



City of Seattle
 Gregory J. Nickels, Mayor

Department of Planning & Development
 D.M. Sugimura, Director

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

Application Number: 3005468
Applicant Name: Steve McDonald, Mithun Architects for Schnitzer Northwest
Address of Proposal: 2034 NW 56th Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a six story building with 157 residential units, above 4,150 sq. ft. of retail at ground floor. Parking for 175 vehicles will be located in below grade garage. Existing structure to be demolished.*

The following Master Use Permit components are required:

Design Review - Seattle Municipal Code (SMC) Section 23.41 with Development Standard Departures:

- 1) **Sight Triangle** – To eliminate the sight triangle (SMC 23.54.030.G2).
- 2) **Driveway Width** – To reduce the driveway width (SMC 23.54.030).
- 3) **Residential Use at Street Level** – To reduce the setback and height of ground level residential uses (SMC 23.47A.008).
- 4) **Basic Street Level** – To exceed the dimension between street facing façade and lot line (**23.47A.008.A3**).

SEPA - Environmental Review - Seattle Municipal Code (SMC) Section 25.05

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

*Project was originally noticed for 215 parking spaces and 166 residential units and 3,400 square feet of retail use.

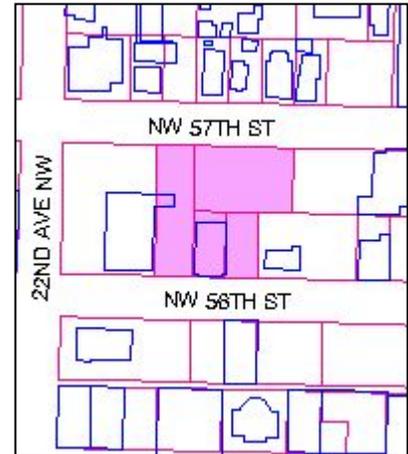
**Notice of early DNS was published February 1, 2007.

BACKGROUND DATA

Site & Vicinity Description

The approximately 36,475 square foot site is zoned Neighborhood Commercial 3 with a 65 foot height limit (NC3-65'). The site is a through lot located on the south side of NW 57th Street and on the north side of NW 56th Street. The property is a rectangular shape with a notch at the southeast corner. The site is currently covered with several surface parking lots and a one-story commercial structure. There is no alley access to the site.

The NC3-65 zone continues to the south, east and west of the subject site. Across NW 57th Street to the north, the zone changes to Midrise with a 60 foot height limit and a Residential-Commercial overlay (MR-RC) and further to the north, the zone changes to Lowrise.



Development and use in the vicinity includes a variety of multi-family residential uses and commercial uses in one to six story structures. Immediately abutting the site to the west is the Seattle Public Library Ballard branch and Neighborhood Service Center. Further to the northwest is the Ballard Commons Park. The neighborhood to the north is predominantly multifamily with a religious institution located at the corner of 22nd Avenue NW and NW 57th Street. Development to the east of the site is a variety of commercial and retail uses, administrative offices and a funeral home. To the south of the site, the existing development is predominantly commercial with restaurants, retail, banks and other commercial uses.

Proposal

The proposal includes the demolition of the existing one story commercial structure and construction of a new mixed-use building. The new structure would be a six story building with ground level commercial uses along NW 56th Street and residential uses along NW 57th Street, two levels of below grade parking for 175 stalls and five levels of residential uses (approximately 157 units total) above the ground level. The commercial retail use is approximately 4,150 square feet.

Public Comments

Approximately 12 members of the public attended the Early Design Guidance meeting held on October 9, 2006. They offered the following comments:

- Pleased with the access shown from NW 56th Street.
- Concerned that solar access to the residential units across the NW 57th Street is not obstructed by the proposed building mass.
- Encourage significant landscaping and trees along 57th Street.
- Advocate for a strong residential, community character along the north façade (57th Street), particularly at street level.
- Clarification that some of the proposed parking will be designated for the proposed commercial uses.

- Concern that spillover parking will be generated by the proposed development.

