



City of Seattle
Edward B. Murray, Mayor

Department of Construction and Inspections
Nathan Torgelson, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

Applicant Number: 3024753

Applicant Name: Jeremy Schoenfeld representing the Seattle Art Museum (SAM)

Address of Proposal: 1400 E Prospect St

SUMMARY OF PROPOSAL

Land Use Application to allow a 3-story, 13,885 sq. ft. addition to the Seattle Asian Art Museum located in Volunteer Park. The project includes interior and exterior alterations to the existing structure. This decision includes the environmental review of the code amendment required for this proposal.

The following approval is required:

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

SEPA DETERMINATION:

Mitigated Determination of Non-Significance

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

BACKGROUND

The proposal contains the following elements.

1. The expansion of the Asian Art Museum is comprised of approximately 13,885 sq. ft., within two additions on the North and East facades. The North Addition is located in a notch in the north façade in the same space as the existing loading dock. Parts of the north addition infill under a third story gallery addition from 1954. The intent is to provide a larger receiving area at Level 2, and additional storage at



Level 1. A new freight elevator, located externally on the north façade, serving all three levels would also be included with the north addition.

The East Addition would be built onto the southeast corner of the existing museum footprint extending the building further to the east. It would attach to the location of a previous addition from 1955 and includes administrative offices at Level 1, a meeting space at Level 2, and a gallery at Level 3. A glass-enclosed lobby would wrap around the corner of the addition at Level 3, providing access to a new stair that connects the three levels. The area of the additions would be as follows:

	North Addition (sq. ft.)	East Addition (sq. ft.)
Level 1	958	3,470
Level 2	977	3,591
Level 3	106	4,782
Total	2,042	11,843

Renovations are also for the interior of the museum. The entryway and interior courtyard would include the following work: reinforce and restore scagliola clad columns, remove non-historic casework, upgrade handrails to ADA standards, openings and windows would be modified for the addition; replace track lighting, upgrade mechanical systems, restore the original fountain, remove film from windows and provide alternate shading, and replace the automatic door. Gallery work includes: reinforcement of clay tile walls to historical design, replace non-historic lighting, remove carpet and restore original Masonite, replace windows, and upgrade of mechanical systems.

The expansion also includes the removal of some existing asphalt paths shown on sheet C100 of the plan set and new trails to be added on the northwest and east sides of the museum as shown on sheet L102 of the certificate of approval plan set. The proposed expansion and the trail work require a Certificate of Approval from the Seattle Landmark Board.

2. A Land Use Code amendment to allow the expansion of the museum, a non-conforming structure. The proposed amendment would allow the expansion if it meets the following requirements:
 - a. New building square footage must be an expansion, not a freestanding structure and no taller than the highest point of the existing building.
 - b. The amendment allows the Seattle DCI Director to waive parking and loading requirements, subject to the results of a traffic, parking, and loading study.
 - c. Street and sidewalk improvements are not required.
 - d. Any lighting must be shielded and directed away from adjacent residences.
 - e. Building surfaces shall be non-reflective to reduce glare.
3. An amended lease between the Seattle Department of Parks and Recreation and SAM.
4. A development agreement between Seattle Parks and Recreation and SAM.

The Asian Art Museum is located within Volunteer Park and both the building and park grounds are designated landmarks. A Certificate of Approval from the Department of Neighborhoods

Landmarks Preservation Board is required for the project proposal and must be obtained prior to issuance of this permit.

SITE AND VICINITY

Site Zone: Single Family (SF 5000)

Nearby Zones: North: SF 5000
South: Low Rise 3 (LR3) and SF 5000
West: SF 5000
East: SF 5000 and LR3

ECAs: Areas of Steep Slope are present at the west edge of the park. Since proposed work will be located substantially away from the steep slope, the site was granted relief from Steep Slope development standards by the Seattle DCI Geotechnical Engineer on August 5, 2016.

Site Size: 45 acres

PUBLIC COMMENT:

The public comment period ended on November 30, 2016 and a public meeting was held on December 15, 2016. Comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to concern about loss of open space, excessive shading of the park by the expansion, impacts to wildlife, the design of the expansion is not compatible with the park, the expansion should be underground, Asian Art Museum functions should be moved out of the park, concern about impacts to existing exceptional trees, vegetation impacts during construction, light, glare and privacy impacts from the proposed glass façade, and increased traffic from the expansion. Several public comments stated the project should be required to produce an Environmental Impact Statement (EIS) due to both the building and park's status as landmarks. There were also several members of the public who support the expansion of the museum that wrote comments and spoke at the public meeting. Comments were also received that are beyond the scope of this review and analysis per SMC 25.05.

