

Surrounding Development and Neighborhood Character:

The subject site is located on the southwest corner of N 34th Street and Troll Avenue N. The subject lot and lots to the west are zoned Neighborhood Commercial Three (NC3-65). Lots to the south are zoned Industrial Commercial (IC-65). Lots to the east are zoned Commercial One (C1-65). Lots to the north, across the alley, are zoned Neighborhood Commercial Three (NC3-40). The site contains two parcels with existing commercial buildings. To the northwest is the Fremont Public Library, a City of Seattle Landmark structure. The site contains approximately 17.5 feet of grade change from the southeast corner to the northeast corner. Grade also slopes down from the northeast corner to the northwest corner, along the alley. To the north are existing commercial structures. To the west is an existing two story commercial structure and to the south is a three story commercial structure.

This neighborhood, located within the Fremont Hub Urban Village, includes multifamily housing, community services, restaurants and shopping. The subject lot is located along N 34th Street which serves as a major vehicular, bike and pedestrian corridor. One block to the west is Fremont Avenue N which is a major vehicular, transit and pedestrian hub. Fremont Avenue N contains a number of multi-story multifamily mixed use structures and one story commercial structures. Directly to the north is the one story Fremont Library, a designated City of Seattle Landmark structure. Directly east of the subject lot is the Aurora Bridge, a landmark structure, which includes the Fremont Troll. Uses along N 34th Street are varied and include single and multistory commercial structures. Within walking distance from the site, services include a restaurants, grocery stores, shopping, library and parks. Natural amenities in the area include Lake Union.

Fremont Avenue N is a major Metro bus corridor providing service from Downtown Seattle to many districts north of Lake Union. The Burke Gilman Trail is located one block to the south providing pedestrian and bicycle service to the University of Washington and Ballard with connections to multiple locations. N 35th Street is designated as an arterial street.

No Environmentally Critical Areas are located at this site.

I. ANALYSIS - DESIGN REVIEW

EARLY DESIGN GUIDANCE MEETING: February 2, 2015

DESIGN PRESENTATION

The EDG packet includes materials presented at the EDG meeting, and is available online by entering the project number (3018639) at this website:

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

The EDG packet is also available to view in the project file (project number 3018639), by contacting the Public Resource Center at DPD:

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

Email: PRC@seattle.gov

At the Early Design Guidance Meeting, the applicant presented three design alternatives. All massing schemes included a central lobby and notch stair flanked by retail. Parking was accessed from the alley.

Massing scheme A included a recess in floors 2-5 along the west façade for fenestration and included a defined entry on N 34th Street.

Massing scheme B included a setback from grade to floor 5 along the west property line to provide a through block connection between N 34th Street and the library. Retail spaces are located along the through block connection and a feature stair has been added to 34th Street. The 5th floor included an upper level setback along N 34th Street.

Massing scheme C maintained a through block connection along the west property line. In addition to the through block connection a 27 foot deep setback was shown along 34th Street to provide a south facing public courtyard space. The feature stair was maintained along 34th Street and courtyards (approximately 25' x 80') were introduced into the center of the building to provide light and air within the body of the structure. The 2nd floor was recessed to articulate the base and the upper levels. The southeast corner will include a coffee shop with public plaza space spilling out into the redesigned Troll Avenue. Troll Avenue will be designed with both stairs and ramps to facilitate movement up the hill per SDOT direction.

The stated intent was to create a timeless design with durable materials. The site and right-of-way design will incorporate aggressive storm water management including the collection and filtering of water from the Aurora Bridge within the redesigned Troll Avenue right-of-way setback.

The architect presented a design parti and material concept which included an emphasis on the first 30 feet of the building. Human scale elements with well-proportioned windows will be added to the ground level treatment. The applicant intends to use a mix of vision and spandrel glass on the upper levels facing 34th Avenue. The south façade may also include fins to provide a shading element and add a finer grain of detail to the façade. The concept included a highly transparent corner element in the southwest corner. The transparent corner is intended to have a similar language to the recessed 2nd level gasket and the feature stair. The gasket will continue around the building onto the alley. The façade facing the alley is intended to include a regular punched window pattern.

Landscaping will be included to enhance the through block connection, the courtyard in the southwest corner, on the 2nd floor recess, a green roof, the redesigned Troll Avenue and an enhanced N 34th Street planting strip.