Approximately four members of the public attended the Final Recommendation meeting held on September 10, 2007. The following comments were offered:

- Concerned that residential uses are being proposed on ground the level in Ballard's commercial center. This area was always meant to be the commercial district. Disappointment that for a project this size, this is the amount of retail being proposed in the commercial district.
- Want to make sure that there's parking for the commercial uses that is easily usable for the commercial spaces. Parking is a serious issue in Ballard. If customers can't easily access the parking, then they will park on the street.
- If this is a restaurant, then assume you will need parking.
- The proposed metal material is more of an industrial vernacular and not as appropriate for a municipal center. Materials other than metal, cement board should be used. The look of Ballard is a brick town.
- The eastern wall design is problematic as a four-story blank wall. The lease on the abutting bank drive-through is another 25 years, so that could be a blank wall for a long time. Want to see more than a four inch strip.
- Disappointed that the mid-block connection was not proposed, especially since that is something the neighborhood plan wants.
- Feel that the retail spaces should offer commercial spaces to accommodate a more diverse mix of commercial businesses, not just restaurants.
- Would like the building to be considered for a LEED certified building. Lots of other projects have picked up LEED. Considering the adjacency to the library, this should really be certified as well.
- Support the 56th street elevation as it breaks down the massing.
- The suggestion that the 57th Street design is townhouse-like is off base. That elevation isn't even close to a townhouse concept. What is being proposed on 57th Street is an apartment building. The individual unit entrances are not enough to make it townhouse-like. One thing to consider on the 57th Street side would be two-story work-live units. A business could operate there, you could have the two story height; this first floor unit is actually very low. 8'6" is a standard residential height. The design of 57th should be more closely aligned with 56th, using different element materials for the base and the residential floors above.
- Support the design of the west facade behind the library. The treatment of this wall seems flat however, with the same materials and window treatments. The west elevation should relate more to the 56th Street experience. The west wall isn't modulated enough.
- The 57th Street elevation is too much of the same; it's an apartment building and should be expressed as parts. The proposed façade is unrelentingly the same.
- Live- work units along 57th Street might be a solution.
- Concerned about the loss of parking along 56th Street.

Four comment letters were received during the SEPA comment period for this proposal that ended on February 14, 2007. The following comments were offered:

- Request to be a Party of Record.

- The west façade should have setbacks above the third floor to reduce the height and bulk impacts in relation to the library.
- Concerns that the proposed development will block views from the neighboring residences.
- The additional car trips will over-crowd the streets; alternatives to driving should be emphasized.
- Opposes departure to allow ground level residential units so close to the sidewalk.
- The ground floor of the 57th Street elevation should measure 13 feet in height and at least give the appearance of a two story base.
- The balcony dimensions do not meet Code.
- The 57th Street entrances protrude beyond the property line.
- The west portion of the north façade should step back consistent with the Neighborhood Design Guidelines.
- Oppose increased lot coverage.
- Greater setbacks would make project less imposing.

ANALYSIS - DESIGN REVIEW

Design Guidance

Three schemes were presented – all of which included a mixed-use program, below grade parking and parking access from NW 56th Street. The first scheme was shown as code-compliant and included two separate building masses with a 40-foot deep courtyard in between. The two buildings are parallel with one fronting onto NW 56th Street and the other fronting onto NW 57th Street. The buildings are connected by a narrow span situated at approximately the midpoint of the southern building. The second alternative proposes a departure from lot coverage standards. The second alternative shows a single building mass, in a rough doughnut-shape with an open area at the center of the site, as well as an open corner notch at the southwest corner. The third and preferred scheme showed two building masses, similar to the first option, but with a deeper central courtyard that open into a wider corner notched area at the southwest corner, similar to the second option. This option also involves a departure from lot coverage, to a greater extent than that shown in the second option. Other departures associated with this alternative includes elimination of the non-residential use requirement along 57th Street, decreased open space and the potential to add an additional story per the Ballard Municipal Center Master Plan Area Design Guidelines.

The mechanical equipment associated with the abutting library is located on the shared property line between the subject site and the library. Given that the mechanical unit is large and somewhat noisy, the architect is contemplating these impacts as the residential units along the western portion of the proposed building are designed.

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the siting and design guidance and identified by letter and number those siting and design guidelines found in City of Seattle’s “*Design Review: Guidelines for Multifamily and Commercial Buildings*” of highest priority to this project.

A more refined design was presented at the Recommendation meeting. Two main buildings are proposed with the larger as an L-shaped structure configured around an internal courtyard that is 14 feet above grade. The second building anchors the southeast corner of the site and helps continue the ground level commercial uses along 56th Street. The two buildings are connected by bridges. The South side of the site fronting on 56th Street has a more commercial character, while the side facing onto 57th Street has a more residential modulation and character with ground related units. The main residential entrance is off of 56th Street and has been pulled back to create a small entry courtyard.

A. Site Planning

A-1 **Responding to Site Characteristics.** The siting of buildings should respond to specific site conditions and opportunities.

A-2 **Streetscape Compatibility.** The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

Ballard Neighborhood Guidelines: Mixed Use on East-West Streets. Buildings should maintain a consistent street wall up to a minimum of two story development and provide a setback(s), particularly on the south side of the street, beyond three stories to enhance solar access to the street and avoid a ‘canyon’. Deviations from the consistent street wall should be allowed for public usable open spaces. Where appropriate, mid-block pedestrian connections are strongly encouraged. The Design Review Board may consider a departure to reduce open space requirements in exchange for a mid-block pedestrian connection. Such spaces shall be sited and designed in a manner that is clearly public in nature and engaging to pedestrians.

