



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

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

Application Number: 3007108, originally 2307152

Applicant Name: Alison Walker Brems, [Johnston Architects](#)
for Bill Parks, ARTIE, LLC

Address of Proposal: 6420 24th Ave NW

SUMMARY OF PROPOSED ACTIONS

Land Use Application to allow a 5-story structure containing 2,260 sq. ft. of retail and two live-work units at street level, with 38 apartment units above. Parking to be provided below grade, on two levels for 47 vehicles. The project includes demolition of the existing structure.

The following approvals are required:

SEPA - Environmental Determination – SMC Chapter [25.05](#)

Design Review – SMC Chapter [23.41](#), involving no requested design departures from Land Use Code development standards:

SEPA DETERMINATIONS: [] Exempt [X] DNS¹ [] MDNS [] EIS
[X] DNS with conditions
[] DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

¹ Early DNS published March 25, 2004.

Project Description

The applicant proposes a 5-story mixed-use structure with 38 residential units, two live-work units, and approximately 2,260 square feet of ground level commercial space. Parking is to be provided inside the structure.

During review, the site and project changed ownership, and a new design team proposed updates to the previous project.

Vicinity and Site

The site is located in the Ballard neighborhood, on the southeast corner of NW 65th Street and 24th Avenue NW. 24th Ave is a minor arterial, and 65th St transitions from a minor arterial to a collector arterial as it crosses the intersection from east to west. The vicinity slopes gradually to the south. The property is located in the Crown Hill/Ballard Hub Urban Village.

The site is zoned Neighborhood Commercial 1 with a 65-foot base height limit (NC1-65, see Figure 1). Properties directly to the south and to the west across 24th Ave are also zoned NC1-65. The NC1 zone also extends across 65th St on either side of 24th Ave, but the height limit drops to 40 feet (NC1-40). Further north along 24th Ave, there is a corridor of residential Lowrise 3 (L3) zone, and to the south along 24th is zoned Lowrise 3 Residential/Commercial (L-3 RC). To the south of 65th St, beyond the 24th Ave corridor, land is zoned Lowrise Duplex Triplex (LDT). Properties to the north of 65th are zoned Single Family with a minimum lot size of 5000 square feet (SF 5000).

Development in the vicinity reflects its zoning, though none approaches the 65-foot height allowed in the zone. The 24th Ave NW corridor is characterized by three- and four-story apartment buildings, small commercial spaces, and single family homes. On either side of the corridor are residential neighborhoods of mostly single family homes, intermixed with townhouses and other small multifamily development. Immediately to the south are two small businesses – a barber shop with a living unit and the Viking Tavern – as well as a single family home. Across 24th to the east is a mixed use