PUBLIC COMMENT

The following comments, issues and concerns were raised during the public comment portion of the Early Design Guidance meeting:

- Expressed support preferred massing option C which included an interior courtyard space and a mid-block connection to the library.
- Supported massing option C. Felt the preferred massing option would create a thriving neighborhood.

- Supported the interior courtyard space and felt it was very important to the success of the building.
- Supported for the proposed office space which is much needed in the neighborhood.
- Concerned about loss of light, air and views to the structure directly behind.
- The ground level treatment should be developed for a friendly pedestrian experience.
- The design should include a less boxy top.
- Supported the street improvements along Troll Avenue to make a safe, walkable, attractive sidewalk.
- Proposed improvements to Troll Avenue are positive and a huge commitment to the neighborhood.
- Noted Fremont Avenue to Troll Avenue alley is largely undeveloped and narrow. Expressed concern traffic impacts about movement of vehicles, trucks and pick up of solid waste and recycling.
- Expressed support for the quantity of parking spaces provided.
- Bicycle parking access should occur from Troll Avenue and the alley and not the through block connection.
- Noted bike parking should be located to be convenient for users.
- Street trees should be maintained.

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| FIRST EARLY DESIGN GUIDANCE: February 2, 2015 |
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After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance. The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

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

EARLY DESIGN GUIDANCE:

- 1. Massing and Site Design.** The Board unanimously supported the preferred massing study C which included a through block connection, public plaza in the southwest corner, a feature stair, stepped retail plate to meet sidewalk grade and interior courtyard spaces. The Board directed that the preferred massing alternative should be developed with the following guidance.
 - a. Massing option C provided the better design solution by locating the public retail plaza along the south façade on N 34th Street. Long term viability of the outdoor space will be maintained with this massing, even if the adjacent site is developed (CS2-B2, DC3-1, DC4).
 - b. The Board supported the architectural concept which included a well-defined pedestrian scale base and a 2nd level transparent gasket with vision and spandrel glass upper level facing N 34th Street. The transparent southwest corner, the gasket wrapping the building and the feature stair were all highly successful compositional elements that should be further developed (CS1-B, CS3-A2, DC2-B and D, DC4).
 - c. The Board supported modern architectural concept and the intent to utilize high quality, durable materials consistent with the inspirational images and presentation provided by the applicant (CS3-A2, DC2-B and D, DC4).

2. **N 34th Street and the Through Block Connection.** The Board supported the intent of the project to develop a high quality pedestrian environment for the first 30 feet of building height.
 - a. At the Recommendation Meeting, the applicant should provide more detail on how the retail spaces will connect with the sidewalk on N 34th Street and the through block connection (CS2-B2, PL3-C, DC3-A and B, DC4).
 - b. At the Recommendation Meeting, the applicant should provide additional detail for the right-of-ways and through block connection demonstrating ground level materials, paving treatments, lighting, signage, way finding and overhead weather protection (CS2-B1, PL2-B, C and D, PL3-A4, DC2-B and D, DC3-A and B, DC4).
 - c. At the Recommendation Meeting, the applicant should demonstrate how the through block connection will meet the Fremont Library and the existing pathways (PL1-A1 and B1).
3. **Troll Avenue.** The Board was very supportive of the proposed concept for Troll Avenue right-of-way improvements which included green storm water treatment for the Aurora Bridge, public plazas and pedestrian friendly walkways and stairs.
 - a. At the Recommendation Meeting the applicant should provide additional detail on how Troll Avenue right-of-way has been developed with a sense of place consistent with the Fremont neighborhood character (CS1-E1, CS2-B2, CS3-B1, DC3-A and B, DC4).
4. **Multi modal users of the site.** The Board noted that the site serves a variety of users including office tenants, retail patrons, pedestrians, vehicles, trucks, bikes and utility collection vehicles. The site and building design should be developed to safely accommodate all users to the site.
 - a. At the Recommendation Meeting the applicant should demonstrate how the movements of all site and building users have been coordinated to create safe passage for each (PL4-B, DC-1).
 - b. At the Recommendation Meeting the applicant should provide detail on the location of the bike facilities and how user would access the facilities from the adjacent right-of-ways (PL4-B, DC-1).
5. **North Façade.** The Board supported the intent to provide a regular punched window pattern on the north façade.
 - a. At the Recommendation Meeting, the applicant should demonstrate how the design has been developed within the context of the new residential building proposed directly north (CS2-D1, 4 and 5).
 - b. At the Recommendation meeting the applicant should include perspectives showing what the building will look like from the historic library (CS2-D1, 4 and 5).

