



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 AND DEVELOPMENT**

Application Number: 3016969
Applicant Name: Darcy Perrault with Via Architecture
Address of Proposal: 525 Boren Avenue North

SUMMARY OF PROPOSED ACTIONS

Land Use Application to allow a seven story, mixed-use building containing 49 residential units above 2,064 sq. ft. of commercial space. No parking is proposed. The existing structure is to be demolished.

The following approvals are required:

Design Review - Seattle Municipal Code (SMC) Section 23.41

SEPA - Environmental Determination pursuant to SMC 25.05

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions*

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

* Notice of the Early Determination of Non-significance was published on July 31, 2014.

PROJECT DESCRIPTION

The applicant proposes a seven-story residential structure with 49 residential units, and 2,064 square feet of ground floor retail commercial. No parking is required or proposed. The existing structure is to be demolished.

SITE & VICINITY

The 7,190 square foot, rectangular site fronts onto Boren Avenue North to the east and alleys that wrap the perimeter on the west and north. A one-story structure, circa 1928, currently used as a warehouse, occupies the site. The subject property currently has vehicular access via a curb cut at Boren Ave N. The property has little incline and no mapped environmental critical areas.

The site's zoning classification, Seattle Mixed with (SM 160/85-240) with a height range of 85 to 240 feet depending upon use (SM 160/85-240), extends northward to Mercer St., eastward to the alley between Fairview Ave. N. and Minor Ave. N., southward to John St. and westward beyond 9th Ave. N.

The area is witnessing rapid reconstruction. Many of the nearby structures have been built within the last ten years or are under construction. Some of the new construction integrates several city historic landmark structures located in the area. The areas to the north, south, and west are dominated by office uses. One residential project is under construction on the block to the south. The blocks east of Fairview Ave N. include several multi-family residential developments and Cascade Park.

Boren Ave N is a relatively quiet street along this block with busier arterials and transit routes at Mercer Street to the north and Fairview Ave N. to the east. The South Lake Union Streetcar is located on Westlake Ave N, two blocks to the west. The Streetcar currently terminates north of this site, but the route will likely be expanded along the east and west sides of Lake Union in the near future.

DESIGN DEVELOPMENT

The development of the office building to the north resulted in an alley vacation and the current L-shaped alley. The applicant's intent is to design the proposal to complement the adjacent plaza to the north and treat the north alley to resemble a street frontage. The applicant hopes to work with SDOT to pave the alley in a treatment that complements the plaza.

The preliminary design sketches and design parti at EDG show the north façade as a textured backdrop to the outdoor room of the north plaza, rather than a dramatic architectural statement. The applicant notes an intention to create a highly glazed street level retail facade, with a strong two-story podium on the east façade. The south façade includes a combination of materials to emphasize the modulation. The southwest and southeast corners would be glazed at the upper levels.

The preferred option includes upper level modulation at the south façade in order to allow glazed southwest and southeast corners. The street level retail shown along the northeast corner extends along the alley frontage in order to supplement the plaza to the north. The retail lies inset from the residential floors above. The setback allows operable storefront windows at the north façade and expresses the design concept of a box floating above a glassy base.

Another massing option shows a building core at the north edge. The applicant explained this isn't the preferred option, since it would result in less glazing at the north side. The location of the building core would reduce the retail frontage facing the alley.

The applicant intends to provide a 1:1 ratio for bicycle storage spaces to residential units. One of the parking spaces will accommodate a Zipcar, and the developer intends to coordinate with Car 2 Go.

By the Recommendation meeting, the applicant had refined the preferred alternative.

ANALYSIS - DESIGN REVIEW

PUBLIC COMMENT

No public comment was offered at the EDG meeting.

GUIDELINES

After visiting the site, considering the analysis of the site and context provided by the proponent, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified highest priority by letter and number from the guidelines found in the City of Seattle's "Design Review: Guidelines for Downtown" and "Design Guidelines for the Belltown Urban Center Village".

PRIORITIES

CS2 Urban Pattern and Form: Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

CS2-B Adjacent Sites, Streets, and Open Spaces

CS2-B-2. Connection to the Street: Identify opportunities for the project to make a strong connection to the street and public realm.

CS2-B-3. Character of Open Space: Contribute to the character and proportion of surrounding open spaces.

CS2-II Height, Bulk, and Scale Compatibility

CS2-II-i. Corridor Experience: 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.