I. ANALYSIS – SEPA

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

The initial disclosure of the potential impacts from this proposal was made in the environmental checklist submitted by the applicant dated October 3, 2016 and the revised checklists dated January 13, 2017, and February 1, 2017. The Seattle Department of Construction and Inspections (SDCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans; consulted with the Department of Neighborhoods, reviewed public comment addressed to the Department of Neighborhoods Landmarks Preservation Board; and

assessed any additional information in the project file submitted by the applicant or agents; and other comments that have been received. Additional studies considered include¹:

1. Geotechnical Engineering Study, January 31, 2017, Hayre McElroy and Associates, llc.
2. Tree Survey, July 30, 2015, Tree Solutions Inc.
3. Greenhouse Gas Emission Worksheet
4. Asbestos, Lead and Hazardous Materials Survey, July 22, 2016, Eco Compliance Corporation
5. Visibility Study
6. Lighting Impact Analysis Study
7. Transportation and Parking Assessment, Fehr and Peers, February 23, 2017
8. Draft Certificate of Approval Application

The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

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

Under such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, an increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes construction-related noise, air quality, environmental health, greenhouse gas, earth/construction vibration, construction traffic and parking impacts, as well as mitigation.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these

¹ Studies were prepared by the applicant and accompanied the SEPA checklist unless otherwise noted.

impacts are adverse, they are not considered significant and no further mitigation is warranted pursuant to SMC 25.05.675.A.

Construction Impacts - Parking and Traffic

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The applicant states 650 cubic yards of dirt would be excavated from the site and 125 cubic yards would be added to the site. This equates to approximately 78 trips in a 10-yard dump truck and 39 trips in a 20-yard dump truck. These impacts are not considered significant and do not warrant further mitigation.

The area includes parking associated with Volunteer Park, 15th Street, and E. Prospect Street. Additional parking demand from construction vehicles will impact the supply of the park's parking, but construction parking impacts are not expected to be significant. The following is a summary of expected construction parking from the applicant's Land Use Correction Response dated February 1, 2017:

Mobilization/Pre-Demo Work/Early Site Work	2 months	20-40 spaces
Abatement/Demo/Structural Work	3 months	50-70 spaces
Building Enclosure/Rough-in/Site Work	5 months	70-80 spaces
Rough-in/Finishes/Startup	3 months	60-70 spaces
Punch List/Commissioning	3 months	20-50 space

Per the Transportation and Parking Assessment, Fehr and Peers, January 30, 2017, there are 306 total parking spaces available in Volunteer Park, 15th Ave E. and E. Prospect St. Current peak attendance, during the weekday when construction would take place, is at 179 spaces. While there are a surplus of parking spaces the location and circulation of construction vehicles should be mitigated through a Construction Management Plan to avoid conflicts with park users.

It is the City's policy to minimize temporary adverse impacts associated with construction activities. Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted and a Construction Management Plan is required prior to any demolition or site work, which will be reviewed by Seattle Department of Transportation (SDOT). The requirements for a Construction Management Plan include a Haul Route and a Construction Parking Plan. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>.

Construction Impacts - Noise

The SEPA policy (SMC 25.05.675.L) Noise seeks to minimize or prevent adverse impacts associated with new development. The project is expected to generate loud noise during demolition, grading and construction. The additional noise will affect users in the park as the quiet enjoyment of the park near the museum would be affected. There are residences across 15th Ave E. where noise from the construction may be heard.

The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development construction and equipment between the hours of 7:00 AM and 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends and legal holidays.

Due to the project's location within the park and its proximity to a residential neighborhood further mitigation is warranted. The SEPA checklist from the applicant restricts construction beyond those hours listed in the noise ordinance. The applicant is committing to 7 AM to 6 PM on weekdays and 9 AM to 7 PM on weekends and legal holidays. These more restrictive hours documented in the Construction Management Plan.

A Construction Management Plan will be required prior to any demolition or site work, including contact information in the event of complaints about construction noise, and measures to reduce or prevent noise impacts. The submittal information and review process for Construction Management Plans are described on the SDOT website at:

<http://www.seattle.gov/transportation/cmp.htm>. The limitations stipulated in the Noise Ordinance and the CMP are sufficient to mitigate noise impacts; therefore no additional SEPA conditioning is necessary to mitigate noise impacts per SMC 25.05.675.B. Compliance with these requirements is a condition of approval of this Mitigated Determination of Non-Significance.

