

**CITY OF SEATTLE  
SEPA ENVIRONMENTAL CHECKLIST**

**A. BACKGROUND**

**1. Name of proposed project, if applicable:**

Living Building Pilot Program Amendments

**2. Name of applicant:**

City of Seattle, Department of Planning and Development

**3. Address and phone number of applicant and contact person:**

Department of Planning and Development  
700 5<sup>th</sup> Avenue, Suite 2000  
P.O. Box 34019  
Seattle, Washington 98124-4019  
Contact: Bill Mills, Senior Land Use Planner, (206) 684-8738

**4. Date checklist prepared:**

March 30, 2012

**5. Agency requesting checklist:**

City of Seattle, Department of Planning and Development

**6. Proposed timing or schedule (including phasing, if applicable):**

Approval by City Council and Mayor in spring/summer of 2012.

**7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**

No.

**8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**

A SEPA determination will be prepared for this legislative proposal.

There is a Master Use Permit (MUP) application for a proposed development project, Stone 34 (3400 Stone Way North) (DPD Project #3012601), for which the following environmental information has been prepared:

1. *Geotechnical Report* by PanGEO Incorporated dated 12/09/2011
2. *Phase 1 Environmental Site Assessment Report* by Farallon Consulting LLC dated 08/19/2011
3. *Phase 2 Environmental Site Assessment Report* by Geo Engineers dated 04/13/1989
4. *Summary of Subsurface Investigation* by Farallon Consulting LLC dated 08/24/2011

5. *Transportation Impact Analysis* by Heffron Transportation Inc dated 12/20/2011
6. Appendix A (Department of Neighborhoods referral) by LMN Architects dated 12/13/2011
7. *View Studies* by LMN dated November 21, 2011
8. Cultural Resources information related to fulfilling DR 2-98

The above-described information is expected to be used for a project-specific SEPA review for the Stone 34 proposal, expected to be issued at a later date.

- 9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.**

Yes. The proposed "Stone 34" development at 3400 Stone Way N has an application pending (see other information in the response to question #11 below).

- 10. List any government approvals or permits that will be needed for your proposal, if known.**

Approval of these proposed ordinance amendments by Seattle City Council. Although this proposal notes details about the "Stone 34" proposed development for informational and evaluative purposes, that project is separate from this non-project proposal and will be subject to other future permit reviews and decisions.

- 11. Give brief, complete description of your proposal, including the proposed uses and the site of the project. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)**

This proposal amends the existing Living Building Pilot Program to assist projects in attempting to meet the requirements of the Living Building Challenge. The Living Building Challenge is a green building rating system created by the International Living Building Institute to recognize buildings meeting the highest level of sustainability. The Living Building Challenge requires buildings to meet a series of prerequisites relating to site, energy, materials, water, indoor quality, and beauty and inspiration. The Pilot Program currently provides for acceptance of up to 12 projects over a 3-year period. The proposed amendments would add an additional two years to the life of the Pilot Program, to begin from the effective date of the proposed amendments. To be accepted, projects must submit a plan demonstrating how their proposal would meet each of the prerequisites of the Living Building Challenge. Projects are admitted on a first-come, first-serve basis according to the time at which a complete application is submitted. Since its inception in 2009, one project has been approved (the Bullitt Center at 15<sup>th</sup> Avenue E and E Madison Street, 1501 E Madison Street, DPD Project No. 3011010). The proposed amendments would facilitate an additional project proposed at 3400 Stone Way North (MUP application 3012601, see further information below). All projects accepted into the program undergo full design review through the existing design review process pursuant to Chapter 23.41. The scope and criteria for design review departures allows the Board to recommend an expanded range of departures from Code requirements including limited departures from permitted accessory uses, height, and floor area ratio (FAR).

The proposed amendments would add the following departures:

- allow up to 20 feet above the zoned height limit for IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers.
- exempt certain ground floor retail space from FAR limits in IC zones with a height limit of 45 feet or less and within Urban Villages or Urban Centers.

These amended code provisions could be used in the future on eligible sites in certain IC zones to accommodate increased height in “living buildings” for certain building features and/or floor area, and/or to increase the total floor area size of “living buildings” through the exempting of certain ground floor retail space from FAR limits.

One known example of a proposed development that would be assumed to use these possible future regulatory provisions is located at 3400 Stone Way N. The proposal in MUP #3012601 at 3400 Stone Way N is to construct a 5-story office building containing approximately 13,900 gsf of ground floor retail/entertainment uses, 110,600 gsf of office space, and a three-level, below-grade parking structure providing approximately 216 parking spaces. The excavation would require the removal of approximately 25,000 cubic yards of material. The project will require the demolition and removal of two existing one-story structures and an existing parking lot.

The proposed project will be participating in the Seattle Living Building Pilot Program (“Pilot Program”), which, among other goals, seeks to achieve a 75% reduction in energy, a 75% reduction in water use, and a 50% reduction in storm water runoff from a comparable, non-participating project. To achieve these and other goals associated with the Pilot Program, the project will seek Land Use Departures allowed under the Pilot Program and, as noted, will seek the departures that must first be authorized by approval of the proposed legislation amending the Pilot Program regulations. This known development proposal is included in this checklist to help illustrate and evaluate a possible development outcome and the associated impact magnitudes that might occur through future development on a property that would be eligible to use the proposed provisions (if the provisions are approved) and is assumed as likely to be redeveloped.

- 12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.**

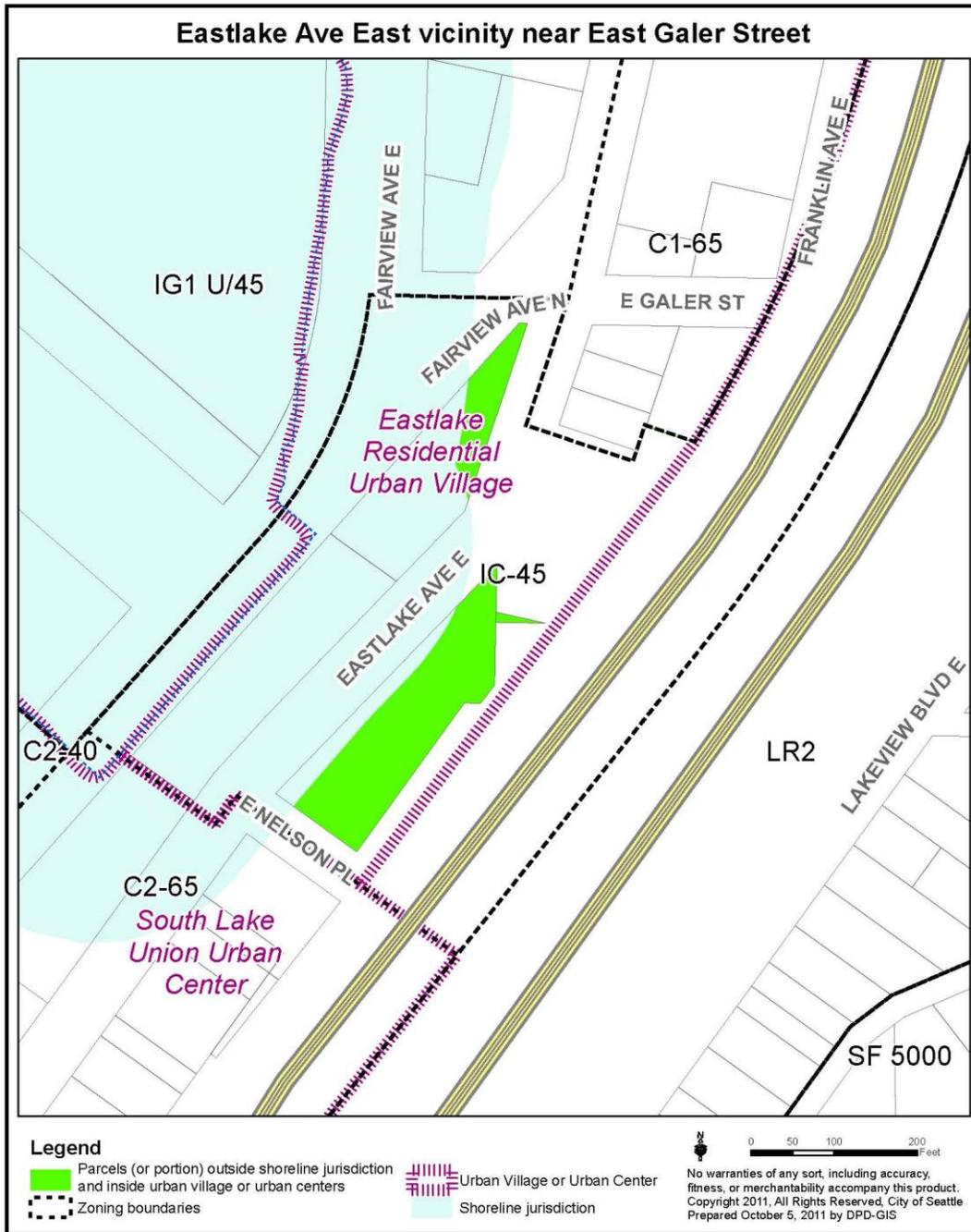
This ordinance applies to projects selected through the process and criteria established in the Living Building Pilot Program set forth in Seattle Municipal Code (SMC) Section 23.40.060. The proposed amendments do not change the number of eligible sites but would allow two additional design departures for projects on sites that are already eligible and located in IC zones with a height limit of 45 feet or less and within Urban Villages or Urban Centers. There are approximately 42 sites zoned IC-45 that are within an Urban Village or Urban Center. ~~However,~~ The likely sites that meet the proposed siting criteria are shown in the attached maps (Figures 1, 2, and 3), predominantly including several properties within the four

