



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: 3017008
Applicant Name: Jodi Patterson-O'Hare for Gerding Edlen Development
Address of Proposal: 316 Alaskan Way South

SUMMARY OF PROPOSAL

Land Use Application to allow a new 188,139 sq. ft., 12-story structure containing 199 residential units above 5,023 sq. ft. of retail. Parking for 79 vehicles to be provided below and at grade. Project also includes approximately 2,641 cubic yards of grading. Existing structure to be demolished.*

*Note – The project description has been revised from the following original notice of application: Land Use Application to allow a new 186,814 sq. ft., 11-story structure containing 200 residential units above 6,530 sq. ft. of retail. Parking for 78 vehicles to be provided below and at grade. Project also includes 2,641 cubic yards for grading. Existing structure to be demolished.

The following approvals are required:

SEPA Environmental Threshold Determination - (Seattle Municipal Code (SMC) Chapter 25.05)

Certificate of Approval – Pioneer Square Preservation Board, (SMC Chapter 23.66)

SEPA DETERMINATION:

Determination of Non-Significance

- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal has been conditioned to mitigate environmental impacts.

BACKGROUND INFORMATION

Site and Vicinity Description

This approximately 20,773 square foot (sq. ft.) proposal site is a rectangular corner lot bounded by South Jackson Street to the south, a 16' wide alley to the east, a commercial warehouse building to the north and the Alaskan Way South/Alaskan Way Viaduct to the west. The site is located within the Pioneer Square Preservation District and Pioneer Square Urban Center Village; and zoned Pioneer Square Mixed with a 100/100-120' height limit (PSM-100/100-120). The existing three-story concrete building on the site is commonly known as the "Old Seattle Parking Garage."

Vehicular access to the parking facility is via an existing curb cuts abutting South Jackson Street. South Jackson Street is an improved street with curbs, sidewalks, gutters and street trees. The Alaskan Way South roadway is an unimproved street with a paved roadway. The elevated structure above Alaskan Way South is the Alaskan Way Viaduct, a designated State Highway Route 99 (SR-99). The 16' wide alley is primarily composed of brick pavers. South Jackson Street is classified as a Principal Arterial and Class II Pedestrian Street pursuant to SMC Chapters 23.53 and 23.66 respectively. Alaskan Way South is classified as a Minor Arterial and Class I Pedestrian Street pursuant to the same code citations.

The site's topography slopes moderately downwards from the east to the west with a maximum grade change in elevation of 5' across a distance of approximately 139'. The entire site is identified as Environmentally Critical Areas (ECA)-Liquefaction-prone.

Surrounding property north and south of the proposal site is also zoned PSM 100/100-120. Property west of the site is zoned Downtown Harborfront 1 (DH1/45) and General Industrial 1 (IG1 U/85). Pioneer Square Mixed (PSM-100) zoning is east of the subject property. Existing development in close proximity of the proposal consists of the Alaskan Way Viaduct immediately to the west, the Theater Building (commercial and office use) to the south, the C & H Company building (commercial use) to the north and the Smith Building (residential and retail use) to the east. The immediate vicinity area is marked by structures reflective of the historic Pioneer Square era with solid massing and full block development, extensive use of brick and a variety of architectural treatments (i.e., use of cornices and fenestration patterns to establish prominent base/middle/top vernacular) some of which are commonly identified as Richardsonian Romanesque.

Proposal Description

The proposed project involves the construction of a twelve-story, commercial/residential development containing 199 residential units above approximately 5,023 sq. ft. of retail space. Parking for 79 vehicles is proposed within the partially/below-grade parking garage area. Vehicular access to the proposed parking spaces will occur via the existing alley. The existing parking garage structure will be demolished.

Grading of approximately 2,641 cubic yard (cu. yds.) of material is anticipated to occur during the removal of material and construction of the building's foundation.