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| FINAL RECOMMENDATION MEETING: July 6, 2014 |
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The packet includes materials presented at the Recommendation meeting, and is available online by entering the project number at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp
or contacting the Public Resource Center at DPD:

Address: **Public Resource Center**
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Seattle, WA 98124

Email: PRC@seattle.gov

The applicant explained changes to the proposal since the EDG meeting, including:

- Development of the entries;
- Expansion of the retail areas;
- Modified canopies, planter walls, sculpture, and lighting to emphasize the unique nature of the through block walkway;
- Modification of the internal courtyard for better daylighting inside the building;
- Combination of the interior courtyards to a single internal courtyard near the western portion of the building to maximize natural daylighting;
- Bike ‘lobby’ relocated to the east side of the building to avoid conflicts with loading and parking at the alley;
- Loading, parking, and paving at alley modified to minimize conflicts; and
- Troll Ave designed with bike lobby, meandering stairs and planters, rain gardens collecting Aurora bridge runoff, and public art.

The applicant described the response to the adjacent historic landmark of the Fremont Library as intended as a modern foil to the historic landmark façade and massing. The white color at the alley was agreed upon with the Library in order to maximize reflected light to the Library’s interior spaces.

A materials and colors board was shown at the meeting, with terracotta, fritted glass, spandrel glass, blue glass shading devices, perforated metal panel horizontal shades, and high density fiber cement panel on the north and west facades. The applicant noted that the depth of the shading fins will be determined as needed to maximize shading and natural light inside the building. The canopies included wood soffit canopies at the entries, glass and steel canopies at the street frontage, and a modified design for the glass and steel canopies to emphasize the through block connection. The upper level balcony walkways would be a dense type of open grating such as a mesh screen. The stair at the north edge was shown as open to the exterior, with terracotta baguettes at the outer facade, and Prodema or similar composite wood material wrapping the stair enclosure frame.

Signage included blade signage, “playful” bike entry signage, wall mounted blade signage, and educational signage at the biorentention/raingarden areas.

Lighting included catenary lighting at the mews, column lights at Troll Ave, and low lighting around the building edges.

The applicant noted that they have requested a Street Improvement Exception to allow the building to protrude at the alley above a certain clearance. If the Exception is not approved, then the north façade would be set back 2’ more than shown at the upper levels.

The landscape plan included bioretention (rain gardens) at the east edge, southwest corner, and south edge near the entry. Weathering steel retaining walls were shown at the east façade, along with scored/colored pavement to distinguish from the sidewalk. Pavers were proposed near the entry and at the through block connection. Bike racks were proposed along the south façade, in addition to the bike lobby at the east edge. The proposal included retention of the two mature street trees, with additional street trees proposed.

The landscape palette included pollinator species; hanging plants at the 2nd floor planters at the street frontage and northwest corner. The applicant team noted that the proposed planters and plants at the west edge are designed to block headlights from the adjacent parking lot while providing pedestrian level visibility.

Public Comments

Several members of the public were in attendance at the Recommendation meeting held on July 6, 2015. The following comments, issues and concerns were raised:

- The Library is 22' above the alley elevation. Supported the increased activity and visually open appearance of the north façade to help activate and increase safety in the alley;
- Seattle Public Library representative supported the alley finishes, coordination of loading and garage access, lighting, security, and overall proposed design response to the Library. The shading will be a challenge, but the Library understands the existing adjacent zoning and resulting development;
- Supported moving the bike access was moved to the east façade, but concerned that the steepness of Troll Ave might result in bike speeds and accidents for users headed downhill, and difficulty of access to the bike lobby for users headed uphill;
- Asserted the bike lobby should include showers for cyclists;
- Supported the overall design;
- Appreciated the access to the Library and through block connection;
- Asserted that the north facade should be more visually interesting, given the development of residential units across the alley;
- Concerned that the number of parking and bicycle spaces aren't sufficient;
- Stated that Troll Ave should include ridges in the sidewalk, similar to existing conditions;
- Supported the high quality design and natural daylighting of internal spaces;
- Would like to see the white facades be more colorful in response to the neighborhood context and visibility of those facades;
- Noted that the loading dock needs to be designed to be functional;
- Concerned about potential shadows on the through block connection from future development;
- Asserted that the southwest courtyard should be modified to add open space to the through block connection; and
- Concerned with the transparency of the proposed balcony mesh floor panels.