blocks that abut on the intersection of N 34<sup>th</sup> Street and Stone Way N, but also including portions of parcels in the Eastlake neighborhood and near the University Bridge.

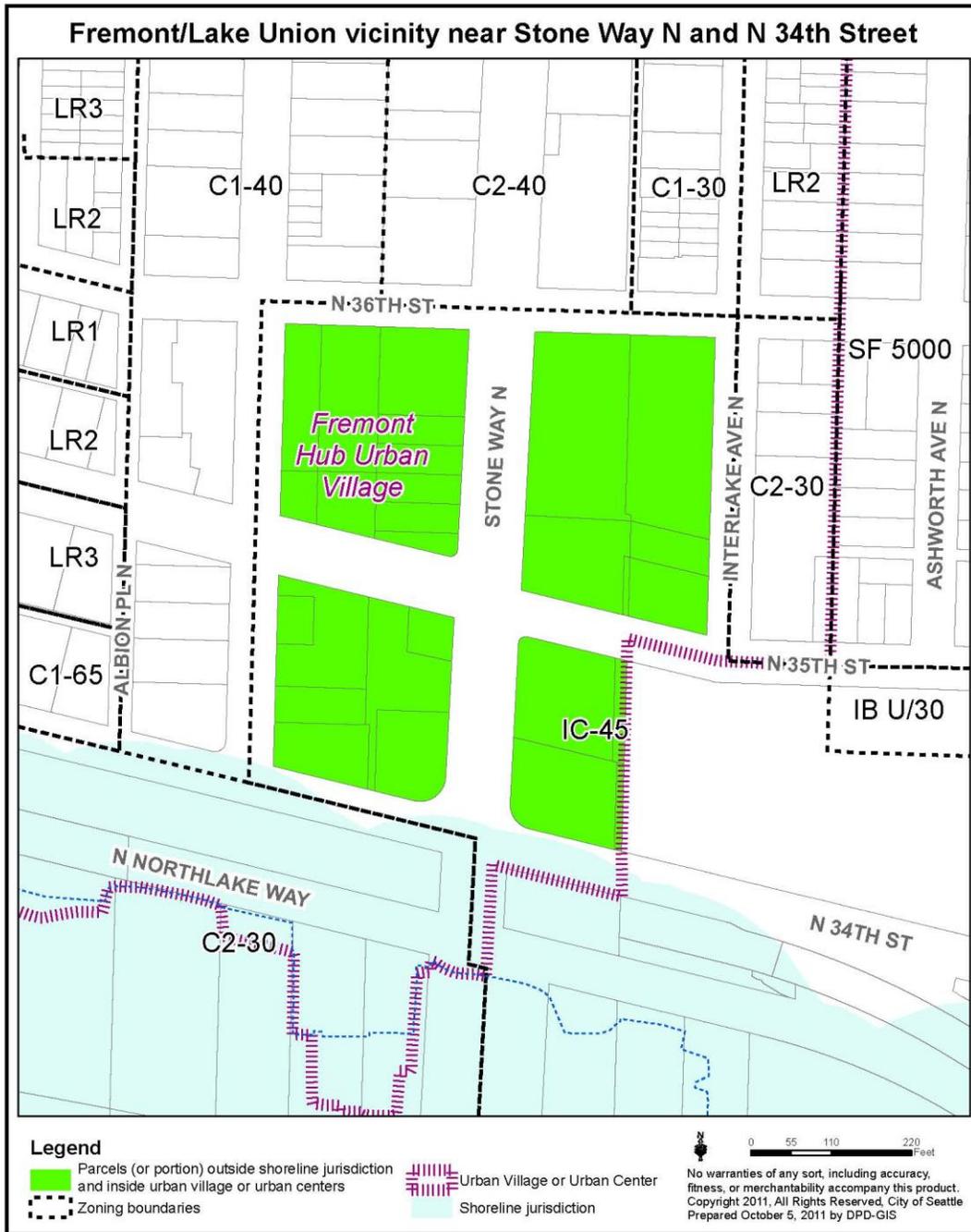
Selected projects are limited to those eligible for design review and attempting to meet the requirements of the International Living Building Institute's Living Building Challenge. Projects in the shoreline jurisdiction are not eligible. The pilot program remains limited to the first 12 applications accepted. The current regulations provide for a 3-year application period that began on the effective date of the ordinance, January 20, 2010. The proposed legislation would provide a two year extension of this application period, to be calculated from the date that the proposed legislation becomes effective.

The proposal in MUP #3012601 is located at 3400 Stone Way North in Seattle (see Figure 2 below) and is bounded on the south by North 34<sup>th</sup> Street; on the west by Stone Way North; North 35<sup>th</sup> Street to the north; and the North Transfer Station to the east. The proposed project site includes the following King County tax parcel numbers: Parcel A: PCL #182504-9132; Parcel B: PCL #182504-9072; Parcel C: PCL #182504-9075; Parcel D: PCL #182504-9088

