



City of Seattle  
Gregory Nickels, Mayor

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**Department of Planning and Development**  
D. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3004748  
**Applicant Name:** Brad Conway  
**Address of Proposal:** 1426 NW Market St

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow two, five story residential towers (total of 36 apartments) above a two story base containing 45 parking stalls and 1,300 sq. ft. of retail.

The following approvals are required:

**Design Review – Chapter 23.41** Seattle Municipal Code.

*Departures are requested for the following development standards:*

- *Non-Residential Use Requirement at Street Level*
- *Depth of Non-Residential Use Requirements*
- *Site Triangle Requirements*

**SEPA – Environmental Determination, Chapter 25.05** Seattle Municipal Code.

**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS  
 DNS with conditions  
 DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

## **BACKGROUND INFORMATION - SITE AND VICINITY**

The approximately 10,000 square foot rectangular site located in Northwest Seattle comprises two currently undeveloped parcels. The site is located within the Ballard Hub Urban Village and is zoned Commercial One (C1-65') with a sixty-five foot height limit. The site is a mid-block through lot with 50' of frontage along both NW Market St and NW 56<sup>th</sup> St, located between 14<sup>th</sup> and 15<sup>th</sup> Avenues NW. The subject property is currently completely paved.

In the immediate vicinity there are several zoning designations, C1-65' zoning for the blocks to the north and south as well along both sides of 15<sup>th</sup> Ave NW; Neighborhood Commercial Three with an eighty five foot height limit (NC3-85) to the west of 15<sup>th</sup> Ave NW; and NC2-40 zoning east of 14<sup>th</sup> Ave NW. There is some Lowrise zoning (L3 RC and L2) approximately two blocks northeast of the site and to the south there is General Industrial Two zone (IG2 U/65).

15<sup>th</sup> Ave NW and NW Market St are both major arterial streets. 15<sup>th</sup> Ave NW is a commercial corridor as is NW Market St. Development in the immediate vicinity consists of mostly small scale commercial development with some larger scale structures to the south (Safeway, PATH building). Small scale multifamily and single family structures are located to the northeast and larger scale industrial structures to the south.



## **DESIGN REVIEW EDG & RECOMMENDATION MEETINGS**

### **Architect's Presentation (EDG – 2.27.06)**

The design team presented the neighborhood context noting zoning, existing structures and uses surrounding the site. Photos were provided in various directions to and from the site within one block. Other photos were provided showing elements that are proposed in the design: stepping back the upper level, central courtyard between two towers, changes in materials and corner decks for detail opportunities. Sun exposure is provided from the south and west.

The architect's presentation included four prospective schemes for the 35-unit Mixed Use development. The first scheme illustrates one residential tower pushed out to NW Market St with a large open space deck facing NW 56<sup>th</sup> St. The second represents just the opposite, one residential tower pushed towards NW 56<sup>th</sup> St and a large open space deck facing NW Market St. The third presents a skinny or narrow rectangular residential tower massed along the east side of the property with a narrow courtyard open space on the west side spanning the length of the structure from north to south. The fourth (the applicant's preferred design) shows two residential towers pushed to the streets with a central courtyard open space.

The fourth alternative was accompanied by two perspective modulation studies from NW Market St. Study "A" showed decks in the center of the southern and northern façades of both towers with solid corners and study "B" showed decks on the corners of all façades. Study "B" was preferred by the applicant as it provides a less bulky building at the street. The applicants also prepared two street elevations illustrating different window treatments and weather protection alternatives. Study "A" was a more traditional storefront window design with large panes of glass while option "B" provided horizontal separated panes expression with an overall larger glazing area. The proposed open space would only be accessible for the four units it is adjacent to, which are situated on the north and south sides of the open space. The applicant stated there would be access and privacy issues if the open space were made communal. Each of the units would have a personal deck. Planters and trellises are envisioned to create privacy between the units which have access to the open space. The proponent wants three distinct building elements, a base, central body and an eroded modulated cap with varying materials.

**Board Designated Priority Guidelines EDG**

- A-3 Entrances Visible from the Street
- A-4 Human Activity
- A-6 Transition Between Residence and Street
- A-7 Residential Open Space
- A-8 Parking and Vehicle Access
- B-1 Height, Bulk and Scale Compatibility
- C-2 Architectural Context & Consistency
- C-3 Human Scale
- C-4 Exterior Finished Materials
- C-5 Structured Parking Entrances
- D-1 Pedestrian Open Spaces and Entrances
- D-2 Blank Walls
- D-6 Screening of Dumpsters, Utilities and Service Areas
- D-7 Pedestrian Safety
- E-2 Landscaping to Enhance the Building and/or Site

### **Architect's Presentation (Recommendation – 8.14.06)**

The applicant presented the preferred design. The overall scale and massing of the building is similar to the 4<sup>th</sup> alternative presented at the EDG meeting and summarized above. The elements of the applicant's preferred design are summarized in text box to the right.

