



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

Record Number: 3042073-LU

Applicant: Jodi Patterson-O'Hare for Seattle Public Schools

Address of Proposal: 369 Republican Street

SUMMARY OF PROPOSAL

Land Use Application to allow the replacement of an institutional facility (Memorial Stadium). Parking for 19 vehicles proposed. Existing stadium to be demolished.

The following approval is required:

I. SEPA Environmental Determination (SMC Chapter 25.05)

SEPA DETERMINATION

- ☒ Determination of Nonsignificance (DNS)
 - ☒ Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal has been conditioned to mitigate environmental impacts.
 - ☐ No mitigating conditions of approval are imposed.
- ☐ Determination of Significance (DS) – Environmental Impact Statement (EIS)
- ☐ Determination made under prior action.
- ☐ Exempt

PROPOSAL

The proposed project will replace the existing 12,000-person capacity stadium with an 8,000-person capacity stadium on the site of the existing Memorial Stadium located on the Seattle Center campus. The project includes a new seating bowl covered by a roof canopy, an open concourse, concession stands, restrooms, press box, storage, and miscellaneous office space. Vehicular access to the site is limited to operations, maintenance, and emergency vehicles at the northeast corner from Republican Street, at the northwest corner from August Wilson Way, and at the southwest corner from Republican Street. Pedestrian connections to the site through the Seattle Center campus and Republican Street.

BACKGROUND

Environmentally Critical Area

The site was granted Relief from Prohibition on Steep Slope Development by the SDCI Geotechnical Engineer on September 16, 2024, under record number 7040507-EX:

This project was reviewed for consistency with SMC 25.09.070: Standards for Vegetation and Impervious Surface Management. The proposed project activities appear to be located within mapped

environmentally critical areas (ECAs) or their buffers. If either temporary construction disturbance or permanent new development within ECAs or their buffers is approved that impacts trees/vegetation within the ECA, mitigation and revegetation requirements apply even if an exemption or other ECA relief is granted.

The following information must be included in future permit application materials:

- 1) Documentation of mitigation sequencing. The ECA code requires that you avoid or minimize tree/vegetation removal within ECAs (see SMC 25.09.065). Mitigation sequencing must be undertaken in the order of priority listed in SMC 25.09.065.B. Provide a brief narrative or bulleted list documenting how mitigation sequencing was considered in project design and construction. This may require the relocation/reconfiguration of structures and/or utilities to avoid tree/vegetation removal.*
- 2) An existing conditions plan showing the location and size (square footage) of existing ground coverage (e.g., lawn, patio, trees, ornamental landscaping, invasive plants, bare ground) within the ECA and its buffer where temporary or permanent site disturbance will occur. Show locations of all existing trees, dripline measurement for all shrubs and groundcover, and identify which plants are proposed for removal and/or retention.*
- 3) A mitigation (revegetation/restoration) plan showing (a) the location and size of the area of temporary and permanent site disturbance and (b) the location and size of the final proposed ground coverage. You may use SDCI's ECA Standard Mitigation Plan or an alternative equivalent plan. Include a plant schedule with the genus, species, common name, DSH (diameter at standard height) for all proposed plants.*
- 4) A brief narrative describing the ecological functions existing on site that will be impacted and how the proposed mitigation plan will compensate for the loss of these functions. These may include but are not limited to (SMC 25.09.065.C.2.a):*
 - loss of shading to the aquatic environment;*
 - loss of organic inputs critical for aquatic life;*
 - loss of the contribution of large, medium and small wood material into the aquatic environment.*
 - loss of habitat for amphibian, avian, and terrestrial species;*
 - loss of woody debris inputs to the aquatic environment;*
 - loss of soil stabilization functions; and*
 - loss of stormwater filtering, detention, and infiltration.*

Lot Boundary Adjustment

The project includes an associated land use application (Master Use Permit number 3042074-LU) to adjust the boundary between twelve parcels of land resulting in seven parcels of land. The resulting configuration allows for the historic landmark, the Memorial Wall, to occupy one parcel.

SITE AND VICINITY

Site Description: The site is generally rectangular in shape with negligible change in topography and is located within the Seattle Center campus area.

Site Zone: Seattle Mixed – Uptown with a 95-foot height limit and Medium Mandatory Housing Affordability Suffix (SM-UP 95(M))

Zoning Pattern: (North) SM-UP 95(M)
(South) SM-UP 95(M)
(East) SM-UP 95(M)
(West) SM-UP 95(M)

Environmentally Critical Areas: mapped steep slope erosion hazard area

PUBLIC COMMENT

The public comment period ended on October 28, 2024. 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 archaeological resources, environmental health, and light and glare. Comments were also received that are beyond the scope of this review and analysis per SMC 25.05.

