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Res. 31369

Angela Steel/Michael Jenkins  
SDOT CCSDC LLC PV Array RES  
April 24, 2012  
Version #5

RESOLUTION 31369

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A RESOLUTION granting conceptual approval to construct, maintain, and operate a rooftop photovoltaic array over the sidewalk areas of East Madison Street, 15<sup>th</sup> Avenue East, and East Pike Street, and to the centerline of the alley between East Madison Street and East Pike Street, as part of the construction of the new Bullitt Center at 1501 East Madison Street, as proposed by CCSDC, LLC.

WHEREAS, the Bullitt Center project would be the nation's first urban commercial building striving to meet the Living Building Challenge (LBC) and the first project to participate in the City of Seattle's Living Building Pilot program. The LBC requires that all of the building's energy needs be supplied by on-site renewable energy. The proposed photovoltaic (PV) array is essential in meeting the project's on-site renewable energy requirements; and

WHEREAS, the PV array was analyzed and approved as part of the Design Review and Master Use Permit No. 3011010 process; and

WHEREAS, the Seattle Design Commission has reviewed and recommended approval of the PV array on February 2, 2012; and

WHEREAS, in making this recommendation, the Director of the Seattle Department of Transportation (Director) considered the plans and application materials submitted by the applicant, CCSDC, LLC, to construct the PV array and recommends that conceptual approval be granted; NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR CONCURRING, THAT:**

Section 1. The City Council finds that the rooftop photovoltaic (PV) array proposed by CCSDC, LLC, over the sidewalk areas of East Madison Street, 15<sup>th</sup> Avenue East, and East Pike Street, and to the centerline of the alley between East Madison Street and East Pike Street, as part of the construction of the new Bullitt Center at 1501 East Madison Street, is in the public



1 interest due to the project's use of sustainable energy and participation in the City's Living  
2 Building Pilot program.

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4 Section 2. As conditions for obtaining permission to construct the PV array, CCSDC,  
5 LLC shall:

- 6 (1) obtain a term permit to utilize a portion of the City's right-of-way for the PV array as  
7 depicted in the plans approved by the Director;  
8  
9 (2) provide public liability insurance naming the City as an additional insured or in the  
10 form of self-insurance, as approved by the City's Risk Manager;  
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12 (3) provide a sufficient bond in an amount deemed sufficient by the authorizing official  
13 and executed by a surety company authorized and qualified to do business in the State  
14 of Washington;  
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16 (4) maintain and inspect the PV array;  
17  
18 (5) timely remit any applicable annual term permit fees;  
19  
20 (6) sign and record a covenant agreement imposing the obligations and conditions set  
21 forth in the term permit ordinance; and  
22  
23 (7) remove the PV array and restore the public right-of-way to its original condition upon  
24 expiration of the term permit or at the direction of the Director or City Council in  
25 accordance with the provisions of the term permit ordinance.  
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1 After this Resolution is adopted, the Seattle Department of Transportation will present to  
2 the City Council a draft term permit ordinance incorporating the conditions under which  
3 permission may be granted for the use of the right-of-way. Permission to use the right-of-way is  
4 subject to the Council's decision to approve, deny, or modify the draft term permit ordinance  
5 presented by the Director.  
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8 Section 3. The Council also requests that the Director prepare an ordinance to amend the  
9 Seattle Department of Transportation's Street Use Fee Schedule (Attachment A to Ordinance  
10 123477), as adopted under Seattle Municipal Code Section 15.04.074, to set an appropriate fee  
11 for the use of a public place for innovative building features that support sustainable building  
12 practices, including those anticipated under the City's Living Building Pilot Program. Council  
13 requests that the amendments to the Street Use fee schedule be submitted prior to submitting the  
14 term permit ordinance authorizing the PV array.  
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17 Section 4. As recommended by the Director and the Mayor, conceptual approval for the  
18 construction of a rooftop PV array over the sidewalk areas of East Madison Street, 15<sup>th</sup> Avenue  
19 East, and East Pike Street, and to the centerline of the alley between East Madison Street and  
20 East Pike Street, as proposed by CCSDC, LLC, is GRANTED.  
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1 Adopted by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2012, and  
2 signed by me in open session in authentication of its adoption this \_\_\_\_ day  
3 of \_\_\_\_\_, 2012.

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5 \_\_\_\_\_  
6 President \_\_\_\_\_ of the City Council

7 THE MAYOR CONCURRING:  
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9 \_\_\_\_\_

10 Michael McGinn, Mayor

11 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2012.  
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14 \_\_\_\_\_  
15 Monica Martinez Simmons, City Clerk

16 (Seal)  
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**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Seattle Department of Transportation	Angela Steel/684-5967	Rebecca Guerra/684-5339

**Legislation Title:**

A RESOLUTION granting conceptual approval to construct, maintain, and operate a rooftop photovoltaic array over the sidewalk areas of East Madison Street, 15<sup>th</sup> Avenue East, and East Pike Street, and to the centerline of the alley between East Madison Street and East Pike Street, as part of the construction of the new Bullitt Center at 1501 East Madison Street, as proposed by CCSDC, LLC.