### **PUBLIC COMMENT**

There was one member of the public at the early design guidance meeting (2.27.06), but didn't have design comments.

There were no public comments made at the recommendation meeting.

### **Proposed Design Summary**

- Along NW Market St, Brick Base With Storefront Window System.
- Corrugated (East/West) and Panel (North/South) Metal Body.
- Bay Window Projections Facing Both NW 56<sup>th</sup> and NW Market St.
- Decks at All eight Corners of The Two Residential Towers.
- Color Elevations (Perspective) and Landscape Plan.
- Green Wall on West Base Façade Between Two Towers.
- Scored Exposed Concrete Bases On East and West Façade Base Parking Levels.
- Eroded 6<sup>th</sup> Level Away From The West End of The Structure.
- Large Roof Decks With Large Overhangs at The Street.
- Notch Modulations on The North and South Facades of Both Towers, With The Larger Notches Facing South.
- Change of Metal Siding Orientation and Color at The Top of The Notches to Further Break Up The North and South Facades.
- Four Trees Located on The Roof, Two Directly Above The Rights of Way and Two Directly Above The Open Space Area.
- Weather Protection Along NW Market St Window and Door Frontage and Individual Weather Protection for the Pedestrian Entry Along NW 56<sup>th</sup> St.
- Aluminum Windows and Doors, Except the Residential Entry Doors are Natural Wood.
- Stained Concrete Rounded Columns Along NW 56<sup>th</sup> St.
- Horizontal Corrugated Doors for Both Vehicle Entries and Trash/Recycle Storage Door.

Application for MUP was made to DPD on August 30<sup>th</sup> 2006. During the MUP comment period which ended on October 4<sup>th</sup>, 2006 no written comments were received regarding the application.

### **EDG, RECOMMENDATIONS AND DPD ANALYSIS: DESIGN REVIEW**

At the recommendation meeting the four (4) Board recommended approval of the development and the four (4) departures with recommendations. The Board determined the proposal did address many but not all design guidelines identified during the EDG and as a result made recommendations to DPD for approval.

During the time the Board approved the design and this decision was crafted, Seattle's Land Use Code was updated<sup>1</sup>. The application did not vest to old code, so as a result the application must comply with the updated Land Use Code. Under the new code one originally requested departure is no longer required. Under the new code Floor to Area Ratio (FAR) is tool which controls building mass, a contrast to the old code which required that no more than 64% lot coverage of the upper residential floors be allowed. Under the FAR calculation, the applicant meets the current code. As a result, the initial requested departure for greater than 64% upper residential floor coverage departure is not required.

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<sup>1</sup> On Thursday, Dec. 21, 2006, the Mayor signed into law Ordinance 122311, making substantial revisions to Seattle's commercial land use code. The changes went into effect on Jan. 20, 2007.