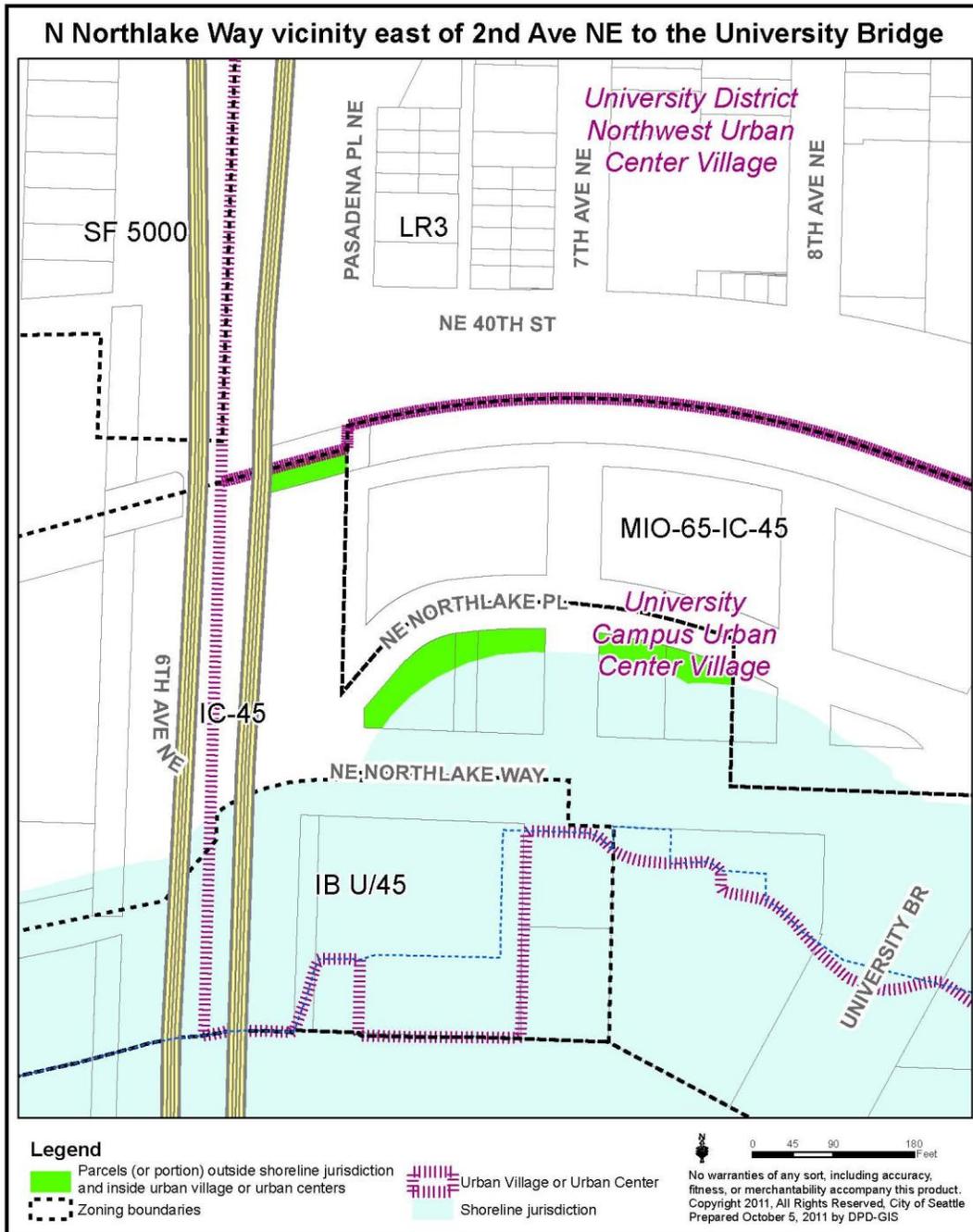
**Figure 1**



**Figure 2**



**Figure 3**



**TO BE COMPLETED BY APPLICANT: EVALUATION FOR AGENCY USE ONLY**

**B. ENVIRONMENTAL ELEMENTS**

**1. Earth**

- a. General description of the site (circle one):  
Flat, rolling, hilly, steep slopes, mountainous, other:**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. The sites are primarily located in the areas shown on the maps in Figures 1, 2, and 3. The sites have widely varying topography.

The 3400 Stone Way North site is gently sloping towards a central topographical low spot, likely due to past grading.

The topography in the three other Stone Way vicinity blocks is relatively flat but slopes gently down toward the south; the block northeast of the 34<sup>th</sup>/Stone Way intersection also includes a slight topographical depression likely due to past grading.

- b. What is the steepest slope on the site (approximate percent slope)?**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers, with varying topography. The sites are primarily located in the areas shown on the maps in Figures 1, 2, and 3.

The 3400 Stone Way North site slopes to a low spot near the southeast corner at a slope of approximately 17%. The steepest overall slope occurs above a retaining wall at the south side of the property. There is approximately 3 feet of drop between the property line and the wall with a maximum slope of approximately 25%.

The steepest slope in the three Stone Way vicinity blocks appears to be along the edges of the depression in the aforementioned block northeast of the 34<sup>th</sup>/Stone Way intersection.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers.

The 3400 Stone Way North site has sand and silty sand soils, and soils in other Stone Way vicinity blocks are also likely the same due to their comparable location in a shallow valley relatively near Lake Union.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. The sites are primarily located in the areas shown on the maps in Figures 1, 2, and 3.

There are no surface indications or history of unstable soils on or near the 3400 Stone Way North site.

There are no other surface indications of unstable soils in the other three Stone Way vicinity blocks, nor any other environmentally critical areas mapped per the City's GIS mapping. However, see the response to 8.h below for more information about steep slopes for the 3400 Stone Way North site.

Individual projects that may use the provisions of this proposal will be subject to environmental review if they meet or exceed thresholds for environmental review and environmentally critical areas regulations.

**e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. The sites are primarily located in the areas shown on the maps in Figures 1, 2, and 3. If future "living building" development proposals occurred, these properties could be subject to future filling and grading.

For the project development proposal in MUP #3012601 located at 3400 Stone Way North, approximately 25,000 cubic yards of excavation will be required to construct the sub-surface parking garage. Approximately 600 cubic yards of structural fill (per the geotechnical engineering report) will be imported and used to achieve design grades on-site.

Individual projects that may use the provisions of this proposal will be subject to environmental review if they meet or exceed thresholds for environmental review and environmentally critical areas regulations.

**f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. The sites are primarily located in the areas shown on the maps in Figures 1, 2, and 3. If future "living building" development proposals occurred, these properties could be subject to future erosion-related construction impacts.

For the proposal in MUP #3012601 located at 3400 Stone Way North, while it is not anticipated that any erosion will occur, there will be a short-term increase in the potential for on-site erosion where soils are exposed during site preparation and construction. These areas will be protected with erosion control measures as required by the City of Seattle. No erosion is expected to occur after construction is complete.

**g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. The sites are primarily located in the areas shown on the maps in Figures 1, 2, and 3. Most of these eligible sites are approximately fully covered with impervious surfaces or gravelly unpaved surfaces; thus the potential for added imperviousness with potential future development is relatively slight.

The 3400 Stone Way North site is nearly 100% impervious. The proposed site is anticipated to be mostly covered with either building or site paving. There will be approximately 3,800 square feet of planting in both the right-of-way and plaza, and approximately 5,000 square feet of green roof on the structure.

**h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

None proposed for this non-project proposal. For future development proposals, compliance with existing city ordinances to reduce or control erosion is required, except where departures from certain standards of the Land Use code would be allowed. Individual projects developed pursuant to the provisions of this proposal will occur over time and, with the exception of Project MUP #3012601 described below, cannot be evaluated in terms of measures to reduce or control erosion or other impacts to the earth at this stage. The amount of erosion that might be possible depends upon existing site conditions and site design of a project-specific action. Such projects will be subject to environmental review (if they meet or exceed thresholds for environmental review), and the City's existing regulations as they move forward.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the project site is less than one acre; therefore, a DOE SWPP plan will not be prepared. The project will comply with the City of Seattle Construction Stormwater Control Technical Requirements Manual. A temporary erosion and sedimentation control (TESC) plan will be prepared indicating erosion prevention BMPs including, but not limited to, the following:

- Diverted Flows
- Interceptor trenches/ditches
- Sediment Trap (Baker Tank or similar)
- Filter Fabric Fencing
- Rock Check Dams
- Inlet Protection
- Dust Control

Also, for MUP #3012601, stormwater is proposed to be routed to the existing storm drain in Stone Way.

**2. Air**

**a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. The sites are primarily located in the areas shown on the maps in Figures 1, 2, and 3. If future

“living building” development proposals occurred, these properties could be subject to future construction-related air emission impacts. Over the long-term with operation of a “living building”, because a purpose of this ordinance is to facilitate the construction of buildings resulting in substantially lower emissions to the air than conventional construction, air emissions from the building itself would be expected to be minor and not substantially adverse, although vehicle traffic generated by building users would occur and add incrementally to area air pollutant emissions.

For the proposal in MUP #3012601 located at 3400 Stone Way North, some dust and construction equipment emissions would occur during the demolition and construction phases of the project. The Phase 1 ESA conducted by Farallon Consulting did not indicate the presence of lead paint or asbestos in the existing structures. All on-site buildings would be demolished. As part of the demolition for the project, the contractor would be required to identify and remove any found hazardous materials as required by law and best practices.

**b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. The sites are primarily located in the areas shown on the maps in Figures 1, 2, and 3. In general, future potential development of larger “living buildings” would not likely be substantially adversely affected by existing off-site sources of emissions or odors. However, at 3400 Stone Way North, the North Transfer Station, a potential odor generator, is immediately east of the project site.

**c. Proposed measures to reduce or control emissions or other impacts to air, if any:**

None proposed for this non-project proposal. For future development proposals, compliance with existing city ordinances to reduce or control emissions and other impacts to air is required, except where departures from certain standards of the Land Use Code would be allowed. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

The proposal in MUP #3012601 located at 3400 Stone Way North would likely be obligated to comply with Puget Sound Clean Air Agency requirements and utilize accepted best management practices to limit dust and emissions.