CS2-II-ii. Upper-level Setbacks: 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.

CS2-II-iii. Width Ratios: Relate proportions of buildings to the width and scale of the street.

CS3 Architectural Context and Character: Contribute to the architectural character of the neighborhood.

CS3-A Emphasizing Positive Neighborhood Attributes

CS3-A-2. Contemporary Design: Explore how contemporary designs can contribute to the development of attractive new forms and architectural styles; as expressed through use of new materials or other means.

PUBLIC LIFE

PL2 Walkability: Create a safe and comfortable walking environment that is easy to navigate and well-connected to existing pedestrian walkways and features.

PL2-B Safety and Security

PL2-B-2. Lighting for Safety: Provide lighting at sufficient lumen intensities and scales, including pathway illumination, pedestrian and entry lighting, and/or security lights.

PL2-B-3. Street-Level Transparency: Ensure transparency of street-level uses (for uses such as nonresidential uses or residential lobbies), where appropriate, by keeping views open into spaces behind walls or plantings, at corners, or along narrow passageways.

PL2-C Weather Protection

PL2-C-1. Locations and Coverage: Overhead weather protection is encouraged and should be located at or near uses that generate pedestrian activity such as entries, retail uses, and transit stops.

PL2-D Wayfinding

PL2-D-1. Design as Wayfinding: Use design features as a means of wayfinding wherever possible.

South Lake Union Supplemental Guidance:

PL2-I Streetscape Compatibility

PL1-I-iii. Sidewalk Retail: 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).

PL3 Street-Level Interaction: Encourage human interaction and activity at the street-level with clear connections to building entries and edges.

PL3-A Entries

PL3-A-2. Common Entries: Multi-story residential buildings need to provide privacy and security for residents but also be welcoming and identifiable to visitors.

South Lake Union Supplemental Guidance:

PL3-II Human Activity

PL3-II-iii. Coordinate Retail/Pedestrian Activity: Reinforce retail concentrations with compatible spaces that encourage pedestrian activity.

PL4 Active Transportation: Incorporate design features that facilitate active forms of transportation such as walking, bicycling, and use of transit.

PL4-B Planning Ahead for Bicyclists

PL4-B-1. Early Planning: Consider existing and future bicycle traffic to and through the site early in the process so that access and connections are integrated into the project along with other modes of travel.

PL4-B-2. Bike Facilities: Facilities such as bike racks and storage, bike share stations, shower facilities and lockers for bicyclists should be located to maximize convenience, security, and safety.

PL4-B-3. Bike Connections: Facilitate connections to bicycle trails and infrastructure around and beyond the project.

DESIGN CONCEPT

DC1 Project Uses and Activities: Optimize the arrangement of uses and activities on site.

DC1-B Vehicular Access and Circulation

DC1-B-1. Access Location and Design: Choose locations for vehicular access, service uses, and delivery areas that minimize conflict between vehicles and non-motorists wherever possible. Emphasize use of the sidewalk for pedestrians, and create safe and attractive conditions for pedestrians, bicyclists, and drivers.

DC2 Architectural Concept: Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

DC2-A Massing

DC2-A-1. Site Characteristics and Uses: Arrange the mass of the building taking into consideration the characteristics of the site and the proposed uses of the building and its open space.

DC2-A-2. Reducing Perceived Mass: Use secondary architectural elements to reduce the perceived mass of larger projects.

DC2-B Architectural and Facade Composition

DC2-B-1. Façade Composition: Design all building facades—including alleys and visible roofs—considering the composition and architectural expression of the building as a whole. Ensure that all facades are attractive and well-proportioned.

DC2-B-2. Blank Walls: Avoid large blank walls along visible façades wherever possible. Where expanses of blank walls, retaining walls, or garage facades are unavoidable, include uses or design treatments at the street level that have human scale and are designed for pedestrians.

DC2-D Scale and Texture

DC2-D-1. Human Scale: Incorporate architectural features, elements, and details that are of human scale into the building facades, entries, retaining walls, courtyards, and exterior spaces in a manner that is consistent with the overall architectural concept

DC2-D-2. Texture: Design the character of the building, as expressed in the form, scale, and materials, to strive for a fine-grained scale, or “texture,” particularly at the street level and other areas where pedestrians predominate.

DC3 Open Space Concept: Integrate open space design with the building design so that they complement each other.

South Lake Union Supplemental Guidance:

DC3-II Landscaping To Enhance The Building and/or Site

DC3-II-i. Integrated Artwork: 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.