**Departures and Board Recommendation**

*Requested Departure Table*

<b>Development Standard Requirement</b>	<b>Proposed</b>	<b>Staff Notes/ Applicant's Rationale</b>	<b>Design Review Board Comment and Related Guidelines</b>
<p><b>Transparency Requirements at Street Level Along NW 56<sup>th</sup> St:</b> 60 %</p> <p><i>SMC 23.47A.008-B.1.2</i></p>	<p>Approximately 17 %</p>	<p>The applicant adjusted the plans to include a small retail space in the small area off of NW 56<sup>th</sup> St. Because the access doors for the split level garage and refuse utility doors were placed to fully activate NW Market St, this requirement is difficult to achieve.</p>	<p>The four Board members unanimously granted the, considering that the space will be an accessory office to the residential or a separate business that inhabits the office.</p> <p><i>Staff Comment</i> The applicant provided a retail use, which better activates this façade than an office.</p> <p><b>A-3, A-8, C-2, C-4, D-6</b></p>
<p><b>Depth of Non-Residential Use Along NW 56<sup>th</sup> St:</b> Average of 30' No Dimension Less than 15'</p> <p><i>SMC 23.47A.008-B.3.a</i></p>	<p>11' at smallest dimension in front of door and 14'-8" for the western portion of commercial space.</p>	<p>This departure will be required only if the office is not considered a non-residential use depending on if it is accessory to and supports the apartments.</p>	<p>The four Board members unanimously approved this departure considering that some kind of office will inhabit this space and that the applicants provide a second pedestrian entrance for the units along NW 56<sup>th</sup> St.</p> <p><i>Staff Comment</i> The applicant provided a retail use, which better activates this façade than an office.</p> <p><b>A-3, C-2, C-4,</b></p>
<p><b>Sight Triangles :</b> A sight triangle on both sides of the driveway shall be provided, and shall be kept clear of any obstruction for a distance of ten (10) feet from the intersection of the driveway with the sidewalk</p> <p><i>SMC 23.54.030-F.2.b(2).</i></p>	<p>Provide some visibility with the redesigned walls around the driveways, but still provide mirrors in addition to the revised design with increased visibility.</p>	<p>The two curbcuts will only be serving 36 apartment units. This will provide a better connection with the street. Mirrors will provide safety mitigation.</p>	<p>The four Board members unanimously approved this departure contingent upon the revised wall design at the vehicle entrances to provide more visibility and also provide mirrors that allow view of the sidewalks on either side of the driveways.</p> <p><b>A-8, C-2, C-3, C-4, C-5, D-6, D-7</b></p>

Below is a summary of the issued EDG guidelines and statements determined to be of highest priority for this project identified by letter and number (City of Seattle's *Design Review: Guidelines for Multifamily and Commercial Buildings*).

Listed below the EDG guidelines and statements are the Northwest Board's recommendations based on the applicant's design response if applicable. These recommendations were transmitted to the applicant and parties of record following the recommendations meeting. The absence of Board recommendations below indicates the Board felt the design addressed the priority guidelines set during the EDG stage of the project. The applicant resubmitted the MUP plans for review to the Department on November 17<sup>th</sup> 2006 following the recommendations meeting. The Director's analysis is found below the Board's recommendations.

**A. Site Planning**

**A-3 Entrances Visible from the Street**

*Entries should be clearly identifiable and visible from the street.*

**A-4 Human Activity**

*New development should be sited and designed to encourage human activity on the street.*

**A-5 Respect for Adjacent Sites**

*Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.*

**A-6 Transition Between Residence and Street**

*For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.*

**A-7 Residential Open Space**

*Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.*

**A-8 Parking and Vehicle Access**

*Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.*

**Early Design Guidance**

The location of the commercial and residential entrances should be differentiated and accentuated from each other and visually connected to the street. Each entrance should identify its use.

Human activity should be encouraged along NW Market St. On NW 56<sup>th</sup> St the design for the live work unit storefront should allow for an active storefront.

The live work unit is appropriate for the location on NW 56<sup>th</sup> St and likewise for the commercial use along NW Market St. The Board requested a street entrance level study for the NW 56<sup>th</sup> St elevation in the same manner provided at the EDG meeting for the NW Market St street level.

The Board wanted to see how the open space will be programmed and the type of proposed plantings. The Board suggested tall trees to accentuate the open space when viewed from the right of way and adjacent sites. A detailed color landscape plan should be provided in the MUP plan which shows the central courtyard open space and roof decks for the top floor.

The Board supported the location of the vehicle access but felt this departure should be cited. The details of the NW 56<sup>th</sup> St access and the interaction of the driveways with the street should use design elements to make the pedestrian feel safe and welcome. The applicant should demonstrate what elements have been incorporated for pedestrian friendliness.

### **Board Recommendations**

Revise the vehicle access doors and the trash/recycle access door to be of different designs to break up the repetitiveness of the continuous doors.

For the vehicle access doors, the Board suggested creating openings or light passing materials at the top portions to give them more design interest as opposed to solid metal doors. 20% to 30% open grill or translucent areas on the vehicle doors on the upper portions were discussed as a solution.

To maximize visibility and sight of the sidewalk when leaving the garages, the Board wanted a revision of the vehicle entry and wall designs. Eroding some of the interior walls was discussed by the applicant as a way to accomplish more visibility. The Board was amenable to this along with providing mirrors to see on both sides of the driveways to maximize pedestrian safety.

### **Director's Analysis & Decision**

The design was revised to include double in-swing utility access doors that provide a contrast to the roll up doors for the two garage door accesses. DPD is satisfied with how the applicant addressed this recommendation meeting the Board's recommendation.