### **3. Water**

**a. Surface:**

**1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. The sites are primarily located in the areas shown on the maps in Figures 1, 2, and 3. The water

body present on or in the immediate vicinity of potentially affected parcels is Lake Union, located approximately 1-2 blocks to the south of the Stone Way affected area. Potentially relevant properties in other neighborhoods are relatively similarly situated within a few blocks of Lake Union. ~~Projects Properties~~ in the shoreline jurisdiction are not eligible to participate in the program.

Lake Union is south of the 3400 Stone Way North site.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

No, future relevant development could not involve work within 200 feet of Lake Union. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. The sites are primarily located in the areas shown on the maps in Figures 1, 2, and 3, generally in the vicinity of but away from shoreline areas.

The 3400 Stone Way North site is not within 200 feet of the water and therefore no work over, in or adjacent to water will be performed.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

None anticipated for this non-project proposal.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.**

None anticipated for this non-project proposal.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

No. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. No 100-year floodplains exist on any of the parcels shown on the maps in Figures 1, 2, and 3.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

None anticipated for this non-project proposal. This is a non-project action affecting multiple parcels. A purpose of this ordinance is to facilitate the construction of buildings resulting in substantially lower discharges than conventional construction. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

The proposal in MUP #3012601 located at 3400 Stone Way North is not known to involve any discharges of waste materials to surface waters.

**b. Ground:**

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.**

None anticipated for this non-project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. A purpose of this ordinance is to facilitate the creation of buildings that capture runoff and treat waste water on site, which may encourage the use of runoff and discharge of treated waste water into the ground.

For the proposal in MUP #3012601 located at 3400 Stone Way N, ground water would be withdrawn during construction to lower the water table to below the bottom of excavation such that foundation elements can be constructed. After construction, groundwater would continue to be drawn down to prevent hydrostatic pressures on the below-grade portion of the structure. Estimated quantity – 20-plus gallons per minute. This surplus water would not be discharged into ground water, but would be conveyed to the existing City of Seattle storm drain main.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals ...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

None anticipated for this non-project proposal. A purpose of the proposed ordinance is to facilitate the creation of buildings that capture runoff and treat waste water on site, which might encourage in future “living building” development the use of runoff and discharge of treated waste water into the ground, but likely not with pollutants or contaminants at levels harmful to the environment.

**c. Water Runoff (including storm water):**

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

None anticipated for this non-project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. A purpose of this ordinance is to facilitate the creation of buildings resulting in substantially lower runoff than conventional construction.

For the proposal in MUP #3012601 located at 3400 Stone Way North, rainwater falling on the building will be collected in a cistern for re-use as irrigation and/or non-potable water for building functions. Rainwater falling on the site will sheet flow and be collected and detained in a series of catch basins and be eventually conveyed to the existing City of Seattle storm drain main in Stone Way.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.**

None anticipated for this non-project proposal. This is a non-project action affecting

multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. A purpose of this ordinance is to facilitate the creation of buildings that capture run-off and treat waste water on site, which may encourage the use of runoff and discharge of treated waste water into the ground.

For the proposal in MUP #3012601 located at 3400 Stone Way North, it is not anticipated that any waste materials would enter ground or surface waters.

**d. Proposed measures to reduce or control surface, ground, or runoff water impacts, if any:**

None proposed for this non-project proposal. For future potential development proposals, compliance with existing city ordinances to reduce or control surface, ground, or runoff water impacts is required, except where departures from certain standards of the Land Use Code would be allowed. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

For the proposal in MUP 3012601 located at 3400 Stone Way North, post-construction stormwater would be collected and used on site as much as possible. Water in excess of that used (or not allowed to be used) would be detained on site to the extent required by appropriate City of Seattle Drainage Code.

**4. Plants**

**a. Check or circle types of vegetation found on the site:**

As a non-project action, this question is not applicable (see below for specifics of 3400 Stone Way North site). A variety of vegetation can be found within the city of Seattle.

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs (3400 Stone Way North site)
- grass
- pasture
- crop or grain
- wet soil plants: cattail, buttercup, bulrush, skunk- cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

**b. What kind and amount of vegetation will be removed or altered?**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. The sites are primarily located in the areas shown on the maps in Figures 1, 2, and 3. If future development relevant to this proposal occurred, it could result in removal of some shrub, grass or trees to the extent they are present in these affected blocks.

For the proposal in MUP #3012601 located at 3400 Stone Way North, miscellaneous individual shrubs located in small planting areas around existing buildings would be removed.

**c. List threatened or endangered species known to be on or near the site.**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. The sites are primarily located in the areas shown on the maps in Figures 1, 2, and 3. No threatened or endangered species are known to be on or near any of the sites, including the 3400 Stone Way North site.

**d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:**

Compliance with existing city ordinances requiring the preservation and provision of landscaping is required, except where departures from certain standards of the Land Use code would be allowed. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the current site is nearly 100% impervious. The proposed project would comply with the requirements of the Seattle Land Use Code, including the City's Green Factor requirements for the amount and types of vegetation. Refer to the landscape plans submitted with the project application.

**5. Animals**

**a. Circle any birds and animals that have been observed on or near the site or are known to be on or near the site:**

As a non-project action, this question is not applicable (see below for specifics of 3400 Stone Way North site, underlined). A variety of birds and animals can be found within the city of Seattle.

**birds: hawk, heron, eagle, songbirds, other:**

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**mammals: deer, bear, elk, beaver, other:**

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**fish: bass, salmon, trout, herring, shellfish, other:**

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**b. List any threatened or endangered species known to be on or near the site.**

The proposal is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. The sites are primarily located in the areas shown on the maps in Figures 1, 2, and 3. No endangered species are known to be on or near the sites, including the 3400 Stone Way North site.

**c. Is the site part of a migration route? If so, explain.**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. The sites are primarily located in the areas shown on the maps in Figures 1, 2, and 3. The sites are not part of a migration route, including the 3400 Stone Way North site.

**d. Proposed measures to preserve or enhance wildlife, if any:**

None proposed. Compliance with existing city ordinances to preserve or enhance wildlife is required, except where departures from certain standards of the Land Use code would be allowed. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the addition of street trees, native/drought-resistant vegetation would provide new nesting and feeding areas for birds.

**6. Energy and Natural Resources**

**a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**

None for this non-project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. A purpose of this ordinance is to facilitate the creation of buildings that generate as much energy as they use, which encourages the use of sustainable energy sources, including but not limited to, solar, wind, and geothermal.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the following types of energy would be utilized:

Electricity: Used to power mechanical equipment for heating/cooling

Natural Gas: Used for backup heating hot water and heating of domestic hot water

Solar: The project is being designed as "PV ready," leaving space and infrastructure for future photovoltaic panels

**b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**

No, for this non-project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. A purpose of this ordinance is to facilitate the creation of buildings that generate as much energy as they use, which encourages the use of sustainable energy sources, including but not limited to, solar, wind, and geothermal and may result in capture of solar energy that could otherwise be used by adjacent properties.

For the proposed future possible development in MUP #3012601 located at 3400 Stone Way North, the proposed project massing has utilized currently accepted sustainability practices and guidelines [such as LEED 2.0 and the Living Building Challenge] in modeling the effect of the proposed project on the potential use of solar energy on surrounding sites. The project meets or exceeds these practices and therefore no adverse impact to the adjoining properties is anticipated.

**c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**

None for this non-project proposal. Compliance with existing city ordinances for energy use and conservation is required, except where departures from certain standards of the Land Use code would be allowed. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

Energy conservation measures for the proposal in MUP #3012601 located at 3400 Stone Way North include:

- Extremely high efficiency mechanical systems using hydronic heating and cooling, heat recovery, and thermal storage
- Reduced lighting power densities with an envelope and controls optimized for daylighting
- Advanced building sub-metering with floor by floor visual “energy dashboards” to provide feedback to occupants, as well as provide the operators specific information to determine potential energy waste

## **7. Environmental Health**

**a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. If future development relevant to this non-project proposal occurred in the affected blocks, demolition of existing buildings and disturbance of soils in the worst case conceivably could generate exposures to environmental health hazards, to the extent that such hazards might be present in buildings or site soils due to past or present uses. With respect to future potential new developments, a purpose of this ordinance is to facilitate the creation of buildings resulting in substantially lower health hazards than conventional construction. The use of innovative technologies could result in an increase in risk of fire and explosions, or spills.