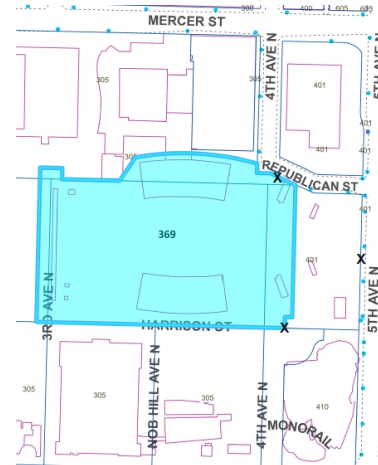
I. ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (RCW 43.21C), Washington Administrative Code (WAC) 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. The Seattle Department of Construction and Inspections (SDCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and considered any pertinent comments which may have been received regarding this proposed action. The information in the environmental 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) 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.



The top of this image is north. This map is for illustrative purposes only. In the event of omissions, errors or differences, the documents in SDCI's files will control.

SHORT TERM IMPACTS

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic impacts due to construction related vehicles, exposure of hazardous materials, 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. Short term impacts, as well as mitigation, are identified in the environmental checklist annotated by SDCI with additional analysis provided below.

Air Quality – Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A (Air Quality Policy).

Construction Impacts – Traffic

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The area is subject to significant traffic congestion during peak travel times on nearby arterials. Large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted, and a Construction Management Plan is required, which will be reviewed by Seattle Department of Transportation (SDOT). The requirements for a Construction Management Plan include a Haul Route Plan. The submittal information and review process for Construction Management Plans are described on the SDOT website.

Earth

The Environmentally Critical Areas (ECA) Ordinance and Director's Rule (DR) 5-2016 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in landslide prone areas. Pursuant to this requirement, the applicant submitted a geotechnical engineering study (*Geotechnical Preliminary Study*, Haley Aldrich, January 2024). The study has been reviewed and approved by SDCI's geotechnical experts, who will require what is needed for the proposed work to proceed without undue risk to the property or to adjacent properties. The existing Grading, Stormwater, and ECA Codes will sufficiently mitigate adverse impacts to the environmentally critical areas. No additional conditioning is warranted pursuant to SMC 25.05.675.D (Earth Policy).

Environmental Health – Contamination

The applicant submitted the following study regarding existing contamination on site: *Phase I Environmental Site Assessment* (Kane Environmental, Inc., August 12, 2024) and *Contaminated Media*

Management Plan (Kane Environmental, Inc., March 13, 2025). The Phase I Environmental Site Assessment states that recognized environmental conditions (RECs) and a business environmental risk (BER) are located approximately in the southeast and southwest corners of the subject site due to the historical existence of automotive repair shops and the possibility of imported fill used at the time of construction of the existing stadium. The Phase I study also found no evidence of soil, groundwater or surface water contamination. If found and not properly handled, any existing contamination could have an adverse impact on environmental health. As indicated in the environmental documents on file, the applicant will comply with all provisions of the Washington State Department of Ecology (Ecology) in addressing any issues in the development of the project. Ecology submitted a letter (October 28, 2024) noting requirements for compliance with the Washington Administrative Code, namely, "If contaminated soil and/or groundwater is identified on the property during additional assessment or property construction activities, the release must be reported to Ecology within 90 days of the discovery in accordance with WAC 173-340-300."

Adherence to the *Contaminated Media Management Plan* and federal and state laws are anticipated to adequately mitigate significant adverse impacts from any existing contamination on site. The *Contaminated Media Management Plan* describes strategies to ensure adherence these standards and indicates compliance with Ecology regulatory authority.

Mitigation of contamination and remediation is the jurisdiction of Ecology, consistent with the City's SEPA relationship to Federal, State and Regional regulations described in SMC 25.05.665.F (Environmental Health Policy). This State agency program functions to mitigate risks associated with removal and transport of hazardous and toxic materials, and the agency's regulations provide sufficient impact mitigation for these materials. The City acknowledges that Ecology's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination.

Compliance with Ecology's requirements is expected to adequately mitigate the adverse environmental impacts from the proposed development and no further mitigation is warranted for impacts to environmental health pursuant to SMC 25.05.675.F (Environmental Health Policy).