Pursuant to SMC Ch. 23.66, the Department of Neighborhoods (DON) Director, in consultation with the Pioneer Square Preservation Board (PSPB), is reviewing a Certificate of Approval for the project, inclusive of the proposed demolition of the existing structure (Old Seattle Parking Garage), the exterior building design/materials and a modification in the structure building overhang standards. (DON application on file with DPD)

Public Comment

The public comment period ended August 10, 2014. DPD received several public comments from the public regarding the project's impacts on the compatibility with the historic character of Pioneer Square, parking, shadows, private view loss and construction-related noise. These written comments are noted in the project file.

Additional public notice concerning the review of the project was facilitated by DON in association with the PSPB meetings. Several public briefings regarding the proposals have been held on the following dates: November 11, 2013, June 25, 2014, August 6, 2014, November 11, 2014, January 21, 2015 and April 1, 2015. The PSPB heard multiple comments regarding the project's compatibility with the Pioneer Square historic character, materials, impacts of the project on public views from Kobe Terrace Park, shadows and parking.

Additional Information

As previously noted, the proposal site is directly adjacent to the Alaskan Way Viaduct. Washington State Department of Transportation (WSDOT) and the City of Seattle are proposing to demolish the existing Viaduct (SR-99) and construct street improvements (Waterfront Project). All work associated with the Waterfront Project shall occur under a separate permit.

The project also includes improvements to those portions of the sidewalks and existing alley that abut the subject site. The applicant has submitted an application (#232685) to the Seattle Department of Transportation (SDOT) requesting improvements within the adjacent Alaskan Way South and South Jackson Street right of ways and limited alley restoration. The DON Director, in consultation with the Board, shall review a Certificate of Approval for the project's proposed improvements within the right of ways and existing alley.

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 (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in an environmental checklist submitted by the applicant dated June 26, 2014 and annotated by DPD. The information in the checklist, supplemental information provided by the applicant, pertinent public comments which were received regarding this proposed action during DPD's evaluation and the experience of the lead agency with review of similar projects forms the basis for this analysis and decision.

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

The SEPA Overview Policy (SMC 25.05.665.D) clarifies the relationship between City's 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.

Codes and development regulations applicable to this proposed project will provide some mitigation for 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 Ch. 15), the Seattle Building Code, the Noise Ordinance (SMC 25.08) and Regulations for Environmental Critical Areas (SMC 25.09). The Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality.

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, disruption of utilities serving the area and increases in greenhouse gas emissions. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794).

Several construction-related impacts are mitigated by existing Codes and ordinances applicable to the project such as: the Noise Ordinance (construction noise), the Stormwater and Grading Codes (grading, site excavation and soil erosion), the Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of pedestrian right-of-way), and the Building Code (construction measures in general). Compliance with the applicable Codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. The following analyzes construction-related noise, air quality, earth, grading, construction impacts, traffic and parking impacts as well as its mitigation.

Noise

Construction activities ('source') including demolition, site excavation, truck and equipment idling and use, materials movement, and construction personnel could adversely affect residents in the vicinity ('receiving property'). The Noise Control Ordinance is intended to control the level of noise to "...protect, promote and preserve the public health, safety and welfare" ... "...in a manner which promotes commerce; the use, value and enjoyment of property; sleep and repose; and the quality of the environment" (SMC 25.08.010). The Ordinance contains regulations for sound level limits from construction equipment, allowing exceedances from non-construction limits during limited hours and days. The noise levels are based on the zoning of both the source and the receiving property, and the hours that the exceedances are allowed is based on the zoning of the source property.

The subject site directly abuts two streets (Alaskan Way South and South Jackson Street), an alley and the existing Alaskan Way Viaduct. A mix of commercial and residential properties are situated to the north, east and south; and located within the same zoning designation (Pioneer Square Mixed). The applicant identifies noise associated with the vehicular traffic on the Viaduct, events at the two stadiums within the vicinity of the subject site and construction of the new SR-99 as existing noise sources. The applicant asserts on the SEPA checklist and supplemental correspondence that construction activity will comply with the Seattle Noise Ordinance standards for weekday and Saturday construction and be confined to the following estimated construction hours: 7:00 a.m. to 4:00 p.m.