No substantial or significant adverse environmental health hazards ~~will occur~~ are predicted to occur as a result of the proposal in MUP #3012601 located at 3400 Stone Way North. However, some potential risk of hazard would be present during future possible construction, because the project site’s soil includes some petrochemicals that would need to be removed as part of construction activities. Removal would be required to take place in

compliance with state and local regulations. The Phase 1 ESA conducted by Farallon Consulting did not indicate the presence of lead paint or asbestos in the structures. All on-site buildings would be demolished. As part of the demolition project, the contractor would be required to identify and remove any found hazardous materials as required by law and best practices.

**1) Describe special emergency services that might be required.**

None proposed or anticipated for this non-project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers.

**2) Proposed measures to reduce or control environmental health hazards if any:**

Compliance with existing city ordinances to reduce or control environmental health hazards is required, except where departures from certain standards of the Land Use Code would be allowed, and compliance with state regulations. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

**b. Noise**

**1) What types of noise exist in the area which may affect your project (for example: traffic, equipment operation, other)?**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. Therefore, there is no direct potential effect on a given development "project."

For the proposal in MUP #3012601 located at 3400 Stone Way North, existing noise associated with street traffic [cars, trucks, buses] is present. Also, noise is associated with the hauling, sorting, transferring of trash and recycled materials at the adjacent transfer station [garbage trucks and loading equipment operation].

**2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from site.**

None for this non-project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. Noise could be created by or associated with projects participating in the Living Building Pilot Program particularly where new technologies incorporated into these buildings could result in additional noise due to standard function, such as windmills, or due to failure of new technologies.

For the proposed future development in MUP #3012601 located at 3400 Stone Way North, noise effects might occur as follows:

- During construction: Noise typically associated with construction activity, including truck loading and unloading, utilization of earth moving equipment, delivery and placement of materials, hammering, sawing.
- Post-construction: Typical noise associated with the operation of an office building including the operation of mechanical and ventilation systems and traffic noise.

- 3) Proposed measures to reduce or control noise impacts, if any:**  
 Compliance with existing city ordinances to reduce or control noise impacts is required, except where departures from certain standards of the Land Use Code would be allowed. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the proposed development project would be constructed and operated under the requirements and restrictions outlined in the City of Seattle's Noise Ordinance.

## 8. Land and Shoreline Use

### a. What is the current use of the site and adjacent properties?

This is a non-project action affecting multiple parcels, including those in Figures 1, 2 and 3. Potentially affected properties could include all types of uses within the City of Seattle, but the proposed amendments are limited to properties located in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers.

The project site for MUP #3012601 located at 3400 Stone Way North contains commercial, and office, and retail uses as well as paved open area. Adjacent site uses include office, commercial and industrial. The North Transfer Station property abuts the eastern edge of the site. Within the affected area, a range of other commercial, light industrial, marine-related, retail (books, apparel, restaurants, furniture, computers), wholesale and residential uses are present in the general 34<sup>th</sup>/Stone Way vicinity, with examples such as the Pacific Inn Pub.

### b. Has the site been used for agriculture? If so, describe.

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. The sites are primarily located in the areas shown on the maps in Figures 1, 2, and 3. None of these sites have been used for agriculture for many years, if ever.

### c. Describe any structures on the site.

A variety of low-scaled non-residential structures are present in the affected areas, of varied character but typically utilitarian wood or masonry structures.

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. The sites are primarily located in the areas shown on the maps in Figures 1, 2, and 3.

These sites are developed with a variety of residential and commercial structures. The project site for MUP #3012601 located at 3400 Stone Way North contains two existing structures:

- 3400 Stone Way North – a one-story, 6,634-square-foot wood and stucco building with a concrete/block basement. The building was constructed in 1923.
- 3420 Stone Way North – a one-story, 11,375-square-foot concrete/concrete block structure with a stucco finish and pour-in-place concrete basement. The building was constructed in 1952.

**d. Will any structures be demolished? If so, what?**

No, for this non-project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers.

For the project site for MUP #3012601 located at 3400 Stone Way North, all structures will be demolished.

**e. What is the current zoning classification of the site?**

This is a non-project action affecting multiple parcels throughout the City. The proposed amendments are limited to properties in the IC zoning classification except that projects in the shoreline jurisdiction are not eligible to participate in the program.

The properties in the affected area and at the project site for MUP #3012601 located at 3400 Stone Way North are zoned IC-45.

**f. What is the current comprehensive plan designation of the site?**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers throughout the City. These are urban and industrial designated areas.

The project site for MUP #3012601 located at 3400 Stone Way North is designated Industrial Use and Fremont Hub Urban Village in the Seattle Comprehensive Plan.

**g. If applicable, what is the current shoreline master program designation of the site?**

Not applicable. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers throughout the City. Projects in the shoreline jurisdiction are not eligible to participate in the program. The 3400 Stone Way North site is not within the Shoreline overlay.

**h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. Some of the potentially affected parcels contain environmentally sensitive areas. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

The 3400 Stone Way North site has two listed Environmentally Critical Areas:

1. *Steep slopes*: A steep slope is indicated in the southern portion of the site. As this is a developed site, there would be a request for relief from the prohibition on steep slope development per SMC Section 25.09.180.B.2.a, B.2.b, and B.2.c.
2. *Archaeological Buffer Area*: The site is within 200 feet of the US Government Meander line. The following information is provided pursuant to the requirements set forth in SMC Section 25.05.675.H. The proposed project 3012601 would require an excavation which would be approximately 30 feet below the current street grade along North 34<sup>th</sup> Street.

**i. Approximately how many people would reside or work in the completed project?**

No project is identified for this non-project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the project would house approximately 400-450 occupants [daytime office and retail].

**j. Approximately how many people would the completed project displace?**

No displacement estimate is made because no project is identified for this non-project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the current site contains a combination of office and retail uses employing approximately 35-40 people. All businesses would be displaced.

**k. Proposed measures to avoid or reduce displacement impacts, if any:**

None for this non-project proposal. Compliance with existing city ordinances to avoid or reduce displacement impacts is required, except where departures from certain standards of the Land Use code would be allowed. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

For the proposal in MUP #3012601 located at 3400 Stone Way North, ownership is actively working with current commercial tenants to find new locations within the Fremont/Wallingford communities near the project site.

**I. Proposed measures to ensure the proposal is compatible with existing and project land uses and plans, if any:**

None for this non-project proposal. For future development, compliance with existing city ordinances to ensure compatibility with land uses and plans is required, except where departures from certain standards of the Land Use code would be allowed. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward. For the proposal in MUP #3012601 located at 3400 Stone Way North, the proposed project will be reviewed by the City of Seattle for compatibility with land use plans and regulations, including Design Review and Zoning Review, which ~~will~~ would enable the possibility of mitigation for height, bulk and scale impacts. The project team continues to meet with the Wallingford Community Council and the Fremont Neighborhood Council regularly through the design phases to seek input on the development of the project. A view analysis of the proposal has been prepared and reviewed demonstrating how the project would fit with existing development assuming the height departures authorized by this legislative proposal are granted.

The 3400 Stone Way project is seeking to participate in the Seattle Living Building Pilot Program and seeks to create a market rate example of how to greatly reduce energy, water use, and storm water run-off compared to non-participating building; drastically reducing demand on the city's infrastructure and natural resources, while protecting the city's assets.

**9. Housing**

**a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

Not applicable. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. The proposal in MUP 3012601 located at 3400 Stone Way North does not include housing.

**b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

No such impacts identified for this non-project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. The proposed development in MUP #3012601 located at 3400 Stone Way North would not eliminate housing.

**c. Proposed measures to reduce or control housing impacts, if any:**

None proposed for this non-project proposal. Compliance with existing city ordinances to reduce or control housing impacts is required, expect where departures from certain standards of the Land Use code would be allowed.

Since the proposal in MUP #3012601 located at 3400 Stone Way North does not include or displace housing, specific measures are not required for that site.

## 10. Aesthetics

a. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

No structures proposed for this non-project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. This non-project proposal could allow additional height above existing height limits on selected future development projects, amounting to up to 20 feet above the existing 45-foot height limit.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the proposed structure is 65 feet high to the roof above the mean average grade. A proposed mechanical penthouse/screen, located on the roof, is approximately 15 feet in height and is set back from the edge of the roof a minimum of 30 feet.