A-3 **Entrances Visible from the Street.** Entries should be clearly identifiable and visible from the street.

Ballard Neighborhood Guidelines: The mid block pedestrian connection should foster social contact in a safe environment. New development is highly encouraged to front retail and/or townhouse style units on the mid-block connection at street level. To further promote vitality and safety in the pedestrian experience, entries to retail and townhouse units should be placed in an identifiable and engaging manner.

A-4 **Human Activity.** New development should be sited and designed to encourage human activity along 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.** The space between the buildings 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.

Ballard Neighborhood Guidelines: Vehicular access to sites is most appropriate along NW 56th, 57th, and 58th Streets. Commercial vehicular access is most appropriate on NW 56th and/or NW 57th Streets. Where curbcuts are provided, the number and width should be minimized.

The Board noted that this site is next to a prominent intersection with the library as a landmark feature. A primary entrance to the site should be situated along 56th Street, while a secondary residential entrance should be located along 57th Street.

The Board discussed the potential for a mid-block connection at this eastern edge of this site and encouraged the applicant to consider such a provision, provided that it is safe, well-lit, contemplates redevelopment to the east and avoids becoming a tunnel-like space.

The Board agreed that, in response to the neighborhood guideline, a setback along 57th Street is important and should be provided to help reduce shadows to the residential uses across the street.

The Board was very pleased with the proposal to widen the sidewalks along both 56th and 57th Streets to 15 feet, to include a nine foot wide walkway and a six foot wide planting strip. Similarly, the Board was enthusiastic about the proposed open space linking the sidewalk at the southwestern portion of the site to the interior courtyard. They are interested in understanding how and if the public will access and/or enjoy these open spaces. The Board encouraged keeping the corner open space connected to the corner retail, helping to activate the space and allow for public use, while also creating a visual public amenity.

At the next meeting, the Board would like to review a solar impact study to better understand how the proposed building mass will impact the residential uses across 57th Avenue to the north. This is particularly crucial if additional height is allowed as a departure.

The Board agreed that the proposed access location at the southeastern end of the site along NW 56th Street was most appropriate.

The Board is curious to see how the design is able to minimize the noise impacts of the library's abutting mechanical equipment on the residents and users of the proposed building.

The Board recognized that the existing character of the 56th Street streetscape and the 57th Street streetscape are dramatically different and should be designed accordingly. The 57th Street character is far more residential, quiet and private while the 56th Street character is more commercial with greater foot and vehicle traffic. The street level design and building program should encourage pedestrian activity on 56th Street to connect 22nd Avenue and 24th Avenue. Transparent windows, overhead weather protection and commercial uses that have the potential to straddle the public and private realms are examples of attractive features that should be included for a successful commercial pedestrian environment. Conversely, the character of 57th Street should

reinforce the residential community. The Board was supportive of the proposed stoop-like entrances off of ground level units onto 57th Street.

At the Recommendation meeting, the Board discussed at length the question of the ground level uses along NW 57th Street. If commercial use were required, the Board agreed that live/work uses would be appropriate for this location. Some Board members recognized that retail commercial use would not be consistent with the street's current character. The retail commercial activity is concentrated on 20th Avenue to the west and 56th Street to the south. The Board strongly agreed that there should be a stronger two-story expression along 57th Street that relates directly to the pedestrian environment. They also agreed that material changes along this façade would help break up the repetition of the elevation. As such, the majority of the Board recommended that the ground level use along 57th Street be live/work rather than residential in order to encourage greater pedestrian activity.

Board Recommended Condition #1: The residential use located at ground level along NW 57th Street should be changed to live-work.

Staff Note: The Board's stated concern has to do with the appropriate proportions of the north façade and an effective relationship between ground-level entries and the sidewalk. Their stated concerns and their purview relate to design issues and not to the proposed uses per se. DPD therefore concludes that the Board's recommendation – that the ground level uses along 57th Street be live-work rather than residential – is not an appropriate direction. Furthermore, at the previous Early Design Guidance meeting, the Board clearly indicated support of residential uses at ground level. For these reasons, DPD will not adopt the recommended condition. Rather, staff will work with the applicant to ensure that design changes are made that strengthen the base and materials of the north elevation to better relate to the pedestrian environment. Therefore, DPD amends the condition as follows:

Amended Condition #1: The north elevation facing NW 57th Street shall be updated to include a more distinguished two-story base that reads as townhouses.