Environmental Health – Asbestos and Lead

Construction activity has the potential to result in exposure to asbestos. The applicant submitted a *Good Faith Inspection Letter* (NOVO Laboratory & Consulting Services, Inc., October 8, 2024) identifying potential asbestos and lead on site. Any asbestos identified on the site 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 is warranted for asbestos impacts pursuant to SMC 25.05.675.F (Environmental Health Policy).

Construction activity has the potential to result in exposure to lead. 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 is warranted for lead impacts pursuant to SMC 25.05.675.F (Environmental Health Policy).

LONG TERM IMPACTS

Long term or use-related impacts are also anticipated as a result of approval of this proposal. 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. Long term impacts, as well as mitigation, are identified in the environmental checklist annotated by SDCI with additional analysis provided below.

Air Quality – Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with 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, no further mitigation is warranted pursuant to SMC 25.05.675.A (Air Quality Policy).

Historic Preservation – Architectural Resources

The site is located within the former Century 21 Exposition campus (Seattle Center) and thus in proximity to a number of designated historic landmarks (Climate Pledge Area/Century 21 Coliseum, Seattle Center House/Armory Building, Northwest Rooms and International Fountain Pavilion, Seattle Monorail Station, Space Needle, Horiuchi Mural, Pacific Science Center, Bressi Garage, Kobe Bell, Seattle Center Playhouse, Exhibition Hall, Broad Street Substation, and Seattle City Light Power Control Center). The applicant submitted a *Landmark Adjacency Analysis* (February 24, 2025) with information demonstrating visual impacts to adjacent historic landmarks. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and did not recommend changes to the design (Landmarks Preservation Board letter, LPB 7825, March 7, 2025). Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and no further conditioning is warranted per SMC 25.05.675.H (Historic Preservation Policy).

The site includes a designated City of Seattle historic landmark, the Memorial Wall. The Landmark Preservation Board reviewed a historic landmark nomination for the entire subject site and designated the Memorial Wall and a small associated portion of the site as a historic landmark and elected to not designate the existing stadium structure and remainder of the site (*Report on Designation*, Seattle Landmarks Preservation Board, LPB 351/23, October 16, 2023). Modification of this landmark, the Memorial Wall and associated site, 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.

Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and no further conditioning is warranted pursuant to SMC 25.05.675.H (Historic Preservation Policy).

Historic Preservation – Archaeological Resources

The project is within an area identified by the Duwamish Tribe as culturally significant with the potential for discovery of pre-contact and early historic period resources. The applicant submitted a *Cultural Resources Overview Assessment* (Perteet, February 18, 2025), which indicated that the project area currently has very low potential to contain archaeological sites related to Native American use of the area. The report recommends a finding of *No Cultural Resources Impacted* and that the project proceed under an inadvertent discovery plan (Appendix A, the *Cultural Resources Overview Assessment*).

Since the information showed there was low probable presence of archaeologically significant resources on site, Section A of Director's Rule 2-98 applies. Pursuant to SMC 25.05.675.H (Historic Preservation Policy) and consistent with Section A of Director's Rule 2-98, the conditions listed at the end of this decision are warranted to mitigate impacts to potential archaeological resources.

Light and Glare

SMC 25.05.675.K (Light and Glare Policy) provides policies to minimize or prevent hazards and other adverse impacts created by light and glare. The proposed project includes exterior lighting and athletic field lighting that has the potential to impact surrounding development. The applicant provided a light and glare study in the plan set (Musco Lighting) and *Sports Lighting Spill and Glare Report* (Musco Lighting). The light and glare study demonstrates candela level, light spill, glare, and specifications for luminaires, shielding, and light control. The light and glare engineer report demonstrates that impacts from light and glare are minimized to the greatest extent practicable. New field lighting is proposed on poles at each corner of the field versus mounting along the edges of the north and south canopies of the existing stadium. The applicant proposes the following measures to mitigate potential light and glare impacts: use of materials that are not excessively reflective, perimeter trees, building materials with relatively low reflectivity, pedestrian-scale lighting consistent with code requirements, exterior lighting fixtures to direct light downward and away from off-site land uses, use of cut-off shields, shielding of field lights to reduce sky glow and light trespass, and limiting hours of illumination. In all high school sporting events, sports lighting is proposed to be turned off by 11 PM. The additional height of the athletic field lights contributes to a reduction in impacts from light and glare.

Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts from light and glare are presumed to be sufficient, and additional mitigation is not warranted pursuant to SMC 25.05.675.K (Light and Glare Policy).

Noise

SMC 25.05.675.L. (Noise Policy) provides policies to minimize or prevent adverse impacts created by noise.

