: 700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

The applicant noted that the preferred massing provides room for a large public plaza with larger street trees on 8th Ave N. The design intent is to provide room for stoops and buffers for the residential units at grade. The applicant noted that the street level residential loft units would have a different architectural expression than the upper portions of the building.

The preferred option provides a setback at the south property line above the 2-story base. The upper portions of the building are angled to allow windows on the south façade and provide a setback in response to the residential units to the south and east. The angled upper story setback is intended to provide maximum solar exposure at the street frontage and alley. The angled design concept is also a reference to the nearby context of the UW Medicine buildings. Landscaped areas would be located at grade between the alley and the street level residential units. The lobby would be glazed on the street front and alley frontage, allowing views through to the alley landscaping from the street frontage.

The design concept images showing cliffs with vegetation at the base are intended to demonstrate the design parti. The parti would be expressed in the use of materials and residential balconies to emphasize variations in scale, with significant landscaping at the street and alley.

Public Comment

The following comments, issues and concerns were raised:

- The effort to design the 8th Ave N streetscape plan and Urban Design Framework is appreciated by the public.
- The trees planted on 8th Ave N should be large and mature at planting.
- The design response to Republican Street is appropriate, given the traffic patterns in the near future.
- The development should include 2 and 3 bedroom units, since the area is intended for families.
- The massing is a thoughtful response to the neighborhood context.
- The business on site (Glazier's Camera) expressed support for the proposal and looks forward to returning to occupy the commercial space.
- Concern from adjacent neighbors for impacts to light, air, and views. The west-facing units in Veer Lofts only have windows facing the alley, and the 2nd floor common open space faces the alley. The massing should be pushed further to the west in response to these conditions.
- Concern that the design of the alley will encourage pedestrians and result in conflicts with the existing vehicular use.
- Appreciation for the angled massing response to the south property line, allowing windows at the south façade.

- Concern about the proposed apartment use rather than condominiums.
- Appreciation for the proposal to build to 85,' rather than the maximum possible 240' height.
- Concern about proposed traffic at the alley, but support for the proposed garage location.
- DPD also provided the Board with a copy of the comments from the DPD policy group planner assigned to the 8th Avenue N street plan. The email indicated support for the design direction of the proposed streetscape.

FINAL RECOMMENDATION MEETING: December 18, 2013

The packet includes materials presented at the 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.

The packet is also available to view in the 3014781 file, by contacting the Public Resource Center at DPD:

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The applicant noted that the proposed parking entry is near the north edge of the alley, away from the Veer Lofts parking entry near the south edge of the alley. The alley level residential open spaces include large areas of landscaping on elevated terraces. The fence at the edge of the terraces would be a 5' tall metal grid mounted on the top of the retaining wall which will be designed to allow transparency between the alley and the open space. Vines would be planted to soften the effect of the fencing.

Materials include wood at the street level units on 8th Ave N, fiber cement and vinyl windows, red ceramic tile, metal balconies and fences, and metal and wood decking. The fenestration is intended to present a punched window look with extruded fins surrounding the windows. The underside of the extruded balconies would be yellow to relate to the boardwalk decking. The balconies extend far beyond the façade, but the applicant explained that the engineer has designed the upper braces to accommodate the form and weight. The south façade and townhouses in the alley would be clad in CMU.

The “mega stoop” in front of the street level units on 8th Ave N would serve as outdoor area for the residents. This area would be designed as a metal boardwalk over recessed rain gardens, with individual deck areas adjacent to the individual entries. The deck edges would have raised edges to prevent chairs from falling off the edge into the rain gardens. The wood forms adjacent to the individual entries would create a transition from the upper levels to the rain garden at the base. This material would be Garapa (an exotic hardwood) or a similar durable exterior wood siding for increased durability at the building base.

A second walkway would allow the public to access from the sidewalk to the front entry, parallel to the “mega stoop.” The primary entry would be glazed at the street and alley frontages, allowing views through to the landscaped courtyard at the alley. The mature trees proposed on the 8th Ave N façade relate to the mature Sweet Gum trees on the block to the south.

The applicant presented one additional graphic for the residential entry plaza, noting that a water feature is being considered as a separation between the residential entry and retail area in the plaza, rather than the planted area shown in the packet.

Public Comment

The following comments, issues and concerns were raised:

- Glazer's Camera mentioned they are supportive of the proposed design and the departure requests. The parking will accommodate more visitors and the proposed departure for loading height will accommodate the expected deliveries to their business.
- DPD summarized one public comment, which was received since the packet and memo was sent to the Board:
 - Design the east façade of the building for visual interest, and minimize reflected light and glare to the residents across the alley.