The Board agreed that the townhouse vernacular along NW 57th Street should be strengthened. The ten units that have direct access to the 57th Street should be clearly expressed and relate in scale to the pedestrian environment. Along, NW 56th Street, the Board was pleased with the proposed entry courtyard area, blade signs to animate the sidewalk experience and opportunities to express unique identity for the retail spaces. See also C-3.

The Board discussed the concept of a mid-block connection and concluded that unless this sort of connection could be provided with a retail component that would offer a sense of effective surveillance and monitoring of that space, then a mid-block crossing would not be desirable.

A solar impact study was presented that shows there is no impact on the neighbors across 57th Street during the summer, spring and autumn months. In the winter

months, there will be a shadow from the proposed building across the street. The Board did not deliberate on this issue.

The Board reiterated support for the vehicular access off of 56th Street as well as the location of the principal residential entrance. The Board recommended that the entry to the lobby be set back 17-18 feet as shown, creating the opportunity for a flexible space, where perhaps a retail use could spill into this area.

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 nearby, 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 on the adjacent zones.

Ballard Neighborhood Guidelines: Same as above, except with setbacks particularly on the south side of the street beyond three stories to enhance solar access to the street. Buildings should provide façade modulations that break down the scale of larger developments to recall the underlying original 50' parcel width. The Board may consider exceptions of up to 10 ft. from the recommended consistent street wall for public usable open space.

The Board agreed scheme Three is the most desirable from a massing, solar access and open space standpoint. They also agreed that this scheme best responds to the library design and site plan. The Board liked the interior and southwest corner open spaces created by the separation between the building masses and believed that such a configuration can provide opportunities for successful landscaping, solar access and public amenities.

The Board encouraged exploring scaled down upper level massing to reinforce the neighborhood guideline encouraging massing to reflect the pattern of 50-foot wide parcels.

See also A-5 discussion.

At the Recommendation meeting, the Board was pleased with the configuration of the interior courtyard and the vertical articulation and upper setback of the building into expressions that are more consistent with the neighborhood pattern.

Architectural Elements

C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural pattern and siting pattern of neighboring buildings.

C-2 Architectural Concept and Consistency.

- **Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.**
- **Buildings should exhibit form and features identifying the functions within the building.**
- **In general, the roofline or top of the structure should be clearly distinguished from its façade walls.**

C-3 Human Scale. The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.

C-4 Exterior Finish 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.

Ballard Neighborhood Guidelines: New development should exhibit craftsmanship through the use of durable, attractive materials. Building materials and interesting details found on older buildings on Market Street and the Ballard Avenue Landmark District should be recalled.

C-5 Structured Parking Entrances. The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

The Board agreed that the surrounding built context includes a variety of styles and materials. The Board noted, however, that the retail core of Ballard offers a very distinctive historical context and strongly encouraged a design that continues the elements of a pedestrian friendly, lively, interesting and creative environment. The maritime and Scandinavian history of the neighborhood and the prominent use of brick provide clear direction regarding architectural context and concepts. See guideline C-4.

The Board strongly supports of residential uses and character developed along 57th Street, while focusing the commercial and retail design, uses and character concentrated along 56th Street. The Board liked the stoop-entrance concept proposed along 57th Street.

The Board strongly agreed that the vehicular access to the site should be visually minimized and cause as little disruption to pedestrian circulation around the site as possible.

At the Recommendation meeting, the Board spent considerable time discussing the design of the west façade. The design was presented as more of a neutral backdrop to the iconic library architecture, while incorporating elements, such as the wood slat shutter system and wood soffits to reference the wood used throughout the library. Some of the Board members felt that the façade design is severe and very exposed. Others felt that it was an appropriate background to the library, offering a relatively neutral backdrop. While the proposed vertical metal siding is a blank wall in three locations east of the library, it serves to accent the features of the library. They discussed whether wrapping the materials used on the north or south elevation around to this façade would be preferable. The majority of the Board

recommended that there be a shift in color from one half of the façade to the other, with the center vertical metal siding wall as the break point.

Board Recommended Condition #2: The west elevation should be revised to include a color shift between the northern and southern halves.

The Board unanimously agreed that there should be a green screen located along the blank wall facing the library's parking garage entry.

Board Recommended Condition #3: A green screen should be located along the blank wall facing the driveway and garage entry of the abutting library.

The material palette proposed at the Recommendation meeting included primarily fiber cement lap siding, panels with a metal reglet and metal siding. The building is organized along the south elevation as twin metal clad forms with bay windows clad in fiber cement siding. The west side of the 56th Street elevation is a dark green tight horizontal exposure lap siding, while the east side is dark grey (foreground) and mustard yellow (background), wider vertical metal siding. All of the windows are arranged in groups with spandrel panels. Stained wood is used as an accent material, especially on the west façade to echo the library.