DC4 Exterior Elements and Finishes: Use appropriate and high quality elements and finishes for the building and its open spaces.

DC4-A Exterior Elements and Finishes

DC4-A-1. 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.

DC4-A-2. Climate Appropriateness: Select durable and attractive materials that will age well in Seattle's climate, taking special care to detail corners, edges, and transitions.

DC4-D-Trees, Landscape, and Hardscape Materials

DC4-D-2. Hardscape Materials: Use exterior courtyards, plazas, and other hard surfaced areas as an opportunity to add color, texture, and/or pattern and enliven public areas through the use of distinctive and durable paving materials. Use permeable materials wherever possible.

BOARD GUIDANCE

1. **Massing Options.** The Board supported the preferred massing option and response to the site.
 - a. The Board supported the 2-story street wall as a response to the context of the adjacent building to the south. The setback above the second story also emphasizes the proposed residential use and differentiates the building from the surrounding office structures. (CS2.B.2, CS2.II)
 - b. The strong architectural forms and location of the residential entry are well composed. The Board also supported the upper level setbacks from the southwest and southeast corners, to reduce blank wall area and allow corner windows. (CS2.II, PL3.A, DC2.A.1)
 - c. The Board supported the proposed location of the retail at the north and east edges and the location of parking and services at the west alley. (CS2.B.2)

2. **Design Response to North Alley and Adjacent Plaza.** The Board encouraged the applicant to work with Seattle Department of Transportation to develop the alley surface to connect the proposed north retail space with the plaza to the north. (CS2.B.3, PL1.A.1, PL1.B)
 - a. The Board noted there are several other pedestrian connections in the neighborhood. The proposed design and circulation should respond to the location and design context of these connections. (PL1.B.1)
 - b. The Board encouraged the applicant to engage with SDOT to design the north alley for a pedestrian focus. Potential strategies include making the alley one-way for vehicles, paving treatments for traffic calming, and enhancing paving and landscaping connections with the plaza to the north. The paving and landscaping should emphasize the potential connection with the plaza to the north, specifically the gap in landscaping at the south edge of the plaza. (CS2.B.3, PL1.B.3, DC1.B.1.c, DC4.D.2)
 - c. The north facing retail space should include sufficient area to allow outdoor seating, or should provide retail storefronts that can be collapsed to allow full indoor-outdoor connection when weather permits. (PL2.I.iii, PL3.II.iii)

3. **Entries.** The entries should be located and designed for safety and resident activity. (PL2.B, PL3.A.2)
 - a. The residential and bicycle entries should be designed with an emphasis on pedestrian and cyclist safety, given the lack of other residents in the area and closed office buildings at night. The Board strongly suggested placing the bicycle entry on the north edge for clear sight lines and more direct access. (PL1.B.2, PL1.B.3, PL4.B)
 - b. The residential and retail frontage on Boren Ave N should include overhead weather protection. The Board noted that the building overhang on the north edge will

provide some weather protection and canopies at the north edge don't seem necessary. (PL1.C.1)

- 4. Architectural Concept.** The Board supported the intent for a textured north façade and a response to the contemporary context, as shown in the conceptual design sketches. (CS2.II, CS3.A.2, DC2.A)
- a. The upper facade should include subtle moves to emphasize the texture, such as shadow lines from the horizontal pieces and a change in plane between the gray and brown panels. Careful treatment of the upper levels will be needed to avoid the appearance of a flat façade. Modulation should be incorporated if the subtle design moves don't provide a sufficient reduction in scale. (DC2.A, DC2.B, DC2.D, DC4.A)
 - b. The Board supported the appearance of 'lightness' in the glazed corners, as shown in the conceptual design sketches, and noted that these corners will need to be carefully detailed to achieve the intended appearance. (DC2.B.1)
 - c. The Board supported the varied placement of the brown panels, which provides variation in the façade and helps to distinguish the building from the nearby office typology. (DC2.B.1, DC2.D)

The north facing blank wall at grade near the northwest corner should be treated for visual interest. The Board supported a strong artistic treatment of this wall or detailed and textured materials. (DC2.B.2, DC3.II, DC4.A)

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a Design Review component on July 23rd, 2014.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted a Final Recommendation Meeting on February 4, 2015 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meetings, site plans, elevations, floor plans, landscaping plans, and computer renderings of the proposed exterior materials were presented for the Board members' consideration.