The Noise Ordinance states construction activities within downtown zones shall be limited to non-legal holiday weekdays from 7:00 a.m. to 10:00 p.m. and 9:00 a.m. to 10:00 p.m. on weekends and legal holidays. Impact construction work (pile driving, jackhammers, vector trucks, etc.) is further limited (8:00 a.m. – 5:00 p.m. weekdays and 9:00 a.m. - 5:00 p.m. weekends and legal holidays). Although compliance with the Noise Ordinance is required, due to the proximity of the project site to nearby residential uses and in consideration of the construction activity associated with the SR-99 boring tunnel project, additional measures to mitigate the anticipated noise impacts may be necessary.

The SEPA Policies at SMC 25.05.675.B and 25.05.665 allow the Director to require additional mitigating measures to further address adverse noise impacts during construction. Pursuant to these policies, it is the Department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance may be necessary on this site. Therefore, as a condition of approval, construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7:00 a.m. to 6:00 p.m. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9:00 a.m. and 6:00 p.m. 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.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three days in advance of the requested dates in order to allow DPD to evaluate the request.

Air Quality

Demolition of the existing structure, grading and construction activities related to this project are expected to result in short-term increases in air particulates and carbon monoxide that could temporarily affect air quality in the vicinity; however, the increase is not expected to be significant.

Demolition/construction activities that would contribute to the increase include excavation, grading and operation of heavy trucks and smaller equipment (e.g., generators and compressors). Compliance with the Street Use Ordinance (SMC 15.22.060) will require the applicant and its contractors to water the site or use other dust palliatives, as necessary, to reduce dust. Additionally, 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.

Lastly, federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the SEPA Air Quality Policy (SMC 25.05.675).

The Code, PSCAA regulations and applicable federal law are found to be adequate to mitigate the potential impacts to air quality. No further mitigation is warranted pursuant to the SEPA policies.

Earth

The applicant proposes approximately 2,641 cu. yds. of grading with the project. The Stormwater and Grading Codes require 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 3' in height or grading greater than 100 cu. yds. of material.

The City's Environmentally Critical Areas (ECA) Ordinance and Grading Code require submission of a soil study to evaluate development in a liquefaction zone, which includes the subject site. The applicant submitted a geotechnical engineering report dated October 9, 2014 and prepared by Brett Alan Shipton, P.E. (GeoDesign, Inc.). The soils report evaluated the soil and site conditions and provided recommendations for general earth work, erosion and drainage control and foundation support.

The geotechnical report has been reviewed in association with the MUP review and it has been deemed to be complete. The impacts to soils can be sufficiently mitigated through the Grading Code and Stormwater Code review by the Geotechnical Engineer and Building Plans Examiner during the Building Permit phase of review. The applicant will be required to submit geotechnical studies and any other information to determine compliance with those Codes during Building Permit review. No additional mitigation is warranted pursuant to SEPA policies.

Construction-Related Traffic and Parking

Demolition of the existing structure and grading (2,641 cu. yds. in aggregate) is proposed. The soil removed for the below grade parking (approximately 1,067 cu. yds.) will not be reused on the site and will need to be disposed off-site. Per the applicant, demolition and excavation activity "*will require approximately 380 round trips with a 10-yard hauling truck or 190 trips with a 20-yard hauling truck.*" The area around the construction site is marked by primary arterials, non-arterial streets and limited access routes coupled with the ongoing SR-99 construction and two sports stadiums that generate large amounts of traffic. The ingress and egress of trucks, personnel and equipment may adversely impact circulation on the surrounding streets at the project locations. These construction activities may generate adverse impacts.

Construction of the project is estimated to last approximately 17 months. During this time, parking demand will increase due to additional demand created by construction personnel and equipment. The applicant estimates that a daily average of 30-40 construction workers will be onsite throughout the construction process. The applicant states that the contractor and all subcontractors will be required to "*manage construction parking through various strategies, including encouraging alternative means of transportation (e.g. ridesharing, transit) and the use*

of vicinity off-street parking lots (Quest Field, 505 First Avenue and/or 2nd and Main).” Parking utilization along streets in the vicinity is near capacity, particularly on dates with events at the two sports stadiums. The demand for parking by construction workers for the project would likely 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 project vicinity due to construction workers’ vehicles may be adverse.