The rollup vehicle access doors were revised to include an open grill feature on the upper portion of the doors. The common wall between the two drives was also relieved to increase visibility when leaving the site for both driveways as requested by the Board. The applicant adequately addressed these recommendations.

The applicant did not address the concern to have mirrors placed at the vehicle entries to mitigate the absence of full site triangles on both sides of the driveways and The Board recommended requiring mirrors or other safety devices at the garage entries. Imposition of a condition is justified to ensure the mirrors or other safety device is added to the building.

The four Board members unanimously agreed on the recommendations and the requested departures, as a result, the design meets the above Site Planning guidelines. The Board did not mis-apply the guidelines and therefore The Director concurs with these recommendations and approves the Design Review of the Site Planning guidelines with a condition.

## **B. Height, Bulk and Scale**

### **B-1 Height, Bulk and Scale Compatibility**

*Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.*

### **Early Design Guidance**

The eroded and modulated sixth level rooftop is supported by the Board and should be continued in the MUP plans. The Board supported the corner location for the decks. The MUP plans must include two pedestrian view perspective (northwest and northeast) true color drawings of the building with material call outs. These drawings should try to model what a finished product will look like with landscaping and the surrounding buildings. Using pictures from the same perspective, the architect should show how the proposed structure will fit into the existing context.

### **Director's Analysis**

The Board feels the current design meets these Height Bulk and Scale issues and felt that the design meets this guideline. The Board did not mis-apply the guideline and therefore The Director concurs with the Board and approves the Design Review (Height Bulk and Scale).

The color and materials board shown and approved at the recommendation meeting by The Board needs to be provided to the DPD Planner for building permit comparison and final design review inspection of the structure.

## **C. Architectural Elements and Materials**

### **C-2 Architectural Context & Consistency**

*Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural context.*

### **C-3 Human Scale**

*The design of new buildings should incorporate architectural features, element and details to achieve a good human scale.*

### **C-4 Exterior Finished Materials**

*Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.*

### **Early Design Guidance**

This building should set a precedent and should pull from the west side of 15th Ave NW for cues on character to tie the two sides of 15th Ave NW together.

The Board was impartial to having a distinct base from the abdomen of the building along NW Market and NW 65th St, depending on the material used. This was left to the designer. Window and deck treatments are important on the north and south facades. Symmetry should be considered in window and deck placements with windows and doors of the base.

There is an opportunity along NW Market St to set a precedent on the east side of 15th Ave NW to provide a strong design and example for future developments.

Use of weather protection along the entire NW Market St facade is important to the Board and was requested for the recommendation meeting. The Board wanted to see a colors and material board tangible examples. Showing examples of how the materials are used in built projects will help in analyzing the composition of materials.

The garage entrance should incorporate pedestrian scaled and interesting materials to breakdown its width and dominance of the façade.

### **Director's Analysis & Decision**

The Board feels the current design meets the Architectural Elements and Material issues and the design meets these guidelines. The Board did not mis-apply the guidelines and therefore the Director concurs with the Board and approves the Design Review for Architectural Elements and Material.

### **D. Pedestrian Environment**

#### **D-1 Pedestrian Open Spaces and Entrances**

*Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian oriented open space should be considered.*

#### **D-2 Blank Walls**

*Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.*

#### **D-6 Screening of Dumpsters, Utilities and Service Areas**

*Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.*

#### **D-7 Pedestrian Safety**

*Project design should consider opportunities for enhancing personal safety and security in the environment under review.*

### **Early Design Guidance**

The treatment of the east and west facades on both residential towers will be important to the success of the project. These walls will be highly visible and should have color, texture and larger light wells to modulate the facades. The Board stated that this guideline relates to the request for the departure request for residential lot coverage. The exposed area of the parking levels facing north and south should not be blank walls (see E-2).

### **Board Recommendations**

For the east and west parking level concrete walls, add a reveal to the tension slab between the 1st and 2nd levels of parking to mask any break lines that occur at the transition between floor slabs.

### **Director's Analysis**

The applicant added the reveal to the east and west facades, the area directly abutting the Sunset Bowl building notwithstanding. The Board did not mis-apply the guidelines and therefore The Director concurs with these recommendations and approves the Design Review (Pedestrian Environment) with conditions.

## **E. Landscaping**

### **E-2 Landscaping to Enhance the Building and/or Site**

*Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.*

### **Early Design Guidance**

The Board wants to see how the central open space area and rooftop decks will be designed and how they will appear from passers. Also this guideline directly relates to the 2<sup>nd</sup> level of parking and its north and south facing walls at grade. These walls will be highly visible and must use some technique to avoid a one color or monotonous flat wall. See A-7 above.