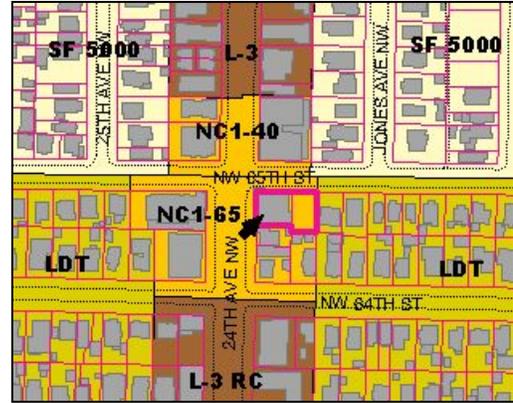


Figure 1. Vicinity zoning

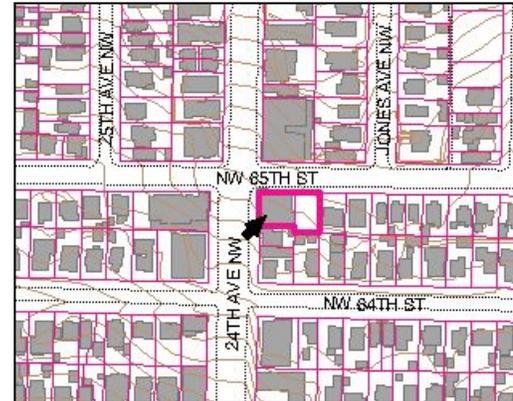


Figure 2. Local topography



Figure 3. Aerial view

building with lawyers' offices beneath apartments. To the north across 65th are apartment buildings that appear to fully occupy their zoning envelopes. To the west is a low triplex, followed by a row of single family homes. Several churches and other institutions are in the nearby vicinity, including the Trinity United Methodist Church, a Christian Science church, the Vajralama Buddhist Center, the Ballard Church of Nazarene, the Ballard First Lutheran Church, the Ballard Baptist Church, the Boys & Girls Club, Adams Elementary school and the Ballard Community Center.

The site consists of two adjacent parcels, 68' by 67' and 50' by 79', respectively. There is no alley. Due to the substandard 60' width of NW 65th St, the applicant must set back three feet from the north property line, to allow for future widening of the right of way per Seattle Municipal Code (SMC) [23.53.015 A6 & D1b](#). The site slopes gently to the south, about four feet in all (See Figure 2). No portion of the site is designated as an Environmentally Critical Area on City maps. The site is currently occupied by a single-story brick commercial structure (built ca. 1929) containing an auto repair shop, and a small paved parking lot accessory to the business. There is no substantial vegetation on the site, but there is an established row of mature street trees along 24th Ave NW. Taking the northern 3' setback into account, there is sufficient width to accommodate full sidewalk improvements.

The site is served by public transit. Metro routes [18](#) and [75](#) pass in front of the site along 24th Ave NW.

Public Comment

DPD conducted its initial review in 2003 and 2004. In that period, DPD received about one hundred (100) letters from concerned neighbors and other members of the public, contained in the project file. Many comments related to design review, and the Recommendations report of August 23, 2004, summarizes and addresses the bulk of that input. DPD also conducted a public meeting to hear neighbors' environmental concerns. The public meeting occurred on August 9, 2004, at the Loyal Heights Community Center.

Citizen comments related to DPD's environmental review focused principally on issues of height, bulk and scale, traffic, and parking. Respondents generally indicated that the proposal would be out of scale with the surrounding development, while many neighbors indicated they would support a four-story development. Several people considered existing traffic and parking in the neighborhood to be congested, particularly at peak hours. Some letters raised concerns about traffic safety in relation to the driveway access and the volume of new cars. Relatively few letters identified concerns related to the project's possible effects on air quality, groundwater & drainage, vegetation, light, noise, odor, historic structures, environmental health, and local infrastructure. Some respondents felt that public notice had been inadequate.

During subsequent review of updated project drawings, DPD received few additional comments. DPD received verbal and written comments from neighbors in support of the proposed updates.

ANALYSIS – DESIGN REVIEW

The project involved an Early Design Guidance meeting on January 12, 2004, an initial Recommendations meeting on June 14, and a second Recommendations meeting on August 23,

2004. The project involved a final Recommendations meeting on June 24, 2007. Design review reports from the first three meetings are available for public viewing in the project file, located on the 20th floor of Seattle Municipal Tower, 700 5th Avenue, in downtown Seattle. The final Recommendations meeting is summarized here.

Four of five Board members attended the Recommendations meeting of June 24, 2007. The Board recommended that DPD approve the project design, subject to conditions. This report summarizes Board discussion and recommendations.

6/24/2007 Architect's Presentation

Alison Walker Brems of [Johnston Architects](#) presented an analysis of site and context, referring too much of the information outlined above. She focused primarily on the updated design, noting that the massing of its fourth and fifth levels are pulled dramatically to the site's west and north sides, substantially in conformance with recommendations delivered on 8/23/2004. The second and third levels are to have 14'-tall ceilings, with lofts accessed by by ship's ladders.