It is the City's policy to minimize or prevent adverse traffic impacts which would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (25.05.675.R). The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through the Seattle Department of Transportation (SDOT). Due to construction related demand affected by construction worker parking, staging, and deliveries; additional mitigation is warranted pursuant to the Construction Impacts Policy (SMC 25.05.675.B). Pursuant to this policy, a Construction Management Plan (CMP) addressing construction worker parking, alley/street/sidewalk closures, truck haul routes and hours of truck traffic, will be required to mitigate identified impacts. This plan should include elements that will reduce construction worker parking demand on surrounding streets and plans to mitigate trips and construction related activities during regularly scheduled events at the vicinity sports stadiums, based on trip mitigation plans developed by those facilities as part of their SEPA mitigation plans. The approved plan will be required prior to the issuance of any future demolition, grading and/or building permit.

As conditioned, compliance with the Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic and parking which may be generated during construction of this project.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacturing 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 due to the relatively minor contribution of greenhouse gas emissions from the project.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Long-Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: addition of a new structure in the Pioneer Square Preservation District, increased potential for disturbance of items of potential archaeological significance, increased bulk and scale on the site; increased traffic in the vicinity of the project site; increased demand for public services and utilities; increase energy consumption; increased light and glare; and increased demand for parking.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Additionally, a Certificate of Approval from the DON is required for the project, which includes code provisions to address historic compatibility, materials, bulk and scale and other features. 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, historic and cultural preservation, height, bulk and scale, traffic, and parking impacts warrant further analysis.

Historic Preservation

The SEPA Historical Preservation Policies provide authority to mitigate impacts to historic buildings (SMC 25.05.675.H.2). Special review district boards, such as the PSPB, have been established to protect certain historic areas, such as the Pioneer Square Preservation District (District) (SMC 25.05.675.H.1.d). Projects within the District are subject to development controls and review by the Board. The subject site and project lies within the District. Under SMC 23.66, no construction of a new structure or demolition of an existing structure is allowed in the District without a Certificate of Approval from the DON after consultation and recommendation of the Board. To date, the applicant has briefed the Board regarding the project design six times.

The applicant has provided plans, renderings, elevations, information on the quality and type of materials, shadow studies and an evaluation of the project's potential impacts on the public views from Kobe Terrace Park. The applicant's design incorporates the Board's guidance to integrate new construction into the historic fabric of the District through the use of strong cornices, gathering of "punched" window patterns and datum lines that respond to the surrounding historic buildings along Alaskan Way and South Jackson Street, including the eastern adjacent Smith Building (80 South Jackson) and lends to a presentation of a differentiated base, middle and top. The Board supported the applicant's uniform and prominent use of brick materials up to the 100' level as encouraged by SMC 23.66.150.A and the Board's Pioneer Square Design Guidelines.

The project includes the demolition of an existing structure at 316 Alaskan Way South (Old Seattle Parking Garage) that was constructed in 1909. The Old Seattle Garage is listed on the federal National Register nomination for the Pioneer Square-Skid Road Historic District as "historic, non-contributing" which means that while existing structure was built within a period of significance, it does not retain physical integrity to convey historic significance. On November 11, 2013, the applicant consulted with the Board and provided a historical assessment of the existing structure. The Board indicated its preliminary determination was that the existing structure was non-contributing to the District. The Board will review the proposed demolition and make a determination regarding contributing status as part of the Certificate of Approval for the project.

A Certificate of Approval from the Board and DON is required for demolition and new construction related to the project, as conditioned in the decision below. Given the review by the City's designated special review Board, no further mitigation regarding historic preservation is warranted.

The SEPA Historical Preservation Policies also explain, “*On sites with potential archaeological significances, the decisionmaker may require an assessment of the archaeological potential of the site*” (SMC 25.05.675.H.2.e). For projects which include excavation within 200’ of the US Government Meander line, DPD Director’s Rule (DR) 2-98 requires submission of an assessment of the site’s probable archaeological significance prepared by a professional archaeologist. The project proposes excavation within 200’ of the US Government Meander line.