Environmental Health

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. The City acknowledges PSCAA's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination. No further mitigation under SEPA Policies 25.05.675.F is warranted for asbestos impacts.

Should lead be identified on the site, there is a potential for impacts to environmental health. Lead is a pollutant regulated by laws administered by the U. S. Environmental Protection Agency (EPA), including the [Toxic Substances Control Act \(TSCA\)](#), [Residential Lead-Based Paint Hazard Reduction Act of 1992 \(Title X\)](#), [Clean Air Act \(CAA\)](#), [Clean Water Act \(CWA\)](#), [Safe Drinking Water Act \(SDWA\)](#), [Resource Conservation and Recovery Act \(RCRA\)](#), and [Comprehensive Environmental Response, Compensation, and Liability Act \(CERCLA\)](#) among others. The EPA further authorized the Washington State Department of Commerce to administer two regulatory programs in Washington State: the Renovation, Repair and Painting Program (RRP) and the Lead-Based Paint Activities Program (Abatement). These regulations protect the public from hazards of improperly conducted lead-based paint activities and renovations. No further mitigation under SEPA Policies 25.05.675.F is warranted for lead impacts.

Long Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; parking; potential blockage of designated natural and man-made features, and landmark structures; and possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, greenhouse gas, historic preservation, height bulk and scale, plants and animals, light and glare, shadows on public space, parking, land use, public services and facilities, public views, and traffic warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the increase in museum visitors and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not considered to be significant and no further mitigation is warranted pursuant to SMC 25.05.675.A.

Historic Preservation

The site and building proposed for modification, Volunteer Park and the Asian Art Museum respectively, are designated City of Seattle and National Historic Landmarks. Modification of these landmarks requires a Certificate of Approval from the Landmarks Preservation Board, prior to MUP issuance. The applicant has applied for this Certificate and is proceeding through the Landmarks Board review and process, per the requirements of the Landmarks Preservation Ordinance.

Volunteer Park is a designated landmark park designed between 1904 and 1909 by the Olmsted Brothers. The original park plan contained an amphitheater where the museum is located. The Asian Art Museum is a landmark structure constructed in 1933 and was designed in the Art Moderne style by Carl Gould. The museum's original landscape plan was done by Noble Hoggson. The SEPA Checklist includes an exhibit, Appendix H, the draft Certificate of Approval Application, documenting the history of building additions from 1947 to 2007. The first addition in 1947 was office space located on the northeast corner of the building at the ground floor. Third story gallery space was added to the north façade in 1954. Then in 1955 additional gallery space and a board room were added to the structure's southeast corner and were three stories in height. 1969 saw the addition of an elevator tower to the east façade. In 2007 the museum's skylights were replaced.

The addition includes 13,885 square feet of new museum space planned at the north and east sides of the museum. Façade materials of the addition are glass, precast concrete with reveals, and metal louvers. The North Addition includes space underneath the 1954 third floor gallery remodel and partial infill of the loading dock. It contains a larger receiving area at Level 2, and new storage space at Level 1. The north addition also includes a new freight elevator serving all three floors that would alter the building's symmetry. This addition furthers the existing non-historic alterations on the north façade and does not intrude further into the park.

The new east addition is comprised of administrative offices on the first floor, new meeting space on the second floor, and new gallery space on the third floor. The third floor also includes a glass lobby wrapping around the northeast corner of the addition that provides access to a new stairwell connecting to all three levels. As noted above, the east addition will attach to a part of the building added in 1955. While this further reduces the building's symmetry, this trend began over 50 years ago. The east addition also occupies 3,500 sq. ft. of Volunteer Park. The following is a detailed breakdown of the both additions:

	North Addition (sq. ft.)	East Addition (sq. ft.)
Level 1	958	3,470
Level 2	977	3,591
Level 3	106	4,782
Total	2042	11,843

The expansion also includes the removal of some existing asphalt paths shown on sheet C100 of the plan set and new trails to be added on the northwest and east sides of the museum as shown on sheet L102 of the certificate of approval plan set. A majority of paths located north and east of the museum were not constructed according to the original Olmsted design. The application includes changes to the path north of the museum to make it more accessible. Paths are also proposed in front of the museum to increase symmetry providing additional access to the main entrance and sides of the museum.