The proposed exterior materials are a combination of precast concrete, vision glass, spandrel glass, metal panels, and wood.

b. **What views in the immediate vicinity would be altered or obstructed?**

No view blockage would immediately occur because this is a non-project proposal. This is a non-project action. It would affect multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. This proposal could allow additional height above height limits on selected projects. As such, the added height, to the extent used by potential future living buildings, could increase private view obstructions generally from locations to the north, the northeast and northwest downward toward Lake Union, Downtown and the Aurora Bridge. Similarly, to the extent that views down street corridors such as N. 34<sup>th</sup> Street are parts of scenic routes or otherwise favored for retention by neighborhood design guidelines, future development near N. 34<sup>th</sup> Street could influence the nature of views as they appear down a street corridor. Additional upper level building bulk could occur, altering to some degree the visual perceptions of the street corridor and views over and near buildings along the corridor. (Stone Way is not identified as a scenic route per SMC 25.05.675 Exhibit 1, but N 34<sup>th</sup> Street is. Building relationships to Stone Way could be influenced to the degree that neighborhood design guidelines addressing Stone Way would be followed. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

In relation to the proposal in MUP #3012601 located at 3400 Stone Way North, Stone Way is a protected view route. Impacts to protected views

(Lake Union, Downtown skyline) will be projected to be minimal, per view analyses drafted for that proposal. The view down Stone Way to the water and beyond is would be maintained given the large drop in topography from north to south. From just two blocks to the north, a pedestrian would be able to look over the proposed 3400 Stone Way building. Further, the project is to be reviewed under the City's design review process and is designed with intent to meet the community design guidelines related to height, bulk and scale. Views to the Aurora Bridge would be altered and/or obstructed from a localized area. A view analysis of the proposal has been prepared and reviewed demonstrating how the project would fit with existing development assuming the height departures authorized by this legislative proposal are granted. See the attached analysis accompanying this checklist.

**c. Proposed measures to reduce or control aesthetic impacts, if any:**

None proposed. Compliance with existing city ordinances to reduce or control aesthetic impacts is required where relevant, except where departures from certain standards of the Land Use Code would be allowed. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the proposed massing (see materials prepared for Design Review Board recommendation meeting of March 19, 2012) ~~provides a series of moves~~ includes massing arrangements and adjustments that appear to be intended to address potential visual/aesthetic impacts, which would assist in moderating building bulk in an architectural effort to respect the neighborhood context, enhance public domain, and minimize reduce visual impact.

First, the proposed building massing adjacent to Stone Way includes a series of setbacks that increase going as the building extends toward the south along Stone Way from North 35<sup>th</sup> Street to North 34<sup>th</sup> Street. This series of setbacks increases the visual view cone (e.g. the field of view past the building), to the south, creating more views to downtown and Lake Union than what would be allowed by the zoning envelope, and would create series of pedestrian-oriented open spaces along Stone Way North and the intersection of Stone Way North and North 34<sup>th</sup> Street.

Additionally, the proposed building massing contains a series of stepbacks at floors 3, 4, and 5 at various locations along North 35<sup>th</sup> Street, Stone Way, and North 34<sup>th</sup> Street to address views (by increasing the "visual view cone"), the neighborhood scale, and context. ~~The~~ This future possible development project would be required to undergo design review to and could be subject to further measures to reduce, eliminate or minimize aesthetic impacts.

11. Light and Glare

a. **What type of light or glare will the proposal produce? What time of day would it mainly occur?**

None for this non-project proposal; there is no development project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. A purpose of this ordinance is to facilitate the creation of buildings that generate as much energy as they use, which encourages the use of sustainable energy sources, including solar panels, which could result in glare.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the project would reflect some sunlight due to exterior windows, but would not have large expanses of glass, reflective glass or other reflective materials. Artificial lighting would be used in office areas, retail areas and at the exterior/street-level pedestrian areas during non-daylight hours.

b. **Could light or glare from the finished project be a safety hazard or interfere with views?**

None; there is no "project" for this non-project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers.

For the proposal in MUP 3012601 located at 3400 Stone Way North, light/glare from the proposed project will is not likely to present a be a significant safety hazard or significantly interfere with views, due in part to relatively low direct exposure to immediately nearby neighboring uses, and the fact that north-facing facades would not be likely to generate glare toward residential use to the north given the direction of sun angles in Seattle.

c. **What existing off-site sources of light or glare may affect your proposal?**

None identified for this non-project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers.

None are known for the proposal in MUP #3012601 located at 3400 Stone Way North.

d. **Proposed measures to reduce or control light and glare impacts, if any:**

None proposed. In future possible development, compliance with existing city ordinances to reduce or control light and glare impacts is required, expect where departures from certain standards of the Land Use code would be allowed.

For the proposal in MUP #3012601 located at 3400 Stone Way North,

light and glare would be reduced, directly or indirectly due to the sustainability goals and measures of this project. The project would utilize reduced lighting levels, occupancy sensors [turns off lights when spaces are unoccupied], shades and blinds, and use glare-reducing/light “cut-off” parabolic fixtures both internally and externally.

## 12. Recreation

### a. What designated and informal recreational opportunities are in the immediate vicinity?

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. Some of the affected parcels may be in the immediate vicinity of recreation opportunities. The Burke-Gilman Trail is nearby.

For the proposal in MUP #3012601 located at 3400 Stone Way North, there are several designated and informal types of recreation in the area associated with the Burke-Gilman Trail [adjacent to the site on the south side of North 34<sup>th</sup> Street], Gasworks Park, Lake Union, the Ship Canal, and Woodland Park. These activities include running, biking, walking, boating, fishing, sailing, and other sports-related activities.

### b. Would the proposed project displace any existing recreational uses? If so, describe.

None known. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers throughout the City. Other recreational uses in the area, such as a yoga business, might also be displaced if other living buildings occur in this immediate vicinity.

No existing recreational uses would be displaced by the proposal in MUP #3012601 located at 3400 Stone Way North.

### c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None proposed. Compliance with existing city ordinances to reduce or control impacts on recreation is required, except where departures from certain standards of the Land Use code would be allowed.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the proposed project is located at a point where the Burke-Gilman Trail ~~“daylights” itself~~ passes into the Fremont neighborhood. The project seeks to address this through the design of a series of active pedestrian open spaces at the corner of Stone Way North and North 34<sup>th</sup> Street and along Stone Way North. These spaces seek to include amenities [bike racks, air pumps, tables, chairs, stretching bars, etc.] and retail opportunities [athletic shoe stores, juice bars, cafes] that reinforce and support this “trailhead.”

**13. Historic and Cultural Preservation**

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site?**

None known in the study area, including on the 3400 Stone Way N site.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. No landmarks or evidence of this kind are known to be present in the affected areas.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the project site is located within the archaeological buffer area, which requires additional city review to determine no archaeological sites are present.

- c. Proposed measures to reduce or control impacts, if any:**

None proposed for this non-project proposal. Compliance with existing city ordinances to reduce or control impacts on historic and cultural resources is required of future development, except where departures from certain standards of the Land Use code would be allowed. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the project ~~will~~ would be assumed to comply with the City's Director's Rule regarding cultural resources and sites located within the meander line.

**14. Transportation**

- a. Identify public streets and highways serving the site, and describe the proposed access to the existing street system. Show on site plans, if any.**

No street or highway "accesses" are proposed for this non-project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers.

A full Transportation Impact Analysis for the proposal in MUP #3012601 located at 3400 Stone Way North has been prepared (Heffron Transportation, December 20, 2011). It includes detailed information about that future possible development project's impacts and mitigation measures.

The site is adjacent to three arterials: North 34<sup>th</sup> Street, Stone Way North, and North 35<sup>th</sup> Street.

The site's underground parking garage would be accessed via a driveway on North 35<sup>th</sup> Street. Truck access to the back of the building would be provided by a private service drive that would be restricted to one-way southbound traffic. Trucks would enter the service drive from North 35<sup>th</sup> Street and exit to North 34<sup>th</sup> Street with a right-turn-only movement. The existing driveways on Stone Way North would be closed with the proposed project, and the curb line along Stone Way North would be rebuilt to create curb bulbs at the corners of North 35<sup>th</sup> Street and North 34<sup>th</sup> Street. The curb bulbs would define the curb parking area and would not affect the existing bicycle lane or vehicle lanes.

**b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**

The affected areas are served by nearby public transit. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the nearest transit stop is located less than 200 feet away on North 35<sup>th</sup> Street, just west of Stone Way North.