PRIORITIES & BOARD RECOMMENDATIONS

At the Recommendation meeting, the Board discussed the response to the EDG and offered the following recommendations for the proposal to meet the applicable Design Review Guidelines identified at the EDG meeting.

1. **Materials and Design Concept.** The Board discussed several suggested modifications to improve the design, but declined to recommend any specific conditions and recommended approval of the materials and design concept. (CS3-A2, DC2-B and D, DC4)
 - a. The Board suggested that the applicant consider softening the white color at the northwest corner and alley façade to be more consistent with the color palette on the rest of the building. (CS1-B)
 - i. The Board supported the light color, wrapping the gasket to the alley, and the overall modulation and articulation at the alley. (DC2-B and D, DC4)
 - b. The Board discussed the articulation at the southwest corner. The Board observed that the following items help to emphasize the human scale and design concept at the highly glazed corner:
 - i. The operable storefront system at grade will help to emphasize the lantern effect; (CS3-A)
 - ii. The horizontal perforated shading devices help to articulate the southwest corner; (CS1-B, DC2-D) and
 - iii. The Board suggested the canopy could wrap the corner as opposed to breaking at the corner where signage was shown. (PL2-C)
 - c. The fourth and fifth floor southwest balconies could have solid walking surfaces rather than grating, to avoid practical difficulties. (DC3-B, DC4-A)
 - d. The Board acknowledged that the western stair is designed to be a feature, but the southwest corner could be better emphasized to express the design concept. (DC2-B, DC4-A)
 - e. The Board observed that the design of the penthouses and roofscape could be revised to better coordinate with the overall design theme. (DC2-B)
 - f. The Board supported the high quality of the materials and design, and commended the applicant on a thorough and efficient presentation.
2. **Bicycle Access.** The Board strongly supported the applicant adding a bicycle connection between the bicycle lobby and the pavement in Troll Ave, across the rain garden, for better circulation and bike access to the site. The Board noted that this will require SDOT approval, and therefore declined to recommend a condition. (PL4-B).

DESIGN REVIEW GUIDELINES

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

CS1-B Sunlight and Natural Ventilation

CS1-B-2. Daylight and Shading: Maximize daylight for interior and exterior spaces and minimize shading on adjacent sites through the placement and/or design of structures on site.

CS1-B-3. Managing Solar Gain: Manage direct sunlight falling on south and west facing facades through shading devices and existing or newly planted trees.

CS1-E Water

CS1-E-1. Natural Water Features: If the site includes any natural water features, consider ways to incorporate them into project design, where feasible

CS2-A Location in the City and Neighborhood

CS2-A-1. Sense of Place: Emphasize attributes that give a distinctive sense of place. Design the building and open spaces to enhance areas where a strong identity already exists, and create a sense of place where the physical context is less established.

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-D Height, Bulk, and Scale

CS2-D-1. Existing Development and Zoning: Review the height, bulk, and scale of neighboring buildings as well as the scale of development anticipated by zoning for the area to determine an appropriate complement and/or transition.

CS2-D-4. Massing Choices: Strive for a successful transition between zones where a project abuts a less intense zone.

CS2-D-5. Respect for Adjacent Sites: Respect adjacent properties with design and site planning to minimize disrupting the privacy of residents in adjacent buildings.

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.

CS3-B Local History and Culture

CS3-B-1. Placemaking: Explore the history of the site and neighborhood as a potential placemaking opportunity. Look for historical and cultural significance, using neighborhood groups and archives as resources.

PL1-A Network of Open Spaces

PL1-A-1. Enhancing Open Space: Design the building and open spaces to positively contribute to a broader network of open spaces throughout the neighborhood.