The Geotechnical Report includes a provision for a vibration monitoring plan. This will ensure the new construction does not cause damage to the existing building. The applicant will be required to produce a vibration monitoring plan for use during construction. Seattle DCI's Geotechnical engineer will review the plan once the building permit is submitted.

After review of the draft Certificate of Approval application, public comments, and consultation with Department of Neighborhoods, potential significant adverse impacts have been identified with regard to the proposed alterations to the designated features of the landmark. These impacts will be considered by the Landmark Board when it acts upon SAAM's application for a Certificate of Approval, and the Board may impose conditions to avoid or mitigate impacts if it decides to approve a Certificate of Approval. The Board's action on the Certificate of Approval constitutes compliance with SEPA for historic preservation purposes.

Height, Bulk, and Scale

Section 25.05.675.G describes SEPA policies for height, bulk, and scale. The proposal was not subject to the City's design review process. The height, bulk, and scale are compatible with the park and the nearby neighborhood. The east museum expansion matches the height of the existing building and occupies a 3,500 sq. ft. footprint of the park. The north addition also matches the height of the existing building and fills in an area currently occupied by the loading dock. The site and project are not located near a less intensive zone. There are two pockets of Low Rise 3 zoned property east of the park and at the southwest corner. The footprint of the addition is over 250' from the 15th Ave. edge of the park where there is a buffer of trees. The nearest homes are over 350' from the east side of the museum.

Impacts related to the proposed buildings shading of the park and lighting impacts are discussed later in the report.

Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to height bulk and scale are presumed to be sufficient, impacts are not expected to be significant, and additional mitigation is not warranted under SMC 25.05.675.G.

Parking

The proposed development includes renovation and expansion of the Asian Art Museum as described earlier in the report. No additional off-street vehicular parking spaces are planned with

construction. The traffic and parking analysis Fehr & Peers, Asian Art Museum Renovation, and Expansion- Transportation and Parking Assessment, February 23, 2017, indicates an existing peak demand for approximately 204 vehicles during weekend days with free admittance² out of 306 spaces in Volunteer Park, 15th Ave E., and E. Prospect Street. With the project, parking demand on weekend days with free admittance is forecast to increase to 237 vehicles. All of those vehicles could be accommodated by available public supplies within the park.

The traffic and parking analysis noted that the peak parking demand for this development during weekdays with free admittance is 160 vehicles. The number of proposed parking spaces accommodates all the anticipated parking demand, parking impacts are not considered to be significant, and no additional mitigation is warranted per SMC 25.05.675.M.

Plants and Animals

Mature vegetation is located on the site. The applicant submitted an arborist report by Tree Solutions, Inc., July 30, 2015. It analyzed trees within 100' of the Asian Art Museum. Of the 36 trees documented 18 are exceptional. The proposal includes retention of all Exceptional Trees. Three trees #26 (Nordman Fir), #210 (Flowering Cherry), and #221 (Flowering Cherry) are planned for removal while trees #209 (Korean Fir) and #211 (Katsura) will be relocated to another location in the park. Seattle DCI's Arborist has reviewed the arborist report.

In order to mitigate construction impacts to the Exceptional Tree(s) under SMC 25.05.675.N, a condition for a tree preservation plan is warranted.

The Construction Plan, shown as Figure 4, in the SEPA Checklist submitted on February 1, 2017 shows how tree preservation will be handled during construction. The Construction Plan will be required on any site work, demolition, excavation, shoring, and construction permit plans. No significant adverse impacts to plants and animals are expected if compliance with the tree preservation and construction plans occurs.

Public Views

SMC 25.05.675.P provides policies to minimize impacts to designated public views of natural features such as views to Mount Rainer, the Olympic and Cascade Mountains, the downtown skyline, and major bodies of water including Puget Sound, Lake Washington, Lake Union, and the Ship Canal from the park and SEPA Scenic Routes (15th Ave. E., E. Prospect Street, 1th Ave E., and Volunteer Park Way). There are views to the Olympic Mountains, Puget Sound, and parts of downtown from the west side of the museum near facing west. None of the proposed museum additions would interfere with these views as they are located to the east relative to the viewpoint.

Views to the remainder of these natural features are currently not available from anywhere inside the park or the SEPA scenic routes due to a combination of topography, foliage, and buildings. The only viewpoint to these natural features is from the Water tower observatory which is taller than the museum so no views to these natural features would be blocked.