A design intent is to create an active space that people will walk to. Another design intent is to provide a strong, unified base, with high storefront windows. Top levels are composed of a lighter material to make them visually recede. "It should have a warm lantern effect – nothing that shines out on the street, but a lively feature." The corner at street level is chamfered and features a storefront entry with a wide pedestrian canopy.

"Vertical gardens" are a notable feature of the updated design, proposed to be located along a stairtower on the design's south side. The garden would be composed primarily of evergreen and deciduous vines. The gardens would be supported by a flexible stainless steel wire mesh, though the architect would prefer to be flexible about that aspect of the design.

For the building base, the design team is considering a horizontal metal. The penthouse level would be a lighter metal – "[Zactique](#)", with a misting of something so it's not very bright. Metal decks, guardrails, and Juliette balconies would be of galvanized steel.

6/24/2007 Clarifying questions by the Board

Any departures considered? No. Proposed landscaping achieves a [green factor](#) of 0.355. We're considering adding planters with more vertical gardens, but we're not including those possibilities in the calculations.

Please clarify how many units are proposed. 38 units above, two live-work at grade.

Is there any reason not to propose more retail along 24th Ave NW? It's hard to meet the sidewalk grade there. Accessible entry to these spaces is from the residential lobby.

Do entries for the live/work face the street? They're accessed from a common foyer off 24th.

In your meetings with the community, did you find they preferred live-work instead of retail? They preferred an entry located here rather than just window space.

You've chosen to use metal over brick, which doesn't dent and wears well: please discuss your thinking. We've talked about it. We're trying not to mimic, and our widest blank wall is only 5'-1". Any chance of graffiti is offset by the small amount of blank space.

It appears there's an access-way between the project and the site to the south. What's it to be used for? We propose bike parking on the south side. It could also be a vertical landscaping possibility.

Are you proposing to widen the sidewalk along 65th? Yes, by about 3'.

You envision the open stairway to be a lantern experience? Yes. It's the most dominant part of the elevation. That's a good thing: you see people walking up and down, so there's direct contact with pedestrians and activity in the building.

Are the east-facing decks required open space, or are they a bonus for the individual units? The design has three times its required open space. Decks are an important space for the very small units. The large decks are an amenity.

At what elevation does the gray top step back from the gray level? About 42' What is the height limit of the neighboring properties? [DPD staff clarified] 25' to the wall plate, 35' to the roof ridge.

Is it correct to say each side is an egress route where you're also accommodating landscaping? Yes. The property lines aren't at right angles.

On the site's northeast corner, there's a small retail space with a step down. What might go there? In theory, it could be a barber shop.

Landscape drawings don't clearly illustrate the proposed vertical gardens, the composition of landscaping, and its relationship to the streetscape. Could you clarify? Clematis, blueberry climber, and several other natives. Existing street trees are large and will remain. Along 65th, we'll provide plantings, but they aren't required to meet the project's green factor. There's a cluster of planting on the northeast side. It's not possible to put large plantings on the roof decks – the structural is complicated, and we've pulled the building back so far that we can't support it on the roof.

6/24/2007 Public Comment

Sixteen members of the public signed in at the Early Design Guidance meeting. One comment related to the cost of future residences, and another related to parking. The remainder related almost entirely to design considerations under the Board's purview. DPD received one written comment at this stage, also related to the proposed cost of future residences. One comment related to housing costs.

- *Will there be an elevator for barrier-free access?* Yes.