PL1-B Walkways and Connections

PL1-B-1. Pedestrian Infrastructure: Connect on-site pedestrian walkways with existing public and private pedestrian infrastructure, thereby supporting pedestrian connections within and outside the project.

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.

PL3-A Entries

PL3-A-4. Ensemble of Elements: Design the entry as a collection of coordinated elements including the door(s), overhead features, ground surface, landscaping, lighting, and other features.

PL3-C Retail Edges

PL3-C-1. Porous Edge: Engage passersby with opportunities to interact visually with the building interior using glazing and transparency. Create multiple entries where possible and make a physical and visual connection between people on the sidewalk and retail activities in the building.

PL4-B Planning Ahead for Bicyclists

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.

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.

DC1-C Parking and Service Uses

DC1-C-4. Service Uses: Locate and design service entries, loading docks, and trash receptacles away from pedestrian areas or to a less visible portion of the site to reduce possible impacts of these facilities on building aesthetics and pedestrian circulation.

DC2-B Architectural and Façade Composition

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

DC2-D Scale and Texture

DC2-D-1. Human Scale: Incorporate architectural features, elements, and details that are of human scale into the building façades, 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-A Building-Open Space Relationship

DC3-A-1. Interior/Exterior Fit: Develop an open space concept in conjunction with the architectural concept to ensure that interior and exterior spaces relate well to each other and support the functions of the development.

DC3-B Open Space Uses and Activities

DC3-B-1. Meeting User Needs: Plan the size, uses, activities, and features of each open space to meet the needs of expected users, ensuring each space has a purpose and function.

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-B Signage

DC4-B-2. Coordination with Project Design: Develop a signage plan within the context of architectural and open space concepts, and coordinate the details with façade

design, lighting, and other project features to complement the project as a whole, in addition to the surrounding context.

DC4-C Lighting

DC4-C-1. Functions: Use lighting both to increase site safety in all locations used by pedestrians and to highlight architectural or landscape details and features such as entries, signs, canopies, plantings, and art.

DC4-D Trees, Landscape, and Hardscape Materials

DC4-D-1. Choice of Plant Materials: Reinforce the overall architectural and open space design concepts through the selection of landscape 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.

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| DEVELOPMENT STANDARD DEPARTURES |
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At the time of the Final Recommendation meeting no departures were requested.

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated July 6, 2015 and the materials shown and verbally described by the applicant at the July 6, 2015 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, five Design Review Board members recommended APPROVAL of the subject design with no conditions.

ANALYSIS & DECISION – DESIGN REVIEW

Director’s Analysis

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director’s decision reads in part as follows:

The Director’s decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

- a. Reflects inconsistent application of the design review guidelines; or
- b. Exceeds the authority of the Design Review Board; or
- c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or
- d. Conflicts with the requirements of state or federal law.

Subject to the following conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

At the conclusion of the Recommendation meeting held on July 6, 2015, the Board recommended approval of the project without conditions.

Five members of the Northwest Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with and accepts the approved project without conditions.

The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the five members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines. The Director agrees with the Design Review Board's conclusion that the proposed project results in a design that best meets the intent of the Design Review Guidelines.

Director's Decision

The Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design with the conditions summarized at the end of this Decision.

II. SEPA ANALYSIS

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated March 2, 2015. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans and any additional information in the file, and pertinent comments which may have been received regarding this proposed action have been considered.

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

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

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

Public Comment:

The public comment period ended on March 25, 2015. In addition to the comment(s) received through the Design Review process, other comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to traffic and parking. Comments were also received that are beyond the scope of this review and analysis per SMC 25.05.

Short Term Impacts

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

Construction Traffic and Parking

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The area is subject to significant traffic congestion during peak travel times on nearby arterials. Large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic.

The area includes limited and timed or metered on-street parking. Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking. It is the City's policy to minimize temporary adverse impacts associated with construction activities.”

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted and a Construction Management Plan is required, which will be reviewed by Seattle Department of Transportation (SDOT). The requirements for a Construction Management Plan include a Haul Route and a Construction Parking Plan. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>.

Noise

The project is expected to generate loud noise during demolition, grading and construction.

The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends. If extended construction hours are desired, the applicant may seek approval from DPD through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated. The limitations stipulated in the Noise Ordinance are sufficient to mitigate noise impacts; therefore no additional SEPA conditioning is necessary to mitigation noise impacts.