Along the 57th Street façade, Board members expressed concerns about the extension of the fiber cement lap siding to the ground. Carrying this material on the bays to the street level is undesirable because it looks cheaper and less durable, especially from the pedestrian vantage point. Materials connecting with the ground plane should be durable, such as concrete or masonry, and should not require painting. Furthermore, these bays and or the articulation of this façade should emphasize the first two stories and the townhouse vernacular.

Board Recommended Condition #4: The materials used on the first two floors of the north elevation should be changed from the proposed hardie board lap siding to another more durable material, such as concrete or masonry.

The Board agreed that the east facade is overly severe as a blank wall and needs to receive a different treatment. The Board suggested that a green screen would work well along this elevation. The colors of this façade also need to be reconsidered to be less dull than the grey and less intrusive as the yellow.

Board Recommended Condition #5: The blank walls along the east elevation should be redesigned, both in terms of color and visual interest.

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.

Ballard Neighborhood Guidelines: New development is encouraged to contribute to a mid-block, north-south connection system for pedestrians. Active, pedestrian-oriented commercial design and/or ground related town house units are encouraged to extend from the street facing facade and front the pedestrian connection path, thereby contributing visual interest and more opportunity for social contact.

Considerations include:

- ⇒ open commercial facades that encourage pedestrians to look into the building interior;
- ⇒ configure retail space to attract tenants with activity that will spill-out onto the sidewalk;
- ⇒ street front open space that features artwork, street furniture, and landscaping;
- ⇒ multiple building entries.

Avenues: The Design Review Board may consider relaxing setback requirements for Pedestrian-2 Overlay Zones at street corners, in exchange for providing generous, usable open space or well-designed indoor/outdoor retail-lined spaces.

Mixed Use Development: Continuous overhead weather protecting canopies are encouraged on buildings adjacent to the sidewalk. Transparent or translucent canopies along the length of the street provide welcome weather protection, define the pedestrian realm, and reduce the scale of taller buildings.

Overhead weather protection should be designed with consideration given to:

- ⇒ the overall architectural concept of the building;
- ⇒ uses occurring in the building (entries, commercial space) or adjacent environment (bus stops);
- ⇒ continuity with weather protection provided on nearby buildings;
- ⇒ the scale of the space defined by the height and depth of the weather protection;
- ⇒ and when opaque material is used, the illumination of the underside.

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

The Board wants to see generous overhead weather protection provided along both street fronts.

The Board expects that all service elements should be housed internally within the proposed structure. The Board would like to review how all these elements will be accommodated, including location of the transformer room.

The Board is particularly interested in a design that incorporates good pedestrian level lighting, transparency, overhead weather protection, signage and other features that will animate the ground plane of this site, while also encouraging safety and security in and around the site.

At the Recommendation meeting, the Board stated that they want to see overhead canopies that are at least eight feet deep along the south side of the building.

Board Recommended Condition #6: The overhead canopies proposed at the ground level along the south elevation should be at least eight feet deep.

Landscaping

E-1 Landscaping to Enhance the Building and/or Site. Landscaping should be appropriately incorporated into the design to enhance the project.

56th Street currently does not have any street trees and 57th Street currently has three Linden trees which the Master Plan advocates for replacement. The Board defers to the Master Plans guidance and recommends replacing the trees with a variety suggested by the Master Plan.

The Board agreed that all of the open spaces should receive equally well-programmed and well-landscaped attention. The Board also discussed at length the configuration of the interior open space courtyard formed by the separation between buildings. Such a courtyard should be cognizant and responsive to solar access, as well as be well-integrated into the rest of the project. At the next meeting, the Board would like to see very detailed landscape plans that address the programming, hardscaping and landscaping of the open spaces. The Board is particularly interested in the public benefit afforded by the open spaces.

At the Recommendation meeting, the Landscape Architect presented the proposed landscape plans for the site. The landscape plan includes lush landscaping on the north side located in the planting strip and between the sidewalk and the stoops. This zone between the building and the sidewalk includes four foot high narrow hedge to provide an edge with vines along the railings. The existing Linden trees are to be preserved.

Within the courtyard are a series of passageways that not accessible from the street. It is hoped that the courtyard will be very green and lush, providing a pleasing view to the units above, who will look down to the courtyard from the walkways above. Elevated planters and green screen elements have been included, as well as smaller

scaled deciduous trees. The landscape plan endeavors to highlight and create individuality in the entries.

The Board made no further recommendations in this regard.

Design Review Departure Analysis

At the time of the Recommendation meeting, the design team requested the following departures.