The ordinance also protects public views of designated landmarks. Landmarks in the immediate vicinity are Volunteer Park, the Volunteer Park Reservoir, the Volunteer Park Conservatory, the

² Monthly Free Days: First Thursdays (free to all), First Fridays (free to seniors 62+), First Saturdays (free to families), and Second Thursdays (free from 5 – 9 PM). Account for approximately 48 days of annual operation.

Volunteer Park Water Tower and the Asian Art Museum. Some filtered views to the Conservatory and the Water Tower will be blocked from viewpoints inside the park directly in line with the southeast expansion of the museum. For a majority of the park, views to these landmarks would not change with the proposed building addition. The Reservoir is not blocked any further by the proposed additions as it is located west of the museum and is already not visible from vantage points east of the museum. Views of certain parts of Volunteer Park would be blocked by the southeast addition in a semi-circular fashion from north to south and south to north. This interruption would only be for a brief interval while patrons are walking through the park and is restored once the new footprint is circumvented. Visibility studies provided by the applicant show views to the Conservatory from 15th Ave E. are interrupted by dense foliage. The same is true of views to the Water Tower from 15th Ave E. as the height of trees prevent a direct line of sight. Views to the Water Tower from E. Prospect are not changed as the expansion is north of the street. The Conservatory is not visible from E. Prospect either due to foliage and topography.

SMC 25.05.675.P.2.c provides policies to minimize impacts to the designated public views of the Space Needle from the Volunteer Park. The Space Needle is located to the southwest from the park. Areas to the northeast of the museum's current configuration already have no direct view to the Space Needle. Vegetation within the park already blocks views to the Space Needle from the pedestrian perspective and proposed museum additions do not significantly decrease sight lines.

Although the proposal will change some views as described above, the changes to views are not considered to be significant, and additional mitigation is not warranted under SMC 25.05.675.P.

Transportation

The Traffic Impact Analysis Fehr & Peers, Asian Art Museum Renovation and Expansion-Transportation and Parking Assessment, February 23, 2017 indicated that the project is expected to result in a total of 612 daily vehicle trips to the Asian Art Museum on a regular day and 1,344 on a free day, with 220 PM Peak Hour trips. Compared to existing conditions the project would add 198 daily trips and 30 PM peak hour trips on a typical day, and 454 daily trips and 68 PM peak hours trips on a free day. Due to the opening time of the museum, 10am, there are no impacts to AM peak vehicle trips.

The additional trips will distribute on roadways around Volunteer Park, including 15th Ave. E., 10th Ave E, Federal Ave. E., and Prospect St. and are expected to have minimal impact on levels of service at nearby intersections and on the overall transportation system. Somewhat greater trip volume increases are expected on free days, but these will occur infrequently. Concurrency analysis was conducted for nearby identified areas. That analysis showed that the project is expected to be well within the adopted standards for the identified areas. The Seattle DCI Transportation Planner reviewed the information and determined that while these impacts are adverse, they are not expected to be significant and no further mitigation is warranted per SMC 25.05.675.R.

Land Use

SMC 25.05.675.J is intended to ensure proposed uses in development projects are reasonably compatible with surrounding uses and consistent with adopted City land use regulations, the

goals and policies set forth in Section B of the land use element of the Seattle Comprehensive Plan regarding Land Use Categories, and the shoreline goals and policies set forth in section D-4 of the land use element of the Seattle Comprehensive Plan for the area in which the project is located.

A land use code amendment is accompanying the application and sets forth criteria for the museum expansion. The amendment limits the height of any museum additions to the highest point of the existing structure. The amendment has provisions to reduce lighting and glare impacts and gives the Seattle DCI Director discretion to reduce parking and loading requirements with the verification of a traffic and parking study. These proposed code amendment criteria are meant to help ensure compatibility between the physical expansion itself and the park. The museum use is compatible as it is itself a park use located within a park.

The Comprehensive Plan has several policies about Historic Landmarks. One of the most relevant is Policy LU207, *“Allow development standards and design review processes to be adopted specifically for a designated landmark or special review district, including guidelines that may specify design-related features allowed, encouraged, limited, or excluded from the district. Allow adopted guidelines to modify, exempt, or supersede the standards of the underlying zone, although for elements not included in the district guidelines, the standards of the existing designation shall continue to apply.”* The proposed code amendment is addressing a specific deficiency in the existing code related to expansion of a museum in the SF-5000 zone. The amendment will enable the expansion and continued use of a landmark structure. The proposed code amendment is not expected to result in significant adverse environmental impacts.