Pursuant to DR 2-98 and the SEPA Historical Preservation Policies, the applicant submitted an archaeological assessment dated November 4, 2014 prepared by SWCA Environmental Consultants (SWCA). This report evaluated the probability for archaeological and cultural resource discovery within a three-block radius of the subject site based on a review of the relevant literature regarding the site and its environs. SWCA concluded that no known significant historic or cultural resources may be affected by the project, but there is potential for encountering buried historical and pre-contact cultural resources during excavation. SWCA provided recommendations for a cultural monitoring and discovery plan for the project. To ensure that no adverse impacts occur to an inadvertently discovered archaeologically significant resource, additional mitigation is warranted pursuant to SMC 25.05.675.H.2. As conditioned in the decision below, the applicant shall be required to adhere to the requirements of DR 2-98, including providing a cultural monitoring and discovery plan (CMDP) for DPD’s review and approval prior to the issuance of a MUP for the project and implementing the CMDP during excavation in the event of an inadvertent discovery of potential culturally significant resources.

Height, Bulk and Scale

The SEPA Height, Bulk and Scale Policies note that: “*The purpose of the City’s adopted land use regulations is to provide for smooth transitions between industrial, commercial and residential areas, to preserve the character of individual neighborhoods and to reinforce the natural topography by controlling the height, bulk and scale of development*” (SMC 25.50.675.G.1).

The project will cover the development site with an 12-story building oriented with a one-story podium, ten floors of residential units and the twelfth floor inclusive of an enclosed rooftop recreational space above the podium oriented in an L-shape along the Alaskan Way and S. Jackson Street with rooftop courtyard on the second story adjacent to the eastern alley. The surrounding vicinity is marked with a variety of buildings with varying heights within the PSM 100/100-120 zone. One predominant feature within the project’s vicinity is the full block development of structures to the lot-lines, which is reflective of the prevailing development patterns in the District. Due to existing structures to the south, a strong datum line is readily visible at the 100’ level along Alaskan Way South.

As authorized in the PSM 100/100-120 zone, the project will be 120’ in height with an additional 15’ for an enclosed rooftop recreational space. The project shall comply with the applicable Code and special review district regulations for permitted heights (SMC 23.66.140.C).

The applicant presented six briefings to the Board regarding the project’s height, bulk and scale (Briefings on file with DON). The special review district standards require a project to cover the full width of the Alaskan Way South and South Jackson Street facades up to 100’ (SMC 23.66.150).

The project is located within the PSM 100/100-120 zone and across an alley from residential uses to the east. Following the Board's guidance on the scale and materiality of the project pursuant to SMC 23.66.180, the applicant proposes a setback above the 100' level to mitigate the perception of bulk. The project includes a 2' setback the length of the alley. The project includes a second story landscaped rooftop courtyard along the northeast portion of the subject site which sets back the mass and allows a transition to the adjacent residential uses in the Smith Building. The project uses extensive brick that mitigates the perception of bulk and evokes the District's material palette.

Given the Board's extensive review of the project and the Board's guidance on scale pursuant to SMC 23.66.180.B and the requirement to obtain a final Certificate of Approval for the project, no further mitigation pursuant to SMC 25.05.675.G regarding the height, bulk and scale is warranted.

Traffic and Transportation

The Transpo Group provided a Transportation Impact Analysis (TIA) (dated November 2014) for the subject site. The TIA evaluates the expected trip generation for the project including weekday PM peak hour as requested by DPD staff, estimated project-related changes to the local traffic and evaluates potential parking impacts. The Transpo Group's analysis was based on the development of 200 apartment units and 5,500 sq. ft. of retail space with parking provided for 79 vehicles.