Public Comments

One person affixed his name to the sign-in sheet. No one offered comments at the Recommendation meeting.

CONTEXT & SITE

CS2 Urban Pattern and Form: Strengthen the most desirable forms, characteristics, and patterns of the streets, block faces, and open spaces in the surrounding area.

CS2-B Adjacent Sites, Streets, and Open Spaces

CS2-B-2. Connection to the Street: Identify opportunities for the project to make a strong connection to the street and public realm.

CS2-B-3. Character of Open Space: Contribute to the character and proportion of surrounding open spaces.

CS2-II Height, Bulk, and Scale Compatibility

CS2-II-i. Corridor Experience: 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.

CS2-II-ii. Upper-level Setbacks: 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.

CS2-II-iii. Width Ratios: Relate proportions of buildings to the width and scale of the street.

The Board accepted the building massing and did not dwell on height, bulk and scale issues.

CS3 Architectural Context and Character: Contribute to the architectural character of the neighborhood.

CS3-A Emphasizing Positive Neighborhood Attributes

CS3-A-2. Contemporary Design: Explore how contemporary designs can contribute to the development of attractive new forms and architectural styles; as expressed through use of new materials or other means.

PUBLIC LIFE

PL2 Walkability: Create a safe and comfortable walking environment that is easy to navigate and well-connected to existing pedestrian walkways and features.

PL2-B Safety and Security

PL2-B-2. Lighting for Safety: Provide lighting at sufficient lumen intensities and scales, including pathway illumination, pedestrian and entry lighting, and/or security lights.

PL2-B-3. Street-Level Transparency: Ensure transparency of street-level uses (for uses such as nonresidential uses or residential lobbies), where appropriate, by keeping views open into spaces behind walls or plantings, at corners, or along narrow passageways.

PL2-C Weather Protection

PL2-C-1. Locations and Coverage: Overhead weather protection is encouraged and should be located at or near uses that generate pedestrian activity such as entries, retail uses, and transit stops.

PL2-D Wayfinding

PL2-D-1. Design as Wayfinding: Use design features as a means of wayfinding wherever possible.

South Lake Union Supplemental Guidance:

PL2-I Streetscape Compatibility

PL1-I-iii. Sidewalk Retail: 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).

Discussion focused on the arrangement of the outdoor area adjacent to the north alley. The applicant showed two alternatives: one featuring a hardscape with pavers for a small outdoor sitting area complementing a future restaurant use, the second illustrating a larger planted garden. The Board recommended that the applicant provide a deck or patio for a seating area as shown on p. 7 of the Recommendation meeting booklet. The north wall of the retail or restaurant use will need to have doors, such as the folding ones shown on p. 4 of the Recommendation booklet, that open onto the outdoor area. The Board reasoned that several uses besides a restaurant could take advantage of a small patio or plaza that overlooks the larger one across the alley.

PL3 Street-Level Interaction: Encourage human interaction and activity at the street-level with clear connections to building entries and edges.

PL3-A Entries

PL3-A-2. Common Entries: Multi-story residential buildings need to provide privacy and security for residents but also be welcoming and identifiable to visitors.

The revision creating an entry and storage area for bikes on the north alley received commendation given the Board's earlier request.

South Lake Union Supplemental Guidance:

PL3-II Human Activity

PL3-II-iii. Coordinate Retail/Pedestrian Activity: Reinforce retail concentrations with compatible spaces that encourage pedestrian activity.

PL4 Active Transportation: Incorporate design features that facilitate active forms of transportation such as walking, bicycling, and use of transit.

PL4-B Planning Ahead for Bicyclists

PL4-B-1. Early Planning: Consider existing and future bicycle traffic to and through the site early in the process so that access and connections are integrated into the project along with other modes of travel.

PL4-B-2. Bike Facilities: Facilities such as bike racks and storage, bike share stations, shower facilities and lockers for bicyclists should be located to maximize convenience, security, and safety.

PL4-B-3. Bike Connections: Facilitate connections to bicycle trails and infrastructure around and beyond the project.

The Board approved the changes to the bike entry and storage areas to face the north alley and the plaza at the Amazon building.

DESIGN CONCEPT

DC1 Project Uses and Activities: Optimize the arrangement of uses and activities on site.

DC1-B Vehicular Access and Circulation

DC1-B-1. Access Location and Design: Choose locations for vehicular access, service uses, and delivery areas that minimize conflict between vehicles and non-motorists wherever possible. Emphasize use of the sidewalk for pedestrians, and create safe and attractive conditions for pedestrians, bicyclists, and drivers.