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 (MAY 22, 2013):

- 1. Massing: The preferred option (Option C) offers the best response to the Guidelines and context of the site. (A-1, A-2, A-5, A-7, C-2)**
 - a. The Board noted that the exterior expression of the townhouses should be distinct from the upper portions of the building in response to the streetscape and the architectural concept.
- 2. Open Space Design: Demonstrate how the proposed design of open space addresses human activity, pedestrian safety, and driver safety. (A-4, A-5, A-7, D-1, D-7, D-8)**
 - a. The applicant should demonstrate the hierarchy and design intent for the alley, street frontage, and any other open spaces on site.
 - b. The Board expressed confusion about the intent of the open space at the alley as a 'backyard' oasis for shared use by building residents, a primary open space for individual units at the alley, or if the intent is to draw pedestrian activity to the alley frontage.
 - i. The Board indicated potential support for any of the options, but the design should be developed to maximize the intended use of the open space at the alley.
 - c. All individual residential open spaces should include usable patio areas. The Board noted that this is typically demonstrated by showing sufficient room for a table and chairs.
- 3. 8th Ave Street Frontage: The landscaping should respond to the context of the block to the south, the street level residential units should be designed for maximum residential accessibility, and the commercial spaces should be highly transparent. (A-1, A-2, A-6, C-3, C-4, D-11, D-12, E-1, E-2)**
 - a. The Board appreciated the thoughtful response to the 8th Avenue Street Plan, the use of landscaping and hardscape to create a buffer between the public space and the residential stoops, and the south facing patio in front of the retail space near the residential entry.
 - b. Mature street trees should be included on 8th Avenue, in response to the context of the block to the south.

- c. The Board noted that the street level residential units offer opportunities for direct access for residents with ADA needs, strollers, and bikes. The street level units should be designed to accommodate families with these ranges of needs.
- d. Any screen walls separating the sidewalk and street level residential units should be designed for human scale.
- e. The commercial spaces should include maximum transparency, especially in the facades adjacent to the sidewalk and south facing plaza near the residential entry.

FINAL RECOMMENDATIONS (DECEMBER 18, 2013):

The Board appreciated the applicant's thorough design response to EDG.

1. Architectural Expression

- a. The extruded balconies are visually interesting, add variety and interest to the street and alley frontages, and help with eyes on the street. The Board strongly supported the proposed pattern of perforations shown on the balcony screens, since the pattern is part of what makes the balconies visually interesting.
- b. The Board discussed the proposed colors and materials and recommended that the proposed colors as shown sufficiently enhance the architectural concept. (C-2, C-4)
- c. The Board also determined that the proposed color palette at the alley (gray and white panels with white windows) provides visual interest and reflects natural light to the Veer Lofts open space and units. (A-5, C-2, C-4)
- d. The Board discussed the potential for reflected glare to units across the alley, but determined that the proposed angle of the building and the extruded fins around the windows will serve to minimize glare to nearby residents. The Board determined that reducing the number or size of windows on the alley would not be an appropriate design response. (A-2, A-5)
- e. The townhouse style units on 8th Ave N appear to be nicely detailed and create a transition from the building base to the upper levels. The Board discussed the potential for a similar transition at the alley, but recommended that the design was sufficient as shown. (C-2, C-4)

2. Open Space Design:

- a. The Board noted that the front stoops are visually interesting, but the lack of side railings seems unsafe, given the 18"-24" drop to the rain garden surface. While railings may not be required by Building Code, the Board recommended that visually transparent railing should be provided on the sides of the private patio/stoop areas in order to provide safe seating areas for residents and better define the individual stoops from the shared "mega stoop." (A-7, D-7)
- b. The Board was unclear about the proposed fence design, since the materials board didn't include a sample and the graphics didn't clearly indicate the design of this item. The Board noted that if the proposed fence is the woven thick gauge black wire with 2" openings typically seen in residential projects, that design would satisfy the Guidelines as long as it was combined with shrubs and trees instead of vines. The Board recommended a condition that the fence design should relate to the proposed design concept, provide privacy for residents at grade, and provide visual interest for pedestrians at the alley. (C-2, C-3, C-4, A-7)
 - i. The Board clarified that a transparent woven wire or a less transparent design will work, as long as the fence relates to the overall design concept, and includes robust landscaping if the wire option is chosen.