### **Board Recommendations**

Add landscaping to the 1' setbacks on the east and west sides of the project with the exception of where Sunset Bowl abuts directly along the northern 3/4 the eastern property line. The planting choice should reduce the scale of the blank concrete walls.

### **Director's Analysis**

Plantings to reduce the scale of the east and west facing blank concrete walls in the 1' setbacks (east and west) were not added as The Board recommended (see above). Conditioning is justified to ensure the plantings are reflected in the building permit.

Also, the green wall portrayed and approved by The Board was absent in the MUP drawings. The green wall must be added to the building permit drawings and a condition is warranted to ensure that this occurs.

The Board did not mis-apply the guidelines and therefore The Director concurs with these recommendations and approves the Design Review (Pedestrian Environment) with conditions.

## **DECISION: DESIGN REVIEW**

After analyzing the site in its context, the permit plans, the recommendation packet, the recommendations of the Northwest Design Review Board, the requested departures and the applicant's design responses, the Director **conditionally approves** the Design Review of the proposal and the three departure requests. See the end of this decision for Design Review Conditions.

## **ANALYSIS – SEPA**

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated May 23<sup>rd</sup>, 2006. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant and reviewed the project plans and any additional information in the file. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant with mitigating conditions of approval. A discussion of these impacts is warranted.

### *Short - term Impacts*

Construction activities for the 36 unit mixed-use building could result in the following adverse impacts: construction dust, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers' vehicles. Several construction related impacts are mitigated by existing City codes and ordinances applicable to the project, such as the Noise Ordinance, the Street Use Ordinance and the Building Code. During review of the project the applicant submitted a construction management plan that includes street and sidewalk closures and construction staging areas. The plan provides a general timeline length of construction to include, grading, foundation, framing and finishing. The plan includes notes for construction parking, which will occur on site once the parking levels are completed, as well as contractor staging. Conditioning is appropriate to ensure that this plan is part of the Building Permit plans. The following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

The character of the area is mainly commercial in nature with residential in close proximity to the northeast and as a result the construction-related noise will have some impact on the surrounding area. The times allowed for construction per the Noise Ordinance (SMC 25.08) are inadequate in order to mitigate potential noise impacts of the development during evening hours and on Sundays. Conditioning of construction hours is justified to mitigate noise impacts in the area.

To lessen impacts to the immediate area from staging and employee vehicle parking during construction, it is justified to condition that once the parking structure is complete and occupiable, it be used for employee parking and staging.

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Seattle's Department of Transportation, and no further SEPA conditioning is needed.

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC).

The grading activities associated with the initial site work could add particulates to the air that can be mitigated by simply watering down the site during these grading activities. Conditioning authority is warranted to ensure the site is wet during grading activities, which should be short-lived, to reduce the amount and affect of air borne debris on the surrounding area.

#### Long - term Impacts

The following long-term or use-related impacts, increased demand on public services and utilities; increased light and glare; and increased energy consumption are not considered adverse, as other City Departments review the feasibility of these issues. Additional land use and parking/traffic impacts which may result in the long-term are discussed below.

#### Height Bulk and Scale

The SEPA Height, Bulk and Scale Policy states that *“(a) project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated.”* Since the Design Review Board approved this project with conditions and there is no evidence that height bulk and scale impacts have not been mitigated, no additional mitigation of height, bulk and scale impacts is warranted pursuant to this SEPA policy.

#### Parking

Thirty six (36) residential parking spaces are required by the Land Use Code (SMC 23.54) and forty-five (45) are proposed for the development at this stage. Analysis of the parking demand is necessary considering the context and scope of the project. According to the Institute of Transportation Engineers (ITE) 3<sup>rd</sup> Edition (2004), for an urban low/mid-rise apartment land use, the average parking supply ratio is 1.02 space per dwelling unit or a 36 parking space demand for the residential portion of the project. Considering the development will provide the ITE anticipated parking demand for the residential portion, no residential parking space impacts are anticipated. The applicant may be reducing the overall residential parking pursuant to the updated Land Use code. Even if this is the case, considering the ITE data, parking provided should meet demand requirements.