Light and Glare

SMC 25.05.675.K describes SEPA policies meant to reduce impacts related to lighting and reflective surface materials and their impact on motorists, pedestrians, and the surrounding area. The museum addition contains a transparent walkway that will reflect light during the day and increase light spillage at night and other low light times. The low-iron glass shown on the project’s elevations would reflect 13% of visible light per the applicant. Low-iron glass is used for its clarity rather than its reflectivity.

To measure lighting impacts the applicant prepared a study titled, Volunteer Park Lighting Analysis, FMS, dated January 6, 2017. Three Exhibits A, B, C show existing light levels, future light levels with interior and exterior lighting, and future light levels just with exterior lighting. The proposed building addition with interior illumination creates the most light impacts on the park. At a distance of 100’ from the existing rear façade there would be light spillage less than what is normally experienced at a residential sidewalk. The proposed code amendment requires lighting be shielded and directed away from nearby residences.

Additional mitigation is not warranted under SMC 25.05.675.K. Subject to these conditions, potential light and glare impacts are not expected to be significant. Therefore, no further mitigation is needed.

Public Services and Facilities

SMC 25.05.675.O contains policies related to the use of public facilities such as a park. The museum expansion will occupy 3,200 sq. ft. of Volunteer Park’s 48.3 acres. While there is concern about repeated expansions, the code amendment limits the lifetime expansion of the

museum to a gross square footage of 15,000 and the current proposal is at 13,885, so there is little capacity for further additions. The museum expansion is not an adverse impact on the capacity of the park and no mitigation is warranted. Impacts such as traffic and parking have been analyzed in separate sections of the report and been found to not warrant additional mitigation. Potential impacts to public services and facilities are not expected to be significant.

Shadows on Open Spaces

SMC 25.05.675.Q describes SEPA policies meant to preserve access to sunlight on public open spaces. To access these impacts of the proposed museum addition the applicant prepared shadow studies. The additional shadows cast on the park directly correspond to the location of the addition and occur around noon to the north of the addition and in the late afternoon/early evening to the east during the autumnal equinox and winter solstice. This is a time of frequent use by park visitors as it is when a majority are off work during the week day. The additional shadows occur on areas of passive recreation with no paths or seating. The proposed code amendment limits the height of the addition to the existing structure resulting in near zero additional shadows from the museum expansion to the south and west. The level of increased shading does not constitute a significant adverse impact. Therefore, no further mitigation is warranted.

For purposes of SEPA, analysis of the proposed code amendment, lease and development agreement are subsumed within the analysis described above.

DECISION – SEPA

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

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

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

The lead agency for this proposal has determined that requiring mitigation measures as a condition of approving the project will reduce likely significant adverse impacts to nonsignificant levels. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist, consultation with the Historic Preservation Office and other information on file with the lead agency.

This information is available to the public on request.

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

CONDITIONS – SEPA

Prior to Issuance of the MUP

1. The project shall obtain a Certificate of Approval from the Department of Neighborhood's Landmark Preservation Board.

Prior to Issuance of Demolition, Excavation/Shoring, or Construction Permit

2. Provide a Construction Management Plan that has been approved by SDOT. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>.
3. Demolition, excavation, shoring and construction permit plans shall show the tree preservation plan, consistent with the Construction Plan, Figure 4 in the SEPA Checklist dated February 1, 2017 with Seattle DCI.
4. The Construction Plan, shown as Figure 4, in the SEPA Checklist submitted on February 1, 2017 shows how tree preservation will be handled during construction. It will be required on any demolition, excavation, shoring, and construction permit plans.
5. Submit for review and approval a Vibration Monitoring Plan. Include notes on the plans indicating the vibration threshold(s) for protection of the building and/or art collections in inches per second. Vibration monitoring will be included in the geotechnical special inspections for the building permit.

During Construction

6. Hours of Construction are restricted to 7 AM to 6 PM on weekdays and 9 AM to 7 PM on weekends and legal holidays.
7. If the applicant intends to work outside of the limits of the hours of construction described in condition #5, a Construction Noise Management Plan shall be required, subject to review and approval by Seattle DCI Noise Abatement staff. The construction noise management plan may be modified as needed through SDOT and Seattle DCI review. The construction noise management plan shall be incorporated into the Construction Management Plan.

Joshua Johnson, AICP, Land Use Planner
Seattle Department of Construction and Inspections

Date: March 16, 2017

JJ:drm

IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

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

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

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

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