DC2 Architectural Concept: Develop an architectural concept that will result in a unified and functional design that fits well on the site and within its surroundings.

DC2-A Massing

DC2-A-1. Site Characteristics and Uses: Arrange the mass of the building taking into consideration the characteristics of the site and the proposed uses of the building and its open space.

DC2-A-2. Reducing Perceived Mass: Use secondary architectural elements to reduce the perceived mass of larger projects.

DC2-B Architectural and Facade Composition

DC2-B-1. Façade Composition: Design all building facades—including alleys and visible roofs—considering the composition and architectural expression of the building as a whole. Ensure that all facades are attractive and well-proportioned.

Elegant, handsome and restrained characterized the Board’s reaction to the facades. In particular, the Board preferred the monotone, lighter grey brick, the dark metal panels, and the subtle variations in the facades’ vertical planes. Conditioning the project, the Board recommended that the project, as the design development becomes increasingly refined, continue to possess the same shifts in the vertical plane, the hidden vents, the variety of textures including materials and their directionality, and the black window frames.

DC2-B-2. Blank Walls: Avoid large blank walls along visible façades wherever possible. Where expanses of blank walls, retaining walls, or garage facades are unavoidable, include uses or design treatments at the street level that have human scale and are designed for pedestrians.

Considerable deliberation focused on the character of the brick wall at the lower north elevation facing the alley which shields a bike storage area. By the end of the discussion, the Board encouraged the applicant to rethink the wall’s design and consider using the wall as an opportunity to display art or to design the wall as an artistic object in itself.

DC2-D Scale and Texture

DC2-D-1. Human Scale: Incorporate architectural features, elements, and details that are of human scale into the building facades, entries, retaining walls, courtyards, and exterior spaces in a manner that is consistent with the overall architectural concept

DC2-D-2. Texture: Design the character of the building, as expressed in the form, scale, and materials, to strive for a fine-grained scale, or “texture,” particularly at the street level and other areas where pedestrians predominate.

The facades’ textural quality appealed to the Board members. See recommendation for DC2-B-1.

DC3 Open Space Concept: Integrate open space design with the building design so that they complement each other.

South Lake Union Supplemental Guidance:

DC3-II Landscaping To Enhance The Building and/or Site

DC3-II-i. Integrated Artwork: 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.

DC4 Exterior Elements and Finishes: Use appropriate and high quality elements and finishes for the building and its open spaces.

DC4-A Exterior Elements and Finishes

DC4-A-1. 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.

The guard rail encircling the roof's perimeter, which is shown with horizontal rails, should not be changed to a vertical picket type of fencing.

DC4-A-2. Climate Appropriateness: Select durable and attractive materials that will age well in Seattle's climate, taking special care to detail corners, edges, and transitions.

DC4-D Trees, Landscape, and Hardscape Materials

DC4-D-2. Hardscape Materials: Use exterior courtyards, plazas, and other hard surfaced areas as an opportunity to add color, texture, and/or pattern and enliven public areas through the use of distinctive and durable paving materials. Use permeable materials wherever possible.

Board Recommendations: The recommendations summarized below were based on the plans submitted at the February 4th, 2015 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the February 4th public meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the four Design Review Board members present unanimously recommended approval of the subject design.

The Board recommended the following **CONDITIONS** for the project. (Authority referenced in the letter and number in parenthesis):

- 1) Provide a deck or patio complementary to the ground floor commercial space as shown on p. 7 of the Recommendation meeting booklet. Ensure that the north wall of the retail or restaurant use has doors, such as the folding ones shown on p. 4 of the Recommendation booklet, that open onto the outdoor patio. (PL2-1)
- 2) Ensure that the various changes in the vertical plane, the hidden vents, the variety of textures including materials and their directionality, and the black window frames continue to comprise the four elevations through construction. (DC2-B-1)
- 3) The guard rail encircling the roof's perimeter, which is shown with horizontal rails, should not be changed to a vertical picket type of fencing. (DC4-A-1).

DIRECTOR'S ANALYSIS - DESIGN REVIEW

The Director finds no conflicts with state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. The Director agrees with the conditions recommended by the four Board members and the recommendation to approve the design, as stated above.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated July 17, 2014. The information in the checklist, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise, air quality, earth, grading, construction impacts, traffic and parking impacts as well as its mitigation.