Greenhouse Gas Emissions

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.

Long Term Impacts

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

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction 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; therefore, no further mitigation is warranted.

Height, Bulk & Scale

The project went through a Design Review process which addressed the issue of Height, Bulk & Scale; see the above Design Review Analysis for details of the process and design changes.

Pursuant to SEPA Policy 25.05.675.G.2.c: Height, Bulk and Scale, "the Citywide Design Guidelines (and any Council-approved, neighborhood Design Guidelines) are intended to mitigate the same adverse height, bulk and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review process is presumed to comply with the height, bulk and scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk and scale policies that have undergone design review shall comply with the design guidelines applicable to the project."

Additional SEPA Mitigation of height, bulk and scale is not warranted.

Historic Preservation

The proposed development includes the demolition of an existing commercial building over 50 years old. The Department of Neighborhoods reviewed the proposal for potential impacts to historic resources, and indicated that the existing structure on site is unlikely to qualify for historic landmark status (LPB 284/15).

The new proposed building is located adjacent to the Fremont Library, a City of Seattle landmark structure. In accordance with SMC 25.05.675 H2d Department of Neighborhoods has reviewed the proposed project to assess the impact of the project on the adjacent landmark. Based on the review of the Design Review Board Recommendation Meeting plan set, submitted by CoU, LLC and Weber Thompson, dated July 6, 2015, Department of Neighborhoods has determined no additional mitigation is necessary (LPB 424/15).

It is the City of Seattle's policy to maintain and preserve significant historic sites and structures and to provide the opportunity for analysis of archaeological sites. Under Director's Rule 2-98, an assessment of potential archaeological significance is required for projects within 200 feet of the U.S. Government Meander line, which is an approximation of the historical shoreline where archaeological resources might be identified. The assessment completed for this project recommended archaeological monitoring of ground disturbance below fill due to the potential for encountering archaeological materials and the sensitive natural and cultural setting (Earley and Heideman 2015). Based on the archaeological assessment (Earley and Heideman 2015) there is a moderate to high potential for encountering buried historical or pre-contact cultural resources exists beneath fill.

A Cultural Resources Monitoring and Discovery Plan has been developed by SWCA Environmental Consultants dated May 19, 2015. The plan specifies that a professional archaeologist, trained in archaeological monitoring, be present during ground-disturbing construction activities (grading, trenching, or other excavation) in area and at depths where there is a potential to intersect the native surface. The plan goes on to state procedures, steps, contact and reporting protocol that will occur if pre-contact or significant historical archaeological resources are discovered.

To mitigate impacts to historic resources per SMC 25.05.675.H, a condition is warranted to require that the Cultural Resources Monitoring and Discovery Plan dated May 19, 2015 be added to the Master Use Permit, Grading, Demolition, and Building Permit Plan Sets. A condition is also warranted to require that the Monitoring and Discovery Plan dated May 19, 2015 shall be followed during demolition, shoring, excavation and building construction. Additionally, a condition is warranted to mitigate potential impacts to historic resources during construction: 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 (Lindsay King (206) 684-9218 or Lindsay.king@seattle.gov) and the Washington State Archaeologist at the State Department of Archaeology and Historic Preservation (DAHP). 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.

Implementation of the Cultural Resources Monitoring and Discovery Plan dated May 19, 2015 and conditions requiring a stop work if resources are found will adequately mitigate adverse impacts.

Parking

As part of the environmental checklist, the project submitted a transportation impact analysis (“Transportation Impact Analysis, 744 & 760 N 34th Street”, Prepared for CoU, LLC, April 8, 2015 Prepared by Heffron Transportation). Additional analysis was provided in a Response to DPD Correction Notice dated August 10, 2015.

As noted in the Response, the project’s proposed parking supply decreased since the initial proposal, from 244 spaces to 152 spaces. Both the office and retail uses will generate parking demand. The April traffic study estimates that the peak retail parking demand is expected to be about 23 vehicles. The office parking demand was estimated to be 229 vehicles, for a combined demand of about 252 vehicles. This would result in substantial spillover parking demand, and warrants mitigation. As described in the August Correction Notice response, an aggressive Transportation Management Plan could be implemented to reduce the project’s parking demand and potential overflow to area streets. To largely accommodate project vehicles on-site, the TMP goal should be a maximum of 44% of the office employees commuting by single-occupant vehicle. With a small amount (three percent) of carpool or vanpool office commuting, the office parking demand would be roughly 139 vehicles. All of these vehicles would be able to park on-site. In evenings and on weekends when peak retail parking demand occurs, ample parking would be available within the building since office parking demand at those times would be very low. A small amount of retail parking demand may occur on-street during the day.