The applicant submitted an *Exterior Noise Report* (Stantec, February 11, 2025) providing information on anticipated noise impacts from sporting events and concert events. The SDCI Noise Abatement expert reviewed the noise report and found it to be accurate and complete and approved the review for this phase of permitting. The report shows that overall, the noise generation from the renovated stadium will meet the limits of the Noise Ordinance (SMC 25.08) limits, except in rare occasions. To address those rare occasions, the report offered multiple ways to mitigate sound level exceedances that are accurate and complete. Options to mitigate this exceedance include reducing sound power levels

produced by the concert speakers such that the measured sound pressure level at the mixing booth is 75 dBA, concluding concert events prior to 10 PM, or submitting for a temporary noise variance to SDCI.

Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate noise impacts are presumed to be sufficient, and additional mitigation is not warranted pursuant to SMC 25.05.675.L (Noise Policy).

Plants and Animals

Mature vegetation is located on the site, including a tree grove and a number of trees, including Tier 2 and 3 trees. The applicant submitted an arborist report (*Arborist Report*, Tree Solutions, Inc., February 25, 2025) and identified the trees on the MUP plan set. The proposal includes retention of some Tier 2, 3, and 4 trees. SDCI's arborist reviewed this information. Furthermore, the project proposes tree removal within the ECA and documentation of mitigation sequencing is required by the ECA Code (SMC 25.09).

Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to plants and animals are presumed to be sufficient, and additional mitigation is not warranted pursuant to SMC 25.05.675.N (Plants and Animals Policy).

Public View Protection

SMC 25.05.675.P (Public View Protection Policy) provides policies to minimize impacts to designated public views of significant natural and human-made features listed in that subsection. 5th Avenue North is a SEPA scenic route. The applicant provided view studies in the MUP plan set and *Landmark Adjacency Analysis* showing the proposed development in relation to the designated public views. The proposed development is located in a manner that maintains a view of the Space Needle from Seattle Center and along 5th Avenue North. The proposed development does not block views of any nearby historic landmarks. No mitigation is warranted pursuant to SMC 25.05.675.P (Public View Protection Policy).

Shadows on Open Space

SMC 25.05.675.Q (Shadows on Open Space Policy) provides policies to minimize or prevent light blockage and the creation of shadows on certain open spaces most used by the public. Areas outside of downtown to be protected include publicly owned parks, public schoolyards, private schools that allow public use of schoolyards during non-school hours, and publicly owned street-ends in shoreline areas. The applicant submitted a shadow analysis (Generator Studio, August 13, 2024) demonstrating the project's shadow impacts on adjacent development in the Seattle Center, a protected open space.

The affected area of Seattle Center would be considered proportionally minor in comparison to the expansive area that the park covers. No adverse shadow impacts are anticipated on this designated public open space and no mitigation is warranted pursuant to SMC 25.05.675.Q (Shadows on Open Space Policy).

Traffic and Transportation

The transportation analysis (*Transportation Assessment*, Heffron Transportation, Inc., November 26, 2024) indicated that the project is expected to generate the same or fewer daily vehicle trips than the existing stadium due to the reduction in seating capacity, specifically four employee trips per day, with

one trip occurring in the AM peak hour and no trips occurring in the PM peak hour (*Employee Trip Generation*, Heffron Transportation, Inc., February 27, 2025).

The additional trips are expected to distribute on various roadways near the project site, including 5th Avenue North and would have minimal impact on levels of service at nearby intersections and on the overall transportation system. The SDCI Transportation Planner reviewed the information and determined that no mitigation is warranted per SMC 25.05.675.R (Traffic and Transportation Policy).

DECISION – SEPA

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

- ☒ **Determination of Nonsignificance (DNS).** This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).

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

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

CONDITIONS – SEPA

Prior to Issuance of a Master Use Permit

1. The owner and/or responsible parties shall provide SDCI with a statement that the contract documents for their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 27.53, 27.44, 79.01, and 79.90 RCW, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.

Prior to Issuance of a Demolition, Grading 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.

During Construction

3. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:
 - a. Stop work immediately and notify SDCI (Land Use Planner) and the Washington State Archaeologist at the State Department of Archaeology and Historic Preservation (DAHP). The procedures outlined in Appendix A of Director's Rule 2-98 for assessment and/or protection of potentially significant archeological resources shall be followed.
 - b. Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.

Carly Guillory, Land Use Planner
Seattle Department of Construction and Inspections

Date: May 5, 2025