Noise

Noise associated with construction of the mixed use building and future phases could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts.

Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Prior to issuance of demolition, grading and building permits, the applicant will submit a construction noise mitigation plan. This plan will include steps 1) to limit noise decibel levels and duration and 2) procedures for advanced notice to surrounding properties. The plan will be subject to review and approval by DPD. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:

- 1) Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
- 2) Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 3) Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
- 4) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

Air Quality

Construction for this project is expected to add temporarily particulates to the air that will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on streets under windows of the nearby residential buildings.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. In order to ensure that PSCAA will be notified of the proposed demolition, a condition will be included pursuant to SEPA authority under SMC 25.05.675A which requires that a copy of the PSCAA permit be attached to the demolition permit, prior to issuance. This will assure proper handling and disposal of asbestos.

Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit.

The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Grading

Excavation to construct the mixed use structure will be necessary. The maximum depth of the excavation is approximately 12 feet and will consist of an estimated 1,000 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. Future phases of construction will be subject to the same regulations. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Construction Impacts

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

Traffic and Parking

Duration of construction of the apartment building may last approximately 18 months. During construction, parking demand will 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 and parking (SMC 25.05.675 B and M). Parking utilization along streets in the vicinity is near capacity and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. Due to the large scale of the project, this temporary demand on the on-street parking in the vicinity due to construction workers' vehicles may be adverse. In order to minimize adverse impacts, the applicant will need to provide a construction worker parking plan to reduce on-street parking until the new garage is constructed and safe to use. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 1,000 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 100 round trips with 10-yard hauling trucks or 50 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.

Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval 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; increased demand for parking; demolition of older structures, and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, greenhouse gas emissions, traffic, parking impacts and public view protection warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's 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.

Historic Preservation

The existing building on the subject site was reviewed by the Department of Neighborhoods and determined that it is unlikely, due in part to a loss of integrity, that the existing structures would meet the standards for designation as an individual landmark.

The entire site lies within an archaeological buffer zone, determined by the US Government Meander Line. Although no archaeologically significant cultural resources are known to be present at the project site, there is potential for cultural resources to be located there. Construction activities could increase visibility and potential for exposure of previously unknown cultural resources during clearing and grading.

Prior to Issuance of the Master Use Permit, the owner and/or responsible parties shall provide DPD with a statement that the contract documents of their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 26.53, 27.44, 79.01, and 79.90 RCW, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with these regulations.

A Construction Monitoring and Discovery Plan will be required prior to the issuance of permits for subgrade excavation or construction. Appropriate measures in Director's Rule 2-98 will need to be incorporated into the plan.

- 1. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible party shall stop work immediately and notify DPD (land use supervisor Bruce Rips at 206-615-1392) and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAH).*

Responsible parties shall abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors

2. Once DPD and the State Office have been notified:

- The owner and/or responsible party shall hold a meeting on site with DPD and a professional archaeologist. Representatives of Federally recognized Tribes and the Native American community that may consider the site to be of historical or cultural significance shall be invited to attend. After this consultation, the archaeologist shall determine the scope of, and prepare, a mitigation plan. The plan shall be submitted for approval to the State Office of Archaeology and Historic Preservation (OAHP), and to DPD to ensure that it provides reasonable mitigation for the anticipated impacts to the resources discovered on the construction site.*
- The plan shall, at a minimum, address methods of site investigation, provide for recovery, documentation and disposition of possible resources, and provide excavation monitoring by a professional archaeologist. The plan should also provide for conformance with State and Federal regulations for excavation of archaeologically significant resources.*
- Work only shall resume on the affected areas of the site once an approved permit for Archeological Excavation and Removal is obtained from the OAHP. Work may then proceed in compliance with the approved plan.*

Traffic and Transportation

The proposed mixed use development would produce approximately 150 new daily vehicular trips, with 14 week day, PM peak hour trips. Due to the presence of a warehouse on the site, the impacts on the neighborhood would increase trips to 100 new net daily vehicular trip and nine net PM peak hour trips from the existing ones. The addition of the residential building would not likely cause nearby intersections to degrade to an unsatisfactory level of service. No SEPA mitigation of traffic impacts to the nearby intersections is warranted.

The applicant has proposed measures to encourage other modes of travel and reduce or eliminate potential parking spillover in the surrounding neighborhood. The applicant proposes the following measures:

1. Provide more on-site bicycle parking than required by the Land Use Code to be located on the ground floor, located off the alley to the north.
2. Provide a Commuter Information Center that describes transportation options for current and prospective tenants.