To mitigate impacts to parking per SMC 25.05.675.M, a condition is warranted requiring the owner and/or responsible parties shall submit and have approved by Department of Planning and Development (DPD) and Seattle Department of Transportation (SDOT) a Transportation Management Plan (TMP) consistent with DPD Director’s Rule 10-2012. The goal of the TMP shall be a maximum office employee SOV rate of 44%. With those mitigation measures, the project is not anticipated to cause significant adverse impacts to parking.

Traffic

As part of the environmental checklist, the project submitted a transportation impact analysis (“Transportation Impact Analysis, 744 & 760 N 34th Street”, Prepared for CoU, LLC, April 8, 2015 Prepared by Heffron Transportation).

The project is expected to generate a net total of 690 daily vehicle trips, with 138 net new AM peak Hour trips and 114 net new PM peak Hour trips. Level of service analysis was performed for nearby intersections. That analysis showed that the project is expected to add a small amount of delay at most of the study intersections, but is not expected to significantly affect their overall operation. The proposed project is expected to add the most delay at N 34th Street/Troll Avenue N, which is projected to operate at LOS F with and without the project. The intersection currently meets signal warrants based on the amount of traffic that exits the Lake Union Center. The proposed project would add traffic to the southbound Troll Avenue, but that would not increase the need for a traffic signal. If Seattle Department of Transportation (SDOT) approves installation of a traffic signal at this intersection, the proposed project should contribute a proportionate share cost to the project.

To mitigate impacts to traffic operations per SMC 25.05.675.R, a condition is warranted requiring coordination with Seattle Department of Transportation (SDOT) to determine if a signal is necessary at the corner of N 34th Street and Troll Avenue. If a signal is approved the

project shall contribute a proportionate share cost to the project. With those mitigation measures, the project is not anticipated to cause significant adverse impacts to parking or traffic.

DETERMINATION OF NONSIGNIFICANCE

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

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

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

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

DESIGN REVIEW - CONDITIONS OF APPROVAL

Prior to Certificate of Occupancy

1. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Lindsay King (206) 684-9218 or lindsay.king@seattle.gov).
2. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner Land Use Planner (Lindsay King (206) 684-9218 or lindsay.king@seattle.gov).

For the Life of the Project

3. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner Land Use Planner (Lindsay King (206) 684-9218 or lindsay.king@seattle.gov).

SEPA - CONDITIONS OF APPROVAL

Prior to Issuance of a Master Use Permit:

4. 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.
5. The Cultural Resources Monitoring and Discovery Plan dated May 19, 2015 be added to the Master Use Permit Plan Sets.

Prior to Issuance of a Grading, Shoring, Excavation or Building Permit:

6. 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.
7. The Cultural Resources Monitoring and Discovery Plan dated May 19, 2015 be added to the Permit Plan Sets.
8. The owner and/or responsible parties shall coordinate with Seattle Department of Transportation (SDOT) to determine if a signal is warranted at the corner of N 34th Street and Troll Avenue. If a signal is approved the project shall contribute a proportionate share cost to the project.

Prior to Issuance of a Building Permit:

9. The owner and/or responsible parties shall submit and have approved by Department of Planning and Development (DPD) and Seattle Department of Transportation (SDOT) a Transportation Management Plan (TMP) consistent with DPD Director's Rule 10-2012. The goal of the TMP shall be a maximum office employee SOV rate of 44%.

During Construction:

10. The Cultural Resources Monitoring and Discovery Plan dated May 19, 2015 shall be followed during demolition, shoring, excavation and building construction.
11. 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 (Lindsay King (206) 684-9218 or Lindsay.king@seattle.gov) 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.

Lindsay King
Senior Land Use Planner
Department of Planning and Development

Date: October 29, 2015

LK:rgc
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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.