Trip generation for the project was determined using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition for the following categories: Apartment (LU 220) and Specialty Retail (LU 826)/Shopping Center (LU 820). These rates were further adjusted to reflect the higher level of transit and non-automobile mode use. Based on this information, the Transpo Group estimated the project is anticipated to generate an increase in daily trips (500), weekday AM peak hour trips (34) and weekday PM peak hour trips (44) when compared to the existing garage on the subject site.

Level of service (LOS) analysis was performed for four nearby intersections. The LOS analysis for the "future with-project" scenario showed that, during the weekday PM peak hour, the addition of the project traffic in the PM peak hour evaluated, results in the same LOS values as without the project. The analysis also indicated, with the addition of project traffic, that the average PM peak hour delays would increase by 1.2 seconds or less, reflecting a minimal project impact on traffic operations.

In summary, it is anticipated that the project could increase the overall traffic volumes in the vicinity of the subject site. Because the new increase in vehicular trips for the project is minimal and the LOS operations are unchanged, it is expected that the amount of traffic generated by the project is within the capacity of the roadway network within the immediate vicinity. Therefore, no additional mitigation pursuant to SEPA authority is warranted.

Parking

The proposal site is situated within a downtown zone (PSM-100/100-120) and the Pioneer Square Urban Center Village. No parking is required for the project per the Land Use Code

(SMC 23.49.019 and 23.66.170). The submitted MUP plans indicate 79 parking spaces will be provided onsite.

A parking analysis was included with the TIA prepared by the Transpo Group to assess the expected parking demand and supply. Additional information in response to DPD Corrections was provided on February 9, 2015. Based on the estimated parking demand for the proposed retail and residential uses and the hourly parking demand rates distribution throughout a typical weekday parking as provided in the Institute of Transportation Engineers (ITE) Parking Generation, 4th Edition and Urban Land Institute (ULI) Shared Parking, 2nd Edition, the peak parking demand on-site is an estimated 100 vehicles to occur during the overnight periods. With a proposed project supply of 79 spaces, there is an anticipated deficit of 21 vehicles. However, the Transpo Group found there is sufficient on-street parking within 800' of the subject site as measured by DPD TIP 117 guidelines to meet the anticipated peak parking demand.

The Transpo Group also conducted a cumulative parking utilization study of off-street parking within 1,200' of the project site, including the impacts of the removal of the existing Old Seattle Parking Garage and two other pipeline projects (450 Alaskan Way and 200 Occidental) that are anticipated to remove existing off-street parking. The parking utilization study focused on private garages and surface parking lots on the midday period associated with commercial uses in the area. Using a future (2018) with-project peak midday demand common for commercial uses, there is an anticipated cumulative shortage of approximately 355 stalls. However, it is the City's policy not to require parking for the PSM zone (SMC 23.49.019). Additionally, the project has been designed to rely on the multi-modal transit options within the vicinity. These include the First Hill streetcar being constructed one block from the project site, and expanded Sound Transit service with lines opening to the University District by 2016 and Northgate by 2021. The Transpo Group noted this transit availability would result in fewer vehicular trips and reduced vehicle ownership.

The City is prohibited from exercising SEPA authority to mitigate the impacts of the project on parking availability in the Downtown Urban Center, including the subject site, pursuant to SMC 25.05.675.M.2.b. Therefore, no further mitigation pursuant to SEPA authority is warranted here.

Public Views

Section 25.05.675.P of the SEPA code describes the City's policies for protecting public views. *"The City has developed particular sites for the public's enjoyment of views of mountains, water and skyline and has many scenic routes and other public places where such views enhance one's experience...Adopted Land Use Codes attempt to protect private views through height and bulk controls and other zoning regulations but it is impractical to protect private views through project-specific review."*

Per SMC 25.05.675.P.1.f, the SEPA Public View Protection Policies do not protect private views. Conversely, SEPA provides authority to mitigate obstructions of public view from several specified public places around the city in certain City parks, scenic routes and viewpoints (SMC 25.05.675.P.2.a). In this instance, the Kobe Terrace Park is among the designated parks protected under the SEPA Public View Protection Policies.

The Board is also required to review proposed projects in the District and make recommendations to DON to assure “reasonable protection of views from Kobe Terrace Park” (SMC 23.66.140.D).