Table: Departure Summary

	STANDARD	REQUIREMENT	REQUEST	APPLICANT JUSTIFICATION/ BOARD DIRECTION
1	SIGHT TRIANGLE SMC 23.54.030.G2	Provide 10' x 10' sight triangle on either side of driveway.	Eliminate right side triangle. Reduce left side triangle to 9'	<ul style="list-style-type: none"> ▪ Propose use mirror in place of sight triangle such as allowed in downtown. ▪ Safety and views to and from the driveway are maintained. Board unanimously approved departure request. (A-4, C-5, D-7)
2	DRIVEWAY WIDTH SMC 23.54.030	22'	18'	<ul style="list-style-type: none"> ▪ Slows down traffic and allows sidewalk to be wider. ▪ Board would like to see textural treatment of the driveway and/or sidewalk to caution pedestrians and drivers alike. Board unanimously approved departure request. (A-4, D-5)
3	RESIDENTIAL STREET LEVEL SMC 23.47A.008	Ground floor residential units shall be either set back from the sidewalk by 10' or at least 4' above sidewalk grade.	Set back 5'6" and raised 1'-1'9" above sidewalk grade.	<ul style="list-style-type: none"> ▪ Design includes dense landscaping between sidewalk and stoop areas ▪ Provides some of each standard. Board unanimously approved departure request. (A-6, C-3, E-1)
4	BASIC STREET LEVEL REQUIREMENTS 23.47A.008.A3	Street facing façade should be within 10' of lot line	18' set back at the entry plaza to the residential lobby off of 56 th Street.	<ul style="list-style-type: none"> ▪ Creates extra modulation along this street front. ▪ Allows entry plaza space that can be utilized by adjoining retail use. Board unanimously approved departure request. (A-3, D-1)

Summary of Board's Recommendations

The recommendations summarized below are based on the plans submitted at the Final Design Review meeting. Design, siting or architectural details specifically identified or altered in these recommendations are expected to remain as presented in the presentation made at the March 1, 2006 public meeting and the subsequent updated plans submitted to DPD. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members recommended **CONDITIONAL APPROVAL** of the proposed design including the requested departures subject to the following design elements in the final design including:

1. The following architectural features and details presented at the Final Design Review meeting and described under Guidelines A-2, A-4 and C-3:
 - a) the right-of-way improvements and sidewalk widening;
 - b) the transparent glazing of the storefront system;
 - c) signage;
 - d) overhead weather protection; and
 - e) entry court area off 56th Street.
2. As described under Guidelines C-2 and C-4, the building materials and colors presented at the Final Design Review meeting.
3. The following landscaped open spaces with plants providing texture, color and seasonal variation, as well as street trees and landscaping in the right-of-way presented at the Final Design Review meeting and described under Guidelines C-3, E-1 and E-3:

The recommendations of the Board reflected concern on how the proposed project would be integrated into both the existing streetscape and the community. Since the project would have a strong presence along both 56th and 57th Streets, the Board was particularly interested in the establishment of a vital design that would enhance the existing streetscape, respect the architecture of the library, interact with the pedestrian activity, offer a successful open space and reflect the neighborhood character.

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the DPD Director's decision reads in part as follows:

The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

- a. *Reflects inconsistent application of the design review guidelines; or*
- b. *Exceeds the authority of the Design Review Board; or*
- c. *Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or*
- d. *Conflicts with the requirements of state or federal law.*

Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

All five members of the Northwest Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with the well-considered street level details, building materials, and architectural design that support a high-quality, functional design responsive to

the neighborhood's unique conditions. Moreover, the Director accepts the conditions recommended by the Board that further augment Guidelines A-3, A-4, A-6, C-1, C-5, D-1 D-5, D-7 and E-1.

The Board recommended the following conditions to be resolved administratively with DPD Staff:

1. The residential use located at ground level along NW 57th Street should be changed to live-work. *Amended Condition #1: The north elevation facing NW 57th Street shall be updated to include a more distinguished two-story base that reads as townhouses.*
2. The west elevation should be revised to include a color shift between the northern and southern halves.
3. A green screen should be located along the blank wall facing the driveway and garage entry of the abutting library.
4. The materials used on the first two floors of the north elevation should be changed from the proposed hardie board lap siding to another more durable material, such as concrete or masonry.
5. The blank walls along the east elevation should be redesigned, both in terms of color and visual interest.
6. The overhead canopies proposed at the ground level along the south elevation should be at least eight feet deep.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include all of the recommendations of the Design Review Board.