**c. How many parking spaces would the completed project have? How many would the project eliminate?**

None, because this is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. This proposal could result in a reduction or elimination of existing parking spaces on various selected potential future development project sites.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the proposed project would provide 216 parking stalls in a below-grade parking structure. There are currently about 65 parking spaces on surface lots on the site that would be eliminated with the proposed project.

**d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private)**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. To the extent that future living buildings might occur in this vicinity (other than the known proposal discussed below), it is conceivable that future developments would be required to make improvement to roads or streets in the vicinity.

For the proposal in MUP #3012601 located at 3400 Stone Way North, frontage improvements including new sidewalk and the removal of existing curb cuts would be provided along Stone Way North, North 34<sup>th</sup> Street and North 35<sup>th</sup> Street. The curb line along Stone Way North would be rebuilt to create curb bulbs at the corners of North 35<sup>th</sup> Street and North 34<sup>th</sup> Street, which would define the curb parking areas. These bulbs would not affect the existing bicycle or travel lanes. The existing pedestrian signals at the

corners of North 35<sup>th</sup> Street and North 34<sup>th</sup> Street at Stone Way North would or could also be upgraded.

**e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

No, for this non-project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers.

For the future development proposal in MUP #3012601 located at 3400 Stone Way North, the project would not use water, rail, or air transportation or occur in the immediate vicinity of those services.

**f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**

None for this non-project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers. To the extent that the non-project proposal could result in future development of buildings that add more floor area (by virtue of exempting street-level uses and/or using more building height), a net increase in future vehicle trips from such development could occur.

Because there are no particulars about potential future “living building” designs, and because height may be used for various or multiple purposes in a living building, and because the potential extent of use of street-level use exemptions cannot be known, and because the number of future living building developments in a given area cannot be reasonably known, it is not possible to reasonably estimate future net additions of traffic that would relate to this non-project proposal. For example, while one “living building” design might utilize added height capability for usable floor area, another might use the added height capability to accommodate a technological building feature that would assist in the “living” objectives of the building. Different “living buildings” could also be different land use types and/or occupancies that would generate different potential levels of traffic generation.

For illustrative purposes, the known future development proposal for office use in MUP #3012601 located at 3400 Stone Way North, ~~the proposed project~~ is estimated to generate a net increase of 1,350 daily trips, with 184 AM peak hour trips and 174 PM peak hour trips. The traffic study analyzed the PM peak hour condition – when cumulative traffic volumes (background plus project site trips) are the highest during the day. The PM peak hour of the area is from 5:00 to 6:00 P.M. This represents the impact of the total potential future development at this location, not the marginal effects of the living building proposal.

To the extent that other future “living building” developments could possibly occur in the 34<sup>th</sup>/Stone Way N vicinity, the area could be subject to future levels of adverse cumulative traffic impacts. The portion of added cumulative traffic impact ascribable to this non-project regulatory proposal

could only be estimated if the extent that additional floor area and height capabilities were used was known. However, it is not possible to reasonably estimate this at this time.

**g. Proposed measures to reduce or control transportation impacts, if any.**

None proposed for this non-project proposal. Compliance with existing city ordinances to reduce or control transportation impacts is required, except where departures from certain standards of the Land Use code would be allowed. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

A Transportation Management Plan would need to be prepared to reduce the number of employees who commute by private vehicle; therefore, reducing ~~the proposed future~~ projects' parking demand. The goal and program elements are detailed in the full *Transportation Impact Analysis* for the 3400 Stone Way proposal.

**15. Public Services**

**a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.**

No, for this non-project proposal. This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the project would increase the number of office workers and pedestrians in the area and would increase the need for public services consistent with the type and size of project.

**b. Proposed measures to reduce or control direct impacts on public services, if any.**

None for this non-project proposal. Compliance with existing city ordinances to reduce or control impacts on public services is required, except where departures from certain standards of the Land Use Code would be allowed. Individual projects developed pursuant to the provisions of this proposal will be subject to environmental review (if they meet or exceed thresholds for environmental review) as they move forward.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the building would be equipped with an automatic fire suppression system [sprinklers].

**16. Utilities**

- a. **Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other: storm sewer.**

This is a non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers throughout the City. Services are underlined above.

The 3400 Stone Way North site provides the following utilities: electricity, natural gas, water, refuse service, telephone, fiber-optic data transmission, sanitary/storm sewer, and recycling.

- b. **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in immediate vicinity which might be needed.**

None proposed for this non-project action affecting multiple parcels in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers.

For the proposal in MUP #3012601 located at 3400 Stone Way North, the following list is provided:

Electricity – Seattle City Light  
Natural Gas – Puget Sound Energy: 4-inch main in North 35<sup>th</sup> Street  
Water – Seattle Public Utilities: 8-inch main in Stone Way North  
Sanitary Sewer – Seattle Public Utilities: 30-inch main in Stone Way North  
Storm Sewer – Seattle Public Utilities: 42-inch main in Stone Way North  
Telephone – Qwest/Century Link; Verizon, others  
Fiber Optic Cable – Comcast; Century Link, others

**C. Signature**

Signature provided following section D below.

## D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for project actions)

**Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.**

**When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.**

- 1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**

Future possible increases in floor area in living buildings that could occur as a result of the proposed changes are not likely to result in significantly increased discharges to water, air, noise, or toxic/hazardous substances as part of building operations, because the purpose of the proposal is to facilitate the development of buildings that meet the Living Building Challenge. The Living Building Challenge requires buildings to use less energy and water than conventional construction, treat water on site, and reduce the impacts of construction materials and interior finishes.

Minor indirect discharges could occur where new technologies incorporated into these buildings could result in inadvertent discharges due to standard function, such as the noise generation due to windmills or discharge of treated wastewater through rain gardens, or due to failure of new technologies, such as the backup of on-site wastewater treatment. New technologies will still have to meet the requirements of noise and odor standards as well as the public health, plumbing, electrical, mechanical and building codes, which will tend to minimize any such discharges.

If the proposed rule changes act as an incentive to build other living buildings, most likely in the 34<sup>th</sup>/Stone Way vicinity, that area could face a slightly increased potential for releases of toxic/hazardous substances if such substances are present in area buildings or site soils and are disturbed without proper abatements. This is evaluated as a slight risk that has little if any relationship to the actual nature of the proposed regulatory changes.

For specific analysis of the proposal in MUP #3012601 located at 3400 Stone Way North, see Part B of this checklist.

### **Proposed measures to avoid or reduce such increases are:**

Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts. See Part B of this checklist for specific analysis of the proposal in MUP #3012601 located at 3400 Stone Way North.

- 2. How would the proposal be likely to affect plants, animals, fish, or marine life?**

Overall, this ordinance is not likely to result in significant adverse impacts to plants, animals, fish, and marine life for reasons similar to those as discussed in the response to question D1. Some plants, animals, fish, and marine life may benefit from potential reductions in discharges discussed in D1. Pilot projects may incorporate a substantial number of plants into their designs in order to treat stormwater or may incorporate few

plants where they desire to utilize more of their solar resources for solar collection. Plants may also be affected where pilot projects divert water for use in buildings or discharge water in different areas or discharge treated waste water which provides nutrients.

**Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

None are proposed for this non-project proposal. Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts.

**3. How would the proposal be likely to deplete energy or natural resources?**

This ordinance is not likely to deplete energy or natural resources in a significant adverse manner, for reasons similar to as those discussed in the response to question D1. Rather, they would minimize such depletion, and thus no significant adverse impacting outcomes are anticipated.

**Proposed measures to protect or conserve energy and natural resources are:**

None are proposed for this non-project proposal. Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts. For specific analysis of the proposal in MUP #3012601 located at 3400 Stone Way North, see Part B of this checklist.

**4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**

This ordinance is not likely to result in significant adverse impacts to environmentally sensitive areas as the purpose of the proposal is to facilitate the development of buildings that have minimal impacts on the local environment as discussed in the response to question D1. A prerequisite of the Living Building Challenge is that projects may not be built on sensitive areas such as wetlands and floodplains.

Minor indirect adverse impacts conceptually could occur where departures on properties containing environmentally sensitive areas result in additional height or reduced setbacks, which could cause additional shading, noise, or visual impacts. These impacts are likely to be minor as height and FAR departures are limited to property in IC zones with height limits of 45 feet or less that are within Urban Villages or Urban Centers, and departures to the Environmentally Critical Areas regulations are not allowed. Projects in the shoreline jurisdiction would not be eligible to participate in the program.