Commercial parking is not anticipated to create an impact. The commercial tenant spaces are small in size and are not likely to be driving destinations. The peak demand anticipated by the commercial spaces is around 5 (Seattle specific ITE data on Family Restaurants). The more likely scenario is that the commercial uses will be used by the project’s residents, pedestrians from neighboring residential units or be users of adjacent uses already driving to the area. There is street parking available in the vicinity along NW 56<sup>th</sup> St. As a result, parking impacts for commercial parking are not likely and mitigation is not necessary.

**Parking Demand Analysis**

<b>For Urban Setting</b>			
<b>Use Type</b>	<b># of Units / sq. ft.</b>	<b>Demand</b>	<b>Total Demand</b>
<i>Low/Mid-Rise Apartment</i> )	36	1.02	<b>36.72</b>
<i>Eating and Drinking Establishment (likely use)</i>	1150 (south space)	3.99	<b>4.58</b>
<i>Eating and Drinking Establishment (likely use)</i>	150 (north space)	3.99	<b>0.59</b>
<b>Total</b>			<b>41.89</b>

Traffic and Transportation

This surrounding area is served by transit with 15 minute headways along NW Market St and 15<sup>th</sup> Ave NW. Vehicle trips for the development are estimated at 242 trips per day by the applicant and the Department concurs with this analysis based on ITE “Trip Generation,” 7<sup>th</sup> Generation data. Considering the location of the project, bus use is likely and trips will likely be reduced further because of the close proximity of uses in the immediate area (Safeway, Walgreens, Sunset Bowl). This amount of traffic expected to be generated by this proposal is within the capacity of the streets in the immediate area and therefore, no SEPA mitigation is warranted for traffic impacts.

Summary

In conclusion, adverse effects on the environment resulting from the proposal are anticipated to be non-significant. Meeting the conditions found at the end of this document pursuant to SEPA policies will mitigate adverse impacts identified from the development.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

## **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 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] 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).

## **CONDITIONS - DESIGN REVIEW**

### *Non-Appealable Conditions*

1. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Lucas DeHerrera, 206.615.0724). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
2. Embed all of these conditions on the cover sheet of the MUP permit sets 1 and 2 and all Building Permit drawings prior to issuance.

### *Prior to Issuance of the Master Use Permit*

3. The applicant shall submit to the DPD Planner (Lucas DeHerrera (206.615.0724) the color and materials composition board as reviewed and approved at the recommendation meeting. The board will be used for building permit comparison and final design review inspection of the structure.
4. Prior to issuance of the MUP, the applicant shall update the zoning information for sets 1 and 2 to show how the project is compliant with all provisions of the updated Land Use Code (Ordinance 122311).

### *Appealable Conditions*

#### *Prior to Issuance of the Building Permit*

5. Add mirrors or other device at the vehicle entries/exits in the absence of full site triangles on both sides of the driveways.
6. Embed the north and south true color shadowed elevations and landscape plan.
7. Add the green wall portrayed and approved by The Board (found in the recommendation packet) to the building permit drawings.

8. Add plantings to reduce the scale of the east and west facing blank concrete walls in the 1' setbacks with the exception of where Sunset Bowl abuts directly along the northern 3/4 the eastern property line and the area below the green wall.

Prior to Certificate of Occupancy

9. Compliance with all images and text on the MUP drawings, design review meeting guidelines, approved design features and elements (including exterior materials, landscaping and ROW improvements) and as conditioned hereto in shall be verified by the DPD planner assigned to this project (Lucas DeHerrera, 206.615.0724), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least three working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

During Construction

10. All changes to the exterior facades of the building and landscaping on site and in the R.O.W. must be submitted as a revision to the building permit and reviewed by a Land Use Planner prior to proceeding with any proposed changes.

**CONDITIONS - SEPA**

Prior to Issuance of the Building Permit Plans

11. Include the construction management plan in the building permit submittal (embedded in the plans) (submitted to DPD during the MUP review).

During Construction

The following conditions to be enforced during construction shall be posted at each street abutting the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions shall be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

12. In addition to the timing restrictions of the Noise Ordinance, the following construction activities shall be limited to non-holiday weekdays from 7:00 a.m. and 6:00 p.m. and Saturdays from 9:00 a.m. to 6:00 p.m.:
  - Concrete Forming or Pouring
  - Stripping of Forms
  - Grading with Heavy Machinery

Work on Sundays is not permitted. These hours may be adjusted on a case by case basis by the noise abatement team. Either of the following DPD staff must be contacted and approval given by staff in these cases:

David George (Noise Control Program):	206.684.7843
Jeff Stalter (Noise Control Program):	206.615.1760