- *Who will be in charge of keeping the plants alive? The building will have an association to take care of it. We're exploring using graywater for all the irrigation. There will be a management company.*
- *Sustainable additions are important. The design appears to be thoughtful.*
- *What retail goes in there makes a difference. The people who go in there make a difference. Anytime when we're adding to the neighborhood, we need to be able to walk to what we need. It's an urban phenomenon.*
- *I suggest more "green" than "lantern" on the stairwell. I live across the street and am going to be looking at it.*
- *I like the materials. It looks similar to the Ballard Library.*
- *I'm concerned about how pedestrians and cars work here. Dropoff – does the garage fit with the garage across the street? Cars should turn right only here. It's a hazard otherwise.*
- *This building would be safer if you only turn right. People are racing through here. Over the years there have been a few deaths at this intersection.*
- *There was a great article in the paper about this. I really appreciate the process this has gone through. If you look at the original drawings, these are much more respectful of the neighbors' interests.*
- *It helps a lot to have the three-story base read as one piece.*
- *A bike parking space might not be wide enough at 6'.*
- *This has a nice rhythm to it. The setbacks work well. I like lighted-up structures. I understand you wouldn't want to shine it onto the street, but a glow is good.*
- *I'm curious about how big the balconies are. They should be 6' minimum, so people can use them.*
- *It reminds me of Pioneer Square. I like the proportions.*
- *It almost looks like a warehouse building that's been Ballardized. It's the windows that do it.*

GUIDELINES

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 described below and identified by letter and number those siting and design guidelines of highest priority to this project, found in the City of Seattle's [Design Review: Guidelines for Multifamily and Commercial Buildings](#) (supplemented January 2007).

A. Site Planning

A-2 Streetscape Compatibility

The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

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-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.

A-10 Corner Lots

Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

6/24/2007 Recommendations – Site Planning

Board members recognized a large retail space on the corner as important, and felt that the proposed space might be too small to provide the needed flexibility for a range of potential tenants. While they clearly preferred a larger retail space for purposes of sidewalk activation, they declined to recommend it. This concern related also to the activation of the live-work entries on 24th Ave NW. They recommended that the entry design of these units should be enhanced to provide more detail and stronger visual interest.

B. Height, Bulk & 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.

6/24/2007 Recommendations – Height Bulk & Scale

One Board member noted that the updated design has a more industrial aesthetic, with its higher ceilings and its larger windows, as though an older industrial building has been converted to lofts. The structure is large next to its neighbors, but the large windows help to diminish its overall scale.

Another Board member noted that the design's north façade on 65th St is powerful relative to adjacent structures. He identified the proposed 1'8" step as an important material break for the upper levels.

The Board recognized the proposed setbacks, the design's overall proportions and scale as being effective strategies for diminishing the perceived bulk of the building from neighboring sites.

C. Architectural Elements and Materials

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 character 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.

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.

6/24/2007 Recommendations – Architectural Elements and Materials

Board members expressed concerns about locating metal siding at the ground level. They recommended that any material at the street level be durable and hard-surfaced: “something you can’t dent with something you carry in your hands”.

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-9 Commercial Signage

Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.

D-10 Commercial Lighting

Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.

D-11 Commercial Transparency

Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.

D-12 Residential Entries and Transitions

For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.

6/24/2007 Recommendations – Pedestrian Environment

One Board member felt the principal residential entry on 65th street should have a heightened presence, as the current design appears to emphasize the stair tower and deemphasize the residential entry. Other Board members concurred, and they recommended that the design team use landscaping to better frame the entry.

E. Landscaping

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites

Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

6/24/2007 Recommendations – Landscaping

Board members felt that landscaping should be more visible at the sidewalk level, and it should help to articulate the design’s ground-level interface with passersby. In particular, the design team should apply landscaping strategies to heighten the visual importance of the main residential entry.

DEPARTURE FROM DEVELOPMENT STANDARDS

The applicant requested no departures from Land Use Code development standards.

DECISION – DESIGN REVIEW

Four members of the Northwest Seattle Design Review Board reviewed the project at its Final Recommendations meeting, June 24, 2007. They debated at length whether to recommend that the project return to them for further review. On the strength of improvements to the overall design, a majority determined that their recommendations would be effectively addressed administratively. The Director concurs with the recommendations of the Board, subject to the considerations listed in this report.

DPD **CONDITIONALLY APPROVES** the project for Design Review, subject to the conditions listed at the end of this report.