The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the three members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

Director's Decision

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design with the conditions enumerated above and summarized at the end of this Decision.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated January 3, 2007. The information in the checklist, project plans, and the experience of the lead agency with 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, 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 certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from construction activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction materials hauling, equipment and personnel; increased noise; and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- The applicant estimates approximately 24,000 cubic yards of excavation for construction. Excess material to be disposed of must be deposited in an approved site.
- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way.
- Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of building activity to be undertaken in association with the proposed project, additional analysis of air quality, noise, grading and traffic impacts is warranted and summarized below:

Environmental Element	Discussion of Impact
1. Drainage/Earth	• 24,000 cubic yards of excavated materials.
2. Traffic	• Increased vehicular traffic adjacent to the site due to construction vehicles.
3. Construction Noise	• Increased noise from construction activities.

Drainage

Soil disturbing activities during site excavation for foundation purposes could result in erosion and transport of sediment. The Stormwater, Grading and Drainage Control Code provides for extensive review and conditioning of the project prior to issuance of building permits. Therefore, no further conditioning is warranted pursuant to SEPA policies.

Earth - Grading

A Geotechnical Report was completed by GeoEngineers and dated December 29, 2006. The report assessed the geotechnical aspects of project design and construction. The construction plans will be reviewed by DPD and any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves excavation of approximately 24,000 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Construction: Traffic

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities.

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during construction. The construction activities will require the removal of material from site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

It is expected that most of the demolished materials will be removed from the site prior to construction. During demolition a single-loaded truck will hold approximately 10 cubic yards of material. This would require approximately 2,400 single-loaded truckloads to remove the estimated 24,000 cubic yards of material.

Existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. This immediate area is subject to traffic congestion during the p.m. peak hour, and large construction trucks would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675(B) (Construction Impacts Policy) and SMC 25.05.675(R) (Traffic and Transportation), additional mitigation is warranted.

1. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.

This condition will assure that construction truck trips do not interfere with daily p.m. peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of existing City Code (SMC 11.62).

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Noise

There will be excavation required to prepare the building site and foundation for the new building. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the surrounding uses in the nearby theatres and Seattle Central Community College. Due to the proximity of these uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

2. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:00 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.

Long-term Impacts

Long-term or use-related impacts associated with approval of this proposal include stormwater and erosion potential on site. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically, the Stormwater, Grading and Drainage Control

Code which requires on-site detention of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; and the City Energy Code which will require insulation for outside walls and energy efficient windows.

Compliance with all other applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies.

Due to the type, size and location of the proposed project, additional analysis of parking and traffic impacts is warranted.

Parking

A transportation study was submitted to DPD by The Transpo Group dated November 2007 (and updated in December 2007) evaluating the parking impacts of the proposed development. The 175 parking spaces provided by the proposed development are all located on-site. The parking spaces are below grade which is accessed via a single two-way driveway off of NW 56th Street.

Using the Third Edition of the Institute of Traffic Engineers *Parking Generation Manual* and the Urban Land Institute *Shared Parking*, parking generation rates associated with Mid Rise Apartment and Specialty Retail (retail) were used. The results of the parking generation are shown below:

Parking Demand Calculations: Proposed Use

Use	Use Per ITE Land Use	Independent Variable	ITE Peak hour	Total Spaces per ITE	SMC Required	Proposed
Proposed	Mid Rise Apartment (ITE 221)	157 units	157	167	163	175
Proposed	Specialty Retail (ITE 814)	4,150 SF	10			

According to the ITE report, the 4,150 square feet of commercial uses associated with the proposed project would require approximately ten parking spaces during the peak hour likely to occur during the early afternoon peak hours. The 157 proposed residential units would require approximately 157 spaces during the peak hours likely between late evening and early morning. The peak parking demand for the two uses is unlikely to occur during the same hours. The proposed development will provide 175 parking spaces. Thus, the amount of parking provided exceeds the anticipated demand of the proposed development at peak hours by eight stalls.

The subject site currently accommodates 91 public parking stalls. The traffic study included a parking supply inventory that evaluates the availability of parking during weekday peak hours. The study showed that approximately 46 of the 91 stalls were occupied and that approximately

93 stalls were available within an 800 foot walking radius of the subject site. Of these 93 stalls, 63 were occupied, leaving 30 stalls available to accommodate the parking displaced by the proposed development. A spillover of 16 stalls is anticipated. This amount is further reduced by the excess stalls available in the proposed development. The parking inventory did not include on-street parking in its supply figures and the study noted that sufficient on-street parking is available for the remaining displaced parking demand unable to be accommodated by the available off-street, off-site parking.

Therefore, the estimated parking demand generated by the proposed project is not considered adverse and the parking impacts require no further mitigation.

Traffic

A traffic study was submitted to DPD by The Transpo Group dated November 2007 evaluating the impacts of the proposed development to the surrounding street system.