**Summary of the Legislation:**

This proposed resolution grants the conceptual approval for CCSDC, LLC to construct, operate, and maintain a rooftop photovoltaic array (PV array) over the sidewalk areas of East Madison Street, 15<sup>th</sup> Avenue East, and East Pike Street, and to the centerline of the alley between East Madison Street and East Pike Street. An area map is attached for reference.

This PV array is part of the construction project of the new Bullitt Center at 1501 East Madison Street.

**Background:**

The Bullitt Center project would be the nation's first urban commercial building striving to meet the Living Building Challenge (LBC) and the first project to participate in the City of Seattle's Living Building Pilot program. The LBC requires that all of the building's energy needs be supplied by on-site renewable energy. The proposed PV array is essential in meeting the project's on-site renewable energy requirements.

Please check one of the following:

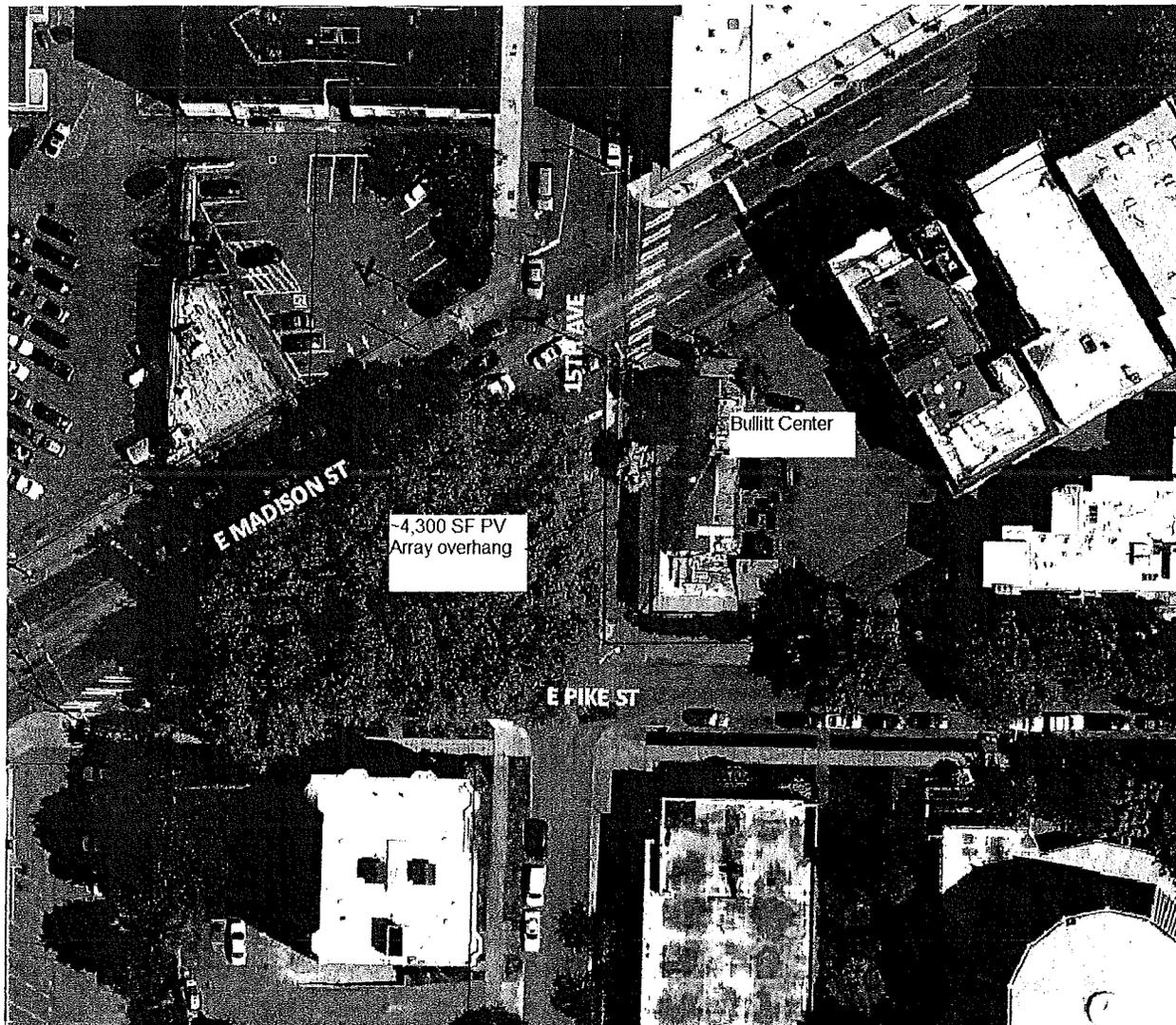
**This legislation does not have any financial implications.**

Although this resolution does not accept or appropriate funds, SDOT will receive a permit fee from CCSDC, LLC after the effective date of the term permit ordinance.