ANALYSIS – SEPA

The applicant provided the initial disclosure of this development's potential impacts in an updated environmental checklist signed and dated on April 6, 2007. DPD received about 100 letters from neighborhood residents. This information and the experience of the lead agency in similar situations form the basis for this analysis and decision. This report anticipates short and long-term adverse impacts from the proposal.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction; potential soil erosion during excavation and general site work; limited tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section [25.05.794](#)). Although not significant, these impacts are adverse.

The SEPA Overview Policy (SMC [25.05.665 D](#)) states, “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 limitations. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of potential adverse impacts. Thus, mitigation pursuant to SEPA is not necessary for these impacts. However, more detailed discussion of some of these impacts is appropriate.

Air and Environmental Health. Given the age of the existing structure on site, it may contain asbestos, which could be released into the air during demolition. The [Puget Sound Clean Air Agency](#), the Washington Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. In addition, federal law requires the filing of a demolition permit with PSCAA prior to demolition. Pursuant to SMC Sections [25.05.675 A](#) and [F](#), to mitigate potential adverse air quality and environmental health impacts, project approval will be conditioned upon submission of a copy of the PSCAA “notice of intent to demolish” prior to issuance of a DPD demolition permit (see Condition #6). So conditioned, the project’s anticipated adverse air impacts will be adequately mitigated.

The site has been occupied by a minor vehicle repair facility for many years, suggesting that hydrocarbon contaminants may be present in subsurface groundwater on the site. State law provides for the cleanup and appropriate disposal of hazardous substances. The Model Toxics Control Act (WAC [173-340](#)) is administered by the Washington Department of Ecology (DOE) and establishes processes and standards to identify, investigate, and clean up facilities where hazardous substances have come to be located. DPD has alerted the applicant to this law and has provided a contact: Joe Hickey, DOE, (425) 649-7098.

Discharge of contaminated groundwater to the sewage system is regulated by the King County Department of Natural Resources under Public Rule [PUT 8-14](#). A [fact sheet](#) and permit application is available online or by calling (206) 263-3000.

Disposal of contaminated fill is regulated by the City/County Health Department, contact: Jill Trohimovich, (206) 296-3974.

Existing regulations adequately address potential impacts to environmental health. No further conditioning of site cleanup or hazardous waste treatment is warranted pursuant to SEPA policies.

Construction Vehicles. Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. The subject site abuts 24th Ave NW and NW 65th St. 24th Ave is a minor arterial, and 65th St transitions from a minor arterial to a collector arterial as it crosses the intersection from east to west. Traffic impacts resulting from grading truck trips will be of short duration and mitigated in part by enforcement of SMC [11.62](#). This area is subject to traffic congestion during the PM peak hours, and large trucks turning onto arterial streets 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.

The construction activities will require the removal of material from the site and can be expected to generate truck trips to and from the site. 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.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cause grading truck trips to cease during the hours between 4 PM and 6 PM on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity (see Condition #10). As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC [11.62](#).

Construction Noise. Due to the close proximity of residential uses, the limitations of the Noise Ordinance are likely to be inadequate to mitigate potential noise impacts. Pursuant to SEPA policies in SMC Section [25.05.675 B](#), the hours of all work not conducted entirely within an enclosed structure (e.g. excavation, foundation installation, framing and roofing activity) shall be limited as detailed at the end of this report. See Condition #8 and Table 1, below.

Parking. The site abuts NW 65th St. and 24th Ave NW, both fairly busy arterials. Parking is provided on the east side of 24th and on the north and south sides of 65th. The subject block is more than 600' long and transitions to residential neighborhoods to the east. Periodic site visits by DPD staff during daytime hours indicate that parking is generally available within convenient walking distance, particularly during hours when most construction-related parking would occur.

Over the short term, the project would likely involve additional parking demand generated by construction personnel and equipment, as well as a potential temporary reduction in parking supply associated with SDoT-approved street use permits. The site is likely to accommodate some worker parking and machinery, particularly when construction of the garage has been completed. Any adverse short-term parking impacts from construction-related vehicles is likely to be centered around the site's near vicinity. If construction-related parking is located onsite when possible, then potential parking impacts are not sufficiently adverse to warrant further mitigation. DPD therefore conditions the project to require a statement verifying that construction-related parking is to be accommodated on-site whenever possible (see Condition #15).