The vehicular traffic generated by the project will be both residential and business-related and will likely peak during the weekday PM hours. As depicted in the traffic study, trip generation information was calculated using average PM peak hour trip generation rates obtained from the Seventh Edition of the ITE *Trip Generation Manual*. For the proposed development, trip generation rates associated with Apartment and Specialty Retail were used. The results of the trip generation are shown below:

Trip Generation Calculations: Proposed Use

Use	Use Per ITE Land Use	Use Per SMC	Independent Variable	PM Peak Trips Generated	Total PM Peak Trips Generated
Proposed	Mid Rise Apartment (ITE 220)	Multifamily Residential	(Unit Count) 157	102	111
Proposed	Specialty Retail (ITE 814)	Commercial Retail	(Per 1,000 SF) 3,400	9	

Using the ITE data, there will be approximately 111 additional trips in the PM peak hour associated with the proposed combination of uses. This figure does not factor in the existing building/uses currently located on the site. These ITE figures also tend to be higher than what is expected in an urban environment where transit readily services Market Street and the Ballard neighborhood and provides direct connections to downtown Seattle. During the PM peak hour, all study intersections would operate at the same level of service (LOS) with or without increases in traffic attributable to the proposed project. The four signalized intersections would operate acceptably (LOS D or better) during the PM peak hour. Likewise, the five unsignalized intersections would operate acceptably (LOS D or better) during the PM peak hour.

The number of additional trips is not likely to adversely impact the existing levels of service of surrounding intersections beyond existing conditions. Therefore, the estimated increase in trips during the PM peak hours is not considered a significant impact and no additional mitigation measures or conditioning pursuant to the SMC Chapter 25.05, the SEPA Ordinance is warranted.

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 requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public 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 43.21C.030 2C.
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

CONDITIONS – SEPA

During Construction

The owner applicant/responsible party shall:

The following condition(s) to be enforced during construction shall be posted at 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. If more than one street abuts the site, conditions shall be posted at each street. The conditions will 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.

1. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.
2. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:00 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturdays). This condition may be modified by DPD to allow work of an emergency nature. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.

CONDITIONS – DESIGN REVIEW

Prior to MUP Issuance (Non-Appealable)

3. The plans shall be updated to satisfy the parking, height, Green Factor and other applicable development standards.
4. Update the submitted MUP plans to reflect all of the recommendations made by the Design Review Board and reiterated by the Director's Analysis.

Prior to Building Permit Issuance (Non-Appealable)

The plans shall continue to show the following:

5. The north elevation facing NW 57th Street shall be updated to include a more distinguished two-story base that reads as townhouses.
6. The west elevation should be revised to include a color shift between the northern and southern halves.
7. A green screen should be located along the blank wall facing the driveway and garage entry of the abutting library.
8. The materials used on the first two floors of the north elevation should be changed from the proposed hardie board lap siding to another more durable material, such as concrete or masonry.
9. The blank walls along the east elevation should be redesigned, both in terms of color and visual interest.
10. The overhead canopies proposed at the ground level along the south elevation should be at least eight feet deep.

Prior to Pre-Construction Conference

11. Three days prior to the pre-construction conference, contact the Land Use Planner to confirm attendance.

Prior to Issuance of the Certificate of Occupancy

Compliance with conditions #5-10 must be verified and approved by the Land Use Planner prior to the final building inspection. The applicant/responsible party is responsible for arranging an appointment with the Land Use Planner at least three (3) working days prior to the required inspection.

NON-APPEALABLE CONDITIONS – DESIGN REVIEW

12. 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 (Lisa Rutzick, 386-9049), or by the Design Review Manager (Vince Lyons, 233-3823). 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.
13. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD Land Use Planner assigned to this project or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) 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.
14. Embed all of the conditions listed at the end of this decision in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.
15. Embed the 11 x 17 colored elevation drawings from the DR Recommendation meeting and as updated, into the MUP plans prior to issuance, and also embed these colored elevation drawings into the Building Permit Plan set in order to facilitate subsequent review of compliance with Design Review.
16. Include the Departure Matrix in the Zoning Summary section of the MUP Plans and on all subsequent Building Permit Plans. Add call-out notes on appropriate plan and elevation drawings in the updated MUP plans and on all subsequent Building Permit plans.

Compliance with all applicable conditions must be verified and approved by the Land Use Planner, Lisa Rutzick, (206 386-9049) at the specified development stage, as required by the Director's decision. The Land Use Planner shall determine whether the condition requires submission of additional documentation or field verification to assure that compliance has been achieved. **Prior to any alteration of the approved plan set on file at DPD, the specific revisions shall be subject to review and approval by the Land Use Planner.**

Signature: _____ (signature on file) Date: December 20, 2007
Lisa Rutzick, Land Use Planner
Department of Planning and Development

LR:bg