Minor indirect adverse impacts conceptually could also occur on sites containing historic or cultural sites where departures allow buildings that are out of character with existing historic or cultural elements. As departure requests will be reviewed for compatibility with existing design guidelines, these impacts are likely to be minimized. Existing requirements for historic districts or landmark buildings would also tend to reduce impacts.

**Proposed measures to protect such resources or to avoid or reduce impacts are:**

Projects in the shoreline jurisdiction are not eligible to participate in the Living Building Pilot Program. Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts. For specific analysis of the proposal in MUP #3012601 located at 3400 Stone Way North, see Part B of this checklist.

**5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

This proposal will not affect shoreline uses as projects in the shoreline jurisdiction are not eligible to participate in the program. Indirect impact potential upon shorelines is similarly minor given the environmentally protective nature of the subject “living buildings.”

~~Minor~~ Non-significant indirect adverse impacts to land use could occur where departures allow buildings with different massing or otherwise modify existing standards. Departure requests would be reviewed against the goals of the Living Building Challenge and design guidelines, which would tend to minimize the potential for adverse impacts due to the moderating and architectural-quality-improving effects of design review processes in particular. Moreover, the pilot program remains limited to a specific time period for application and to a maximum limit of 12 selected projects, which limits the potential impact of this program. Nevertheless, possible design departures could result in impacts to land uses, particularly where unforeseen consequences occur or trade-offs to benefit environmental goals are made. Changes to building massing from departures to height and floor area could impact existing uses by blocking light or affecting views – along public street corridors including a N 34<sup>th</sup> Street SEPA-defined scenic route and Stone Way. Potential alterations to private views are noted as a probable consequence, but these are not identified as “public view protection” impacts. As changes to height and floor area remain limited by the ordinance, and applicable only to sites in IC zones with a height limit of 45 feet or less that are within Urban Villages or Urban Centers, these changes are not anticipated to be substantial or to have significant impacts. Alternative massing could also result in new buildings that are out of character with existing structures if they allow for non-traditional configurations. This impact could be increased by the possibility that green building strategy such as natural ventilation, daylighting, solar collectors, water collectors, or urban farms could encourage new building types or designs different from traditional buildings. As departure requests will be reviewed against the goals of the Living Building Challenge and design guidelines, these impacts will tend to be minimized.

Overall, the scope of the departures allowed under the proposed amendments to the pilot program could result in new and/or advanced building types, with alternative configurations to better harness solar and water resources, new exterior treatments, or intense use of plants, which in the worst-case might result in changes in public perceptions about to the overall consistency of the vicinity’s land use where the patterns and character of local areas is changed. This might occur due to the incorporation of unconventional-appearing buildings into the built environment, or as a consequence of added height/bulk in future buildings and related aesthetic effects upon views along public street corridors. These are interpreted as having adverse but not significant adverse impact potential. It should also be noted that the probable outcomes of design review, including aesthetically improved public spaces, moderated building massing, plus the effects of including street-level uses such as restaurants or other retail establishments as is encouraged by the proposal, would tend to aid land use

compatibility and reduce potential for worst-case land use compatibility impacts. As departure requests would be reviewed against the goals of the Living Building Challenge and design guidelines, ~~these~~ the potential for land use-related impacts would be reduced.

Given the above interpretations of probable impacts, and an understanding of the intent of the City regarding “living buildings” and comprehensive plans and neighborhood-related policies, no significant adverse incompatibilities of land use outcomes with existing land use plans are anticipated. See the response to question 7 below for additional discussion.

**Proposed measures to avoid or reduce shoreline and use impacts are:**

None proposed for this non-project proposal. Projects in the shoreline jurisdiction are not eligible to participate in the pilot program. Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts. For specific analysis of the proposal in MUP #3012601 located at 3400 Stone Way North, see Part B of this checklist.

**6. How would the proposal be likely to increase demands on transportation or public services and utilities?**

This non-project proposal is not likely to result in substantially increased demands on transportation or public services and utilities, because it would add incrementally to floor area development capabilities and/or space for technological features that would support a “living building” function. To the extent that the non-project proposal could result in future development of buildings that add more floor area (by virtue of exempting street-level uses and/or using more building height), a net increase in future vehicle trips from such development could occur.

Because there are no particulars about potential future “living building” designs (other than 3400 Stone Way), and because height may be used for various or multiple purposes in a living building, and because the potential extent of use of street-level use exemptions cannot be known, and because the number of future living building developments in a given area cannot be reasonably known, it is not possible to reasonably estimate future net additions of traffic that would relate to this non-project proposal. For example, while one “living building” design might utilize added height capability for usable floor area, another might use the added height capability to accommodate a technological building feature that would assist in the “living” objectives of the building. Different “living buildings” could also be different land use types and/or occupancies that would generate different potential levels of traffic generation.

To the extent that other future “living building” developments could possibly occur in the 34<sup>th</sup>/Stone Way N vicinity, the area could be subject to future levels of adverse cumulative traffic impacts. The portion of added cumulative traffic impact ascribable to this non-project regulatory proposal could only be estimated if the extent that additional floor area and height capabilities were used was reasonably knowable. However, it is not possible to reasonably estimate this at this time. Similarly, while it may be possible to predict the possibility of approximately one more living building in this vicinity other than 3400 Stone Way, this should be regarded as only a speculative possibility and not as a reasonably probable outcome.

As an illustrative comparison, the proposed 3400 Stone Way development (that relies upon the legislative proposal to occur in its proposed form), would generate an

estimated net increase of 1,350 daily trips, with 184 AM peak hour trips and 174 PM peak hour trips. If one additional similar development occurred in the vicinity, a similar level of added trips could be possible. However, it should be noted that this represents the traffic volume impact of the total assumed development at the 3400 Stone Way development (or comparable development on another property), not the marginal effects of the living building proposal.

Increased density will result in increased demand for public services. Because of the nature of the pilot program and its objectives to promote minimally consuming buildings, the proposal is not likely to substantially adversely increase demand on utilities.

This proposal is not likely to have significant adverse impacts on utilities as it may result in more energy and water efficient structures, which will reduce utility demand. Minor adverse impacts to utilities may occur where buildings put energy back into the grid, which could increase the need for more sophisticated energy management techniques.

**Proposed measures to reduce or respond to such demand(s) are:**

None are proposed for this non-project proposal. Individual projects that meet the thresholds for environmental review would still be subject to individual mitigation to avoid or reduce these impacts. For specific analysis of the proposal in MUP #3012601 located at 3400 Stone Way North, see Part B of this checklist.

**7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

The proposed amendments are believed to avoid conflicts with local, state or federal laws and requirements for protection of the environment.

While the ability to allow additional departures from the Land Use Code could be interpreted as conflicting with Comprehensive Plan policies that call for establishing specific standards, the purpose of this ordinance is to allow flexibility in prescriptive standards that meets the intent behind imposing these standards while also meeting other environmental goals.

This non-project proposal is also consistent with Comprehensive Plan policy LU55 regarding design review which states:

“Employ a design review process to promote development that:

- Enhances the character of the city
- Respects the surrounding neighborhood context, including historic resources
- Enhances and protects the natural environment
- Allows for diversity and creativity in building design and site planning
- Furthers community design and development objectives
- Allows desired intensities of development to be achieved”

The proposal would achieve this policy by continuing to balance goals regarding character, context, intensities, and community objectives through consideration of design guidelines and community input while also allowing additional flexibility to encourage creativity and encourage buildings that better protect the natural environment.

Overall, this proposal would allow new buildings that will support important environmental goals such as Comprehensive Plan Goal “EG1: Protect and improve the quality and function of the city’s air, land, and water resources because of their relationship to human health, wildlife and the region’s natural heritage.”

**SIGNATURE:**

I, the undersigned, state that to the best of my knowledge the above information is true and complete. It is understood that the lead agency may withdraw any declaration of non-significance that it might issue in reliance upon this checklist should there be any willful misrepresentation or willful lack of full disclosure on my part.

\_\_\_\_\_  
William K. Mills  
Senior Land Use Planner, DPD

March 30, 2012  
Date

This checklist was reviewed and annotated by:

\_\_\_\_\_  
Gordon S. Clowers, City of Seattle  
Urban Planner II, Department of Planning and Development

April 5, 2012.  
Date

Reviewer's annotations are underlined.