- c. The Board discussed the proposed option of either landscaping or a water feature with stepping stones between the residential entry and the retail area of the 8th Ave N courtyard, and noted that either one would meet the Guidelines. The water feature with stepping stones would relate well to the proposed quarry design concept. (C-2, C-4, D-1, E-2)
- 3. 8th Ave Street Frontage: (A-1, A-2, A-6, C-3, C-4, D-11, D-12, E-1, E-2)**
- a. The Board determined that the 8th Ave N setback, the requested departure, and the proposed landscaping responded to the nearby conditions on 8th Ave N. (A-1, A-2, E-1)
 - b. The Board supported the proposed red ceramic tile on the Glazer's camera space and the high level of transparency on the retail space at the 8th Ave N courtyard. (A-1, A-2, C-2, C-4, D-11)
 - c. The Board supported the robust landscape plan and strongly supported the proposed layered landscaping and walkways separating the street level units from 8th Ave N. (A-2, A-6, D-12, E-1, E-2)

DESIGN REVIEW GUIDELINES

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

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-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-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.

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.

SLU-specific supplemental guidance:

Consider designing the entries of residential buildings to enhance the character of the streetscape through the use of small gardens, stoops and other elements to create a transition between the public and private areas. Consider design options to accommodate various residential uses, i.e., townhouse, live-work, apartment and senior-assisted housing.

A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

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.

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-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-8 Treatment of Alleys.** The design of alley entrances should enhance the pedestrian street front.
- 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.
- D-12 Residential Entries and Transitions.** For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.
- 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.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation was based upon the departures' 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. General Façade Requirements (SMC 23.48.014.D):** The existing Code requirements in SMC 23.48 require a maximum setback of 12'. Additional setbacks are allowed for up to 30% of the length of the street wall, as long as the setbacks are more than 20' from a street

corner. The applicant proposes to set back the building more than 12' (set back as much as 50' at the building entry), for 48% of the façade on 8th Ave N.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-2, A-4, A-6, A-7, D-1, E-1, and E-2 by providing additional open space and landscaping to allow for a transition between the sidewalk and residential units, and to respond to the intent of 8th Ave N as a residential enclave.

The Board unanimously recommended that DPD grant the departure.

- 2. Landscaping Requirements (SMC 23.48.024.B.2):** The Code allows a maximum 30% hardscaped area in setback areas and berms. The applicant proposes to provide up to 70% hardscaping along 8th Ave N.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-4, A-6, D-12, E-1, and E-2 by providing a robust amount of landscaping in the increased setback area at 8th Ave N. The Board noted that a code compliant setback would result in less landscaping than proposed.

The Board unanimously recommended that DPD grant the departure.

- 3. Parking Space Requirements (SMC 23.54.030A.2.C):** When commercial parking is provided, the Code requires a minimum of 35% small, maximum 35% medium, and minimum 35% large stall sizes. The applicant proposes to provide more than 35% medium stalls and no large stalls.

This departure would provide an overall design that would better meet the intent of Design Review Guideline A-2 by designing the retail space and parking for maximum retail viability that enhances pedestrian activity.

The Board unanimously recommended that DPD grant the departure.

- 4. Loading Berths (SMC 23.54.035.A.1):** The Code requires minimum loading berth clearances of 14' tall. The applicant proposes to provide 11' clearance. The loading space would be used by the property owner (Glazer's Camera), and they have designed the retail space to accommodate the loading clearance.

This departure would provide an overall design that would better meet the intent of Design Review Guideline A-2 by designing the retail space and parking for maximum retail viability that enhances pedestrian activity.

The Board unanimously recommended that DPD grant the departure.

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated December 18, 2013, and the materials shown and verbally described by the applicant at the December 18, 2013, Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended **APPROVAL** of the subject design and departures, with the following conditions:

- 1. Visually transparent railing should be provided on the sides of the private patio/stoop areas in order to provide safe seating areas for residents and better define the individual stoops from the shared "mega stoop." (A-7, D-7)**
- 2. The fence design should relate to the proposed design concept, provide privacy for residents at grade, and provide visual interest for pedestrians at the alley. Either a**

transparent woven wire or a less transparent fence design are both acceptable, as long as the fence relates to the overall design concept, and includes robust landscaping if a woven wire fence is used. (C-2, C-3, C-4, A-7)

Applicant response to Recommended Design Review Conditions:

1. A low wall has been placed around the patio/stoop areas in order to provide safe seating areas that are defined from the 'mega stoop,' while still maintaining the visually open appearance of the west façade. The response satisfies recommended condition #1.
2. The proposed fence at the alley is a woven wire with densely planted shrubs and landscaping inside the fence. The proposal satisfies recommended condition #2.

DECISION – DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED** subject to the conditions listed at the end of this document.