**List attachments to the fiscal note below:**

Attachment A – CCSDC, LLC PV Array Area Map  
Attachment B – Depiction of the Bullitt Center

Attachment A – CCSDC, LLC PPV Array Area Map

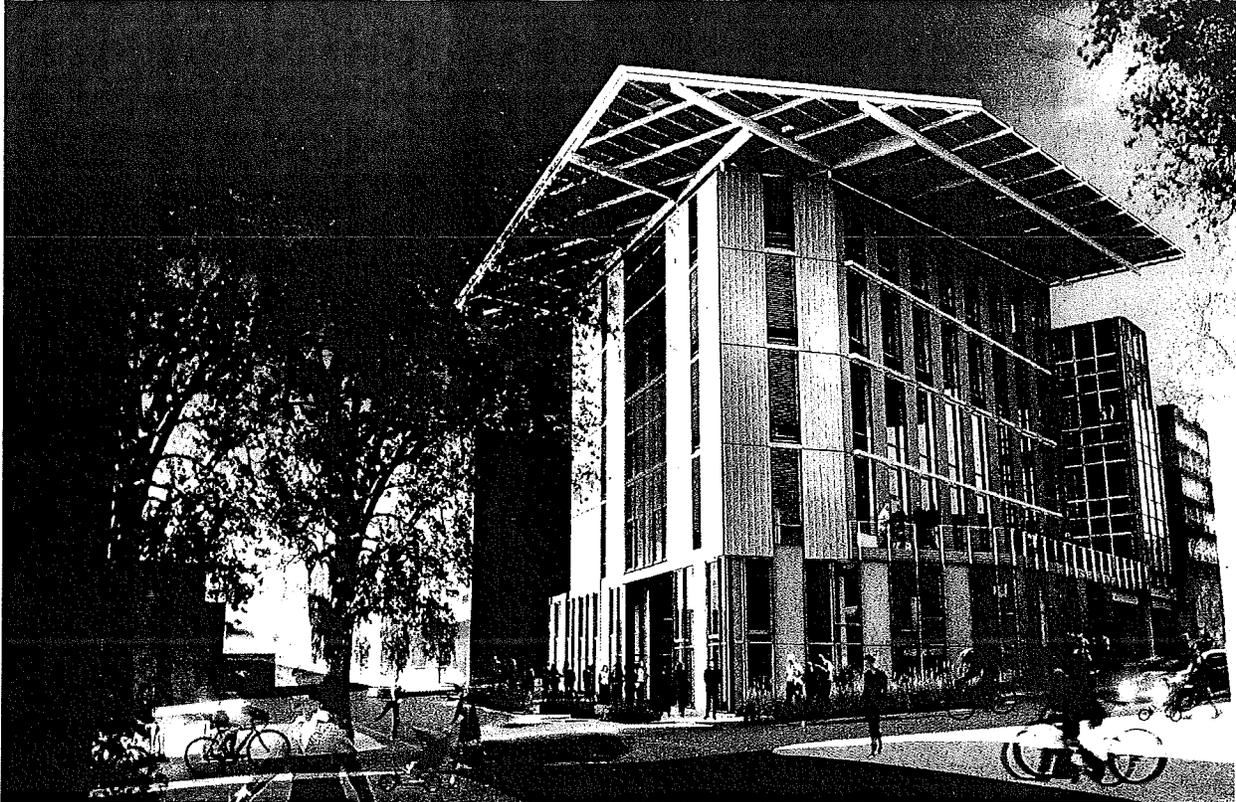


Map is for informational purposes only and is not intended to modify or supplement the legal description(s) in the Resolution.

Attachment B -- Depiction of the Bullitt Center



View of the Bullitt Center Across East Madison



View of the Bullitt Center Across East Pike Street



City of Seattle  
Office of the Mayor

March 27, 2011

Honorable Sally Clark  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Clark:

I am pleased to transmit the attached Resolution that grants conceptual approval to the CCSD, LLC to construct, operate, and maintain a rooftop photovoltaic array (PV array) over the sidewalk areas of East Madison Street, 15<sup>th</sup> Avenue East, and East Pike Street, and to the centerline of the alley between East Madison Street and East Pike Street, as part of the construction of the new Bullitt Center at 1501 East Madison Street.

The Bullitt Center project would be the nation's first urban commercial building striving to meet the Living Building Challenge (LBC) and the first project to participate in the City of Seattle's Living Building Pilot program. The LBC requires that all of the building's energy needs be supplied by on-site renewable energy. The proposed PV array is essential in meeting the project's on-site renewable energy requirements.

Thank you for your consideration of this resolution. Should you have questions, please contact Angela Steel at 684-5967.

Sincerely,

Michael McGinn  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