These measures will need to be displayed on the MUP drawings.

Parking

Based on current City of Seattle code requirements for parking in the South Lake Union Urban Center, the project has no minimum parking requirement. SMC 25.05.675M.2.b.1 states that “No SEPA authority is provided to mitigate the impact of development on parking availability in the Downtown and South Lake Union Urban Centers...”

Based on the analysis described and the mode-of-travel rates for this area of the S. Lake Union neighborhood, parking demand generated by the proposal is estimated to peak at 23 vehicles during the overnight hours on weekdays and 20 vehicles on Saturday evenings. The estimated demand is about 0.47 vehicles per unit. Vehicle ownership data from the 2010 Census are not yet available. However, the historical vehicle ownership rate from the 2000 Census for rental units in the census tract that surrounds the site was higher---about 0.6 vehicles per unit. This rate does not include, however, all the recent and proposed improvements that would be available to future residents in this neighborhood for mode split options. No SEPA mitigation of parking impacts is warranted.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are anticipated to be non-significant. The conditions imposed below are intended to mitigate construction impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

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

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2C.
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

CONDITIONS – DESIGN REVIEW

Prior to MUP Issuance

Revise plans sets to show:

1. Provide a deck or patio complementary to the commercial space as shown on p. 7 of the Recommendation meeting booklet. Ensure that the north wall of the retail or restaurant use has doors, such as the folding ones shown on p. 4 of the Recommendation booklet, that open onto the outdoor patio.
2. Ensure that the various changes in the vertical plane, the hidden vents, the variety of textures including materials and their directionality, and the black window frames continue to comprise the four elevations through construction.
3. The guard rail encircling the roof's perimeter, which is shown with horizontal rails, should not be changed to a vertical picket type of fencing..

Prior to Building Application

4. Include the departure matrix in the zoning summary section on all subsequent building permit plans. Add call-out notes on appropriate plan and elevation drawings in the updated MUP plans and on all subsequent building permit plans.

Prior to Commencement of Construction

5. Arrange a pre-construction meeting with the building contractor, building inspector, and land use planner to discuss expectations and details of the Design Review component of the project.

Prior to Issuance of a Certificate of Occupancy

6. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, 206.615-1392). An appointment with the assigned Land Use Planner must be made at least one week in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

For the Life of the Project

7. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bruce Rips, 206.615-1392). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.

CONDITIONS – SEPA

Prior to MUP Issuance

8. Show on the plans that there is more on-site bicycle parking than required by the Land Use Code to be located on the ground floor, located off the alley to the north.
9. Show on the plans a lobby Commuter Information Center that describes transportation options for current and prospective tenants.

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

10. A transportation route plan shall be provided to DPD and SDOT; this plan shall document proposed truck access to and from the site, and shall indicate how pedestrian connections around the site will be maintained during the construction period.
11. Provide a construction worker parking plan with the intent to reduce on-street parking.

12. Attach a copy of the PSCAA demolition permit to the building permit set of plans.
13. An archaeological Construction Monitoring and Discovery Plan will be required prior to issuance of any permits for sub-grade excavation or construction on the project site.

During Construction

14. Grading, delivery and pouring of concrete and similar noisy activities will be prohibited on Saturdays and Sundays. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only the low noise impact work such as that listed below, will be permitted on Saturdays from 9:00 A.M. to 6:00 P.M.:
 - A. Surveying and layout.
 - B. Testing and tensioning P. T. (post tensioned) cables, requiring only hydraulic equipment (no cable cutting allowed).
 - C. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.
15. In addition to the Noise Ordinance, requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:
 - A. Non-holiday weekdays between 7:00 A.M and 6:00 P.M.
 - B. Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
 - C. Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
 - D. Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
16. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.
17. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Bruce Rips, (206-615-1392) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved.

Signature: Denise R. Minnerly for Date: March 16, 2015
Bruce P. Rips, Assoc. AIA, AICP
Land Use Planning Supervisor
Department of Planning and Development

BPR:drm

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered "approved for issuance". (If your decision is appealed, your permit will be considered "approved for issuance" on the fourth day following the City Hearing Examiner's decision.) Projects requiring a Council land use action shall be considered "approved for issuance" following the Council's decision.

The "approved for issuance" date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.