Pursuant to the Code and SEPA Public View Protection Policies, the applicant provided a Kobe Terrace Park view analysis that catalogued the available viewpoints from 50 vantages in the park. The project had no impact on protected significant natural features such as Mt. Rainier, the Cascade Mountains and/or the downtown skyline. The project had a minor impact on the views of Elliott Bay from three locations in Kobe Terrace Park out of the 50 total view locations studied; however, the existing vegetation and development previously approved by the Board significantly obscured the views from even these three locations for a major portion of the year. On April 1, 2015, the Board reviewed the applicant’s Kobe Terrace Park view analysis for the project and concluded no further mitigation was appropriate pursuant to SMC 23.66.140.D.

The SEPA Public View Protect Policies limits conditioning in downtown zones to circumstances where public views from outside downtown would be blocked as a result of a change in the street grid pattern (SMC 25.05.675.P.2.a.ii). The project is located in the Pioneer Square Urban Center Village and does not change the street grid pattern; accordingly, no further mitigation is warranted.

Shadows on Open Spaces

Public comment raised concerns regarding the project’s impacts on shadows on First Avenue South and surrounding residential properties. The City is prohibited from exercising SEPA authority to mitigate the impacts of shadows on public open spaces and private property in the downtown zones outside a limited number of protected parks. First Avenue South is not included as one of the protected parks (SMC 25.05.675.Q.2.b). Accordingly, no mitigation related to shadows on open spaces pursuant to the SEPA authority is warranted.

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 due to the relatively minor contribution of greenhouse gas emissions from this project.

No further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

DECISION - SEPA

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

- [X] 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(2)(C).
- [] 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(2)(C).

SEPA CONDITIONS

Prior to Issuance of the Master Use Permit (MUP) (non-appealable)

1. The project shall obtain a Certificate of Approval from the Pioneer Square Preservation Board.
2. The owner and/or responsible parties shall provide DPD with a statement that the contract documents for 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 those regulations.

Prior to Issuance of Any Demolition, Grading and Building Permit

3. The owner and/or responsible parties shall submit a Construction Management Plan (CMP) to be reviewed and approved by Seattle Department of Transportation (SDOT) in consultation with DPD. The CMP shall identify approximate phases and duration of construction activity, truck haul routes to and from the site, alley/street/sidewalk closures, hours of truck traffic, address ingress/egress of trucks and personnel/equipment as well as construction worker parking. The transportation plan shall also include plans to mitigate trips and construction related activities during regularly scheduled events at the vicinity sports stadiums, based on trip mitigation plans developed by those facilities as part of their SEPA mitigation plans.

During Construction

4. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:
 - Stop work immediately and notify DPD (Tami Garrett (206)233-7182) and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAHP). The procedures outlined in Appendix A of Director's Rule 2-98 for assessment and/or protection of potentially significant archeological resources shall be followed.
 - 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.

5. The hours of construction activity (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays between the hours of 7:00 a.m.-6:00 p.m. and non-holiday weekends from 9:00 a.m.-6:00 p.m. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9:00 a.m.-6:00 p.m. 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 by DPD when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner (Tami Garrett) and the DPD Noise Abatement Coordinator at least three days in advance of the requested dates in order to allow DPD to evaluate the request.
6. The owner(s) and/or responsible party(s) shall comply with the Construction Management Plan (CMP). A copy of that plan must be kept onsite.

For the Life of the Project

7. The project's exterior materials and landscape shall be consistent with the final Certificate of Approval materials approved by the Department of Neighborhoods (DON), including any conditions imposed by the Director upon recommendation of the Board. Any changes in the proposed design, including materials, shall require a DON Certificate of approval, upon recommendation of the Pioneer Square Preservation Board and in consultation with the DPD Land Use Planner (Tami Garrett 206-233-7182 or tami.garrett@seattle.gov).

Signature: Denise R. Minnerly for Date: June 11, 2015
Tami Garrett, Senior Land Use Planner
Department of Planning and Development

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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.