SEPA ANALYSIS

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 July 17, 2013. 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 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 or limited effects, 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, and conditions to sufficiently mitigate impacts where necessary, is found below.

Public Comment:

The public comment period ended on August 21, 2013. Comments were received in response to the design review aspects of the proposal.

Short Term Impacts

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during

excavation, filling and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

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.

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. Some of the surrounding properties (Veer Condos across the alley to the east and an apartment building adjacent to the south) are developed with housing and will be impacted by construction noise. The South Lake Union area is experiencing prolonged periods of construction noise from successive and numerous development activities in the immediate vicinity of the site. The combined impacts and duration of construction noise in this area warrants additional mitigation to reduce the impacts of construction noise on nearby residents.

The limitations stipulated in the Noise Ordinance are therefore not sufficient to mitigate noise impacts at this particular site; 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.

As noted in the Noise analysis section, the immediate area has been experiencing numerous and successive construction projects. The combined impact and duration of this activity has an impact on nearby traffic and parking. Increased trip generation is expected during the proposed demolition, grading, and construction activity. The immediate area is subject to significant traffic congestion during the PM peak hours on nearby arterials, and large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic. The area includes

limited and timed or metered on-street parking. Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking.

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

To mitigate construction truck trip impacts, the applicant shall submit a Construction Haul Route for approval by Seattle Department of Transportation. This plan may include a restriction in the hours of truck trips to mitigate traffic impacts on nearby arterials and intersections. Evidence of the approved plan shall be provided to DPD prior to the issuance of demolition, grading, and building permits.

To mitigate construction parking impacts, the applicant shall submit a Construction Parking Plan for approval by DPD. This plan shall demonstrate the location of the site, the peak number of construction workers on site during construction, the location of nearby parking lots that are identified for potential pay parking for construction workers, the number of stalls per parking lot identified, and a plan to reduce the number of construction workers driving to the site. This plan shall be reviewed by DPD. Approval of the plan is required prior to the issuance of demolition, grading, 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.

Historic Preservation

The existing structures on site are more than 50 years old. These structures were reviewed for potential to meet historic landmark status. The Department of Neighborhoods indicated the structures on site are unlikely to qualify for historic landmark status (Landmarks Preservation Board letters, reference number LPB 286/13). Therefore, no mitigation is warranted for historic preservation.

Parking and Traffic

As part of the environmental checklist, the project submitted a transportation analysis (Traffic Impact Analysis, 8th and Republican, by Transpo Group, dated July 2013).

The Traffic Impact Analysis noted that the residential peak parking demand for this development is 124 vehicles and peak commercial parking demand is 21 vehicles (145 total). The proposed number of parking spaces (200) would accommodate all the anticipated parking demand.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of residential parking impacts in the South Lake Union Urban Center. This site is located in that Urban Center, and the project is mostly residential with some commercial. Regardless of the parking demand impacts from residential uses, no SEPA authority is provided to mitigate impacts of parking demand from the residential components of this project, even if impacts were identified.

The parking demand for the commercial uses (peak demand for 21 vehicles) is minor, but will still be accommodated by the proposed parking.

Therefore no mitigation is required for parking impacts, either residential or commercial.

The Traffic Impact Analysis indicated that the project is expected to generate a net total of 540 daily vehicle trips, with 34 net new AM Peak Hour trips and 40 net new PM Peak Hour trips. The additional trips would have minimal impact on levels of service at nearby intersections. Concurrency analysis was conducted for nearby identified areas. That analysis showed that the project is expected to be well within the adopted standards for the identified areas.

The project will be required to 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. Pursuant to that mitigation payment system, the project proposes to pay a pro rata contribution of \$40,484 in order to help reduce the project's 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 \$40,484 is expected to adequately mitigate the adverse impacts from the proposed development.

MITIGATED DETERMINATION OF NONSIGNIFICANCE

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.

- Mitigated Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW [43.21C.030](#) (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This MDNS is issued after using the optional DNS process in WAC [197-11-355](#) and Early review DNS process in SMC 25.05.355. There is no further comment period on the MDNS.

SEPA - CONDITIONS OF APPROVAL

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

1. The applicant shall provide a copy of a Construction Haul Route, approved by Seattle Department of Transportation.
2. A Construction Parking Plan, approved by the Land Use Planner (Shelley.bolser@seattle.gov), shall be required.
3. 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 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.

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 \$40,484 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 #3.

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 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

8. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

Signature: (signature on file) Date: April 10, 2014
Shelley Bolser, AICP, LEED AP
Senior Land Use Planner
Department of Planning and Development