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased bulk and scale on the site; increased traffic and parking demand due to the new commercial space and new residences; minor increase in airborne emissions resulting from additional traffic; minor increase in ambient noise due to increased human activity; increased demand on public services and utilities; loss of vegetation; and increased energy consumption.

The likely long-term impacts are generally typical of this scale of neighborhood commercial development, and DPD expects them to be mitigated by the City's adopted codes and/or ordinances (together with fulfillment of Seattle Transportation requirements). Specifically these are: the Land Use Code (aesthetic impacts, parking); and the Seattle Energy Code (long-term energy consumption). However, more detailed discussion of some of these impacts is appropriate.

Height, Bulk & Scale. The subject site is located in an NC1-65 zone. Allowed height in this zone is 65', not including provisions for parapets and other rooftop appurtenances. The zone encompasses properties to the south and across 24th Avenue to the west. To the north and northwest across 65th St is an NC1-40 zone, where the base height is 40'. The adjacent property to the east is zoned LDT. Allowed height in this zone is 25' to the top of wall, and 35' to the ridge of a pitched roof. To the northeast across NW 65th St, land is zoned SF 5000. Allowed height in this zone is 30' to top of wall, 35' to the ridge of a pitched roof.

The City's SEPA policy, SMC [25.05.675 G](#) states, in part: *It is the City's policy that the height, bulk and scale of development projects should be reasonably compatible with the general*

character of development anticipated by the goals and policies set forth in Section C of the land use element of the Seattle comprehensive plan regarding the System of Land Use Regulation ... and the adopted land use regulations for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.

The policy further states: The Citywide design guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk and scale impacts addressed in these policies. A project that is approved pursuant to the design review process is presumed to comply with these heights, 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. Any additional mitigation imposed by the decision maker pursuant to these height, bulk and scale policies on projects that have undergone design review shall comply with design guidelines applicable to the project.

The Design Review Board's August 23, 2004, recommendations were intended to provide for a reasonable transition between the subject site and nearby sites in less intensive zones. The Design Review recommendations mitigated height, bulk and scale impacts by requiring setbacks on the upper levels. The updated design substantially conforms to the earlier recommendations. No further mitigation is warranted.

Parking. The applicant proposes 47 parking spaces on site for use by residents only. At peak evening hours, DPD considers 1.5 spaces per residential unit to be a reasonably conservative measure of projected peak demand. Forty (40) units, multiplied by 1.5, results in a peak demand of 60 parking spaces. It is reasonable to conclude that the proposed development will generate spillover parking of nine (13) vehicles (60 minus 47) during peak evening hours.

According to several letters from neighbors, on-street parking in the vicinity is in short supply at peak evening hours. DPD staff visited the site periodically over several weekday evenings and found that parking is generally available within walking distance of the site. Informal windshield surveys and observations from brief walks through the neighborhood indicated that evening parking utilization is consistently well below the streets' capacity, and existing capacity is sufficient to absorb the likely spillover parking generated by the project. DPD therefore determines that no further conditioning is warranted.

Traffic. DPD received several letters from neighborhood residents expressing concerns about the proposal's possible impacts on vehicle and pedestrian safety, noting that both arterials are busy, particularly at peak evening hours on weekdays.

The proposed design locates its vehicle access on NW 65th St., as far to the east and away from the intersection as practicable, given the building's proposed 7' ground-level setback from the east property line. The design provides for sight triangles to the adjacent sidewalk. The garage is proposed to be accessed "right in, right out". In order to ensure the validity of this assumption, DPD conditions the project to clearly indicate that the garage exit is right turn only (see Condition 7). The garage is solely for use by residents, who are likely to form patterns of driving behavior relatively quickly. It is therefore reasonable to expect that existing traffic

conditions will further reinforce residents' habit to avoid left-hand turns into and out of the garage.

So conditioned, DPD determines that traffic generated by the proposed project is not sufficiently adverse to warrant further conditioning.

Historic Preservation. The applicant submitted to the Department of Neighborhoods (DON) a preliminary analysis of the existing structure slated for demolition, for purposes of determining its status as a potential landmark. DON staff determined that landmark status would be highly unlikely in this case.

The other impacts not noted here as mitigated by codes, ordinances, or conditions (increased ambient noise; increased pedestrian traffic, increased demand on public services and utilities, loss of vegetation) are not sufficiently adverse to warrant further mitigation by conditions.

DECISION – SEPA

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

[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\(2\)\(C\)](#).

[] 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\(2\)\(C\)](#).

CONDITIONS – DESIGN REVIEW

The following Design Review conditions 1, 3, and 4 are not subject to appeal.

Prior to issuance of the Master Use Permit

1. The applicant shall update the Master Use Permit plans to reflect plans shown to the Design Review Board on June 24, 2007, and the recommendations and conditions in this decision. The applicant shall embed conditions and colored landscape and elevation drawings into updated Master Use Permit and all building permit sets.
2. The updated design shall conform to the priorities and recommendations set by the Design Review Board, as verified by the DPD planner.

Prior to and/or During Construction

3. Any changes to the exterior façades of the building, garage exit, signage, and landscaping shown in the plans approved for the construction permit must involve the express approval of the project planner prior to construction.

Prior to Issuance of the Certificate of Occupancy

4. Compliance with the approved design features and elements, including exterior materials, roof pitches, façade colors, landscaping and right of way improvements, shall be verified by the DPD planner assigned to this project (Scott Ringgold, 233-3856) or by the Design Review Manager. The applicant(s) and/or responsible party(ies) must arrange an appointment with the Land Use Planner at least three (3) working days prior to the required inspection.

CONDITIONS – SEPA

Prior to Issuance of any Permit to Construct or Demolish

5. The owner(s) and/or responsible party(ies) shall submit a statement acceptable to the DPD planner verifying that construction-related parking is to be accommodated on-site whenever possible.
6. The owner(s) and/or responsible party(ies) shall submit a copy of the PSCAA “notice of intent to demolish” prior to issuance of a demolition permit.
7. The applicant shall update plans to provide appropriate signage clearly indicating that vehicles exiting the garage are to turn right only.

During Construction

The following condition 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. 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 weatherproofing material and shall remain in place for the duration of construction.

8. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays² from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy

² Holidays recognized by the City of Seattle are listed on the City website, <http://www.seattle.gov/personnel/services/holidays.asp>

activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

Non-holiday work hours							
	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
7:00 am							
8:00							
9:00							
10:00							
11:00							
12:00 pm							
1:00							
2:00							
3:00							
4:00							
5:00							
6:00							
7:00							
8:00							

Table 1. Non-holiday work hours. Unshaded work hours shown above are permitted outright. For certain work, it is possible to request DPD approval for additional hours shaded in gray.

9. Parking for construction workers shall be provided on-site as soon as is feasible, in accordance with the approved statement required by condition 5.
10. For the duration of grading activity, the owner(s) and/or responsible party(ies) shall cause grading truck trips to cease during the hours between 4 p.m. and 6 p.m. on weekdays.

Prior to Issuance of the Certificate of Occupancy and for the life of the project

11. In accordance with the proposed “right in, right out” access to and from the parking garage, the owner(s) and/or responsible party(ies) shall post at the driveway ramp a clearly visible sign directing motorists that the driveway exit is “right only”. Proposed alternatives to such a sign may be substituted if approved by the assigned land use planner.

Signature: _____ (signature on file) Date: September 17, 2007
 Scott A. Ringgold, Land Use Planner
 Department of Planning and Development

SAR:bg