



City of Seattle

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:** 3011440  
**Applicant Name:** Webber Thompson Architecture for Pryde Johnson, Inc.  
**Address of Proposal:** 5711 24<sup>th</sup> Avenue NW

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow six-story building containing 9,572 sq. ft. of ground level retail and three live work units with 107 residential units above. Below grade parking for 80 vehicles to be provided. Project includes 94,000 cu. yds. of grading. The existing structure would be demolished.

The following approvals are required:

**SEPA - Environmental Determination** – Chapter 25.05 SMC

**Design Review** – Chapter 23.41 SMC – Three Design Departures

1. SMC 23.47A.014.B.3 - Rear setback
2. SMC 23.54.030.G.2 - Reduced sight triangles
3. SMC 23.47A.014.E.1 - Solid railings in setback

**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS

DNS with conditions

DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

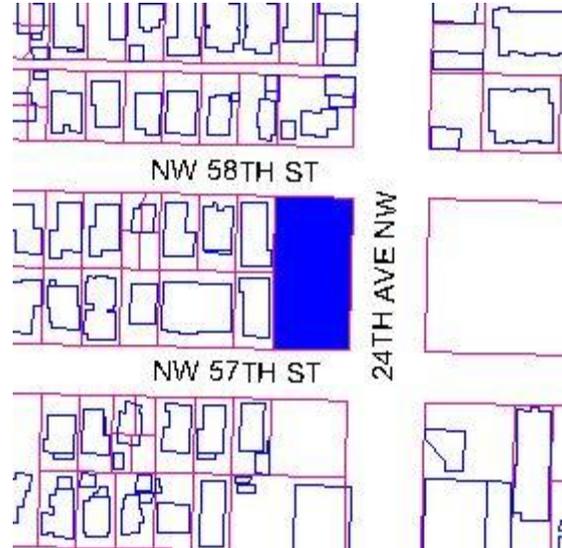
**BACKGROUND INFORMATION:**

Site and Area Description

The project proposal, known as “Ballard West,” is located in the Ballard neighborhood along the west side on 24<sup>th</sup> Ave. N.W. between N.W. 57<sup>th</sup> St. and N.W. 58<sup>th</sup> St. It has 200 feet of frontage on 24<sup>th</sup> Ave. N.W. and 100 feet of frontage on the other two streets. On the site is a former Seattle Public Library branch building built in 1963. Twenty-fourth Ave. N.W. is a

predominantly commercial street in this location while the two streets are characterized by multi-family development. The site descends at about 4% from the north to the south, creating an elevation change of 8 to 9 feet. Two-story multi-family structures are found immediately to the west of the proposal site.

Across 24<sup>th</sup> Ave. N.W. to the east is a recently constructed QFC grocery store incorporated into a seven story apartment building. Further to the east is a half block public park. Nearby are several newer mixed use buildings along 24<sup>th</sup> N.W. To the west development is primarily multifamily residential in size consistent with the Lowrise Three zoning. To the east is a high density area of multifamily development mixed with some smaller scale multi family structures. The site is adjacent to the business district of central Ballard which focuses on Market Street and the north/south avenues crossing it.



### Project Description

The Ballard West would be a six story mixed use building with retail uses and a rental office/building entry facing 24<sup>th</sup> N.W. Three live/work units would face N.W. 58<sup>th</sup> Street. The vehicle entry drive would be located on N.W. 57<sup>th</sup> St. along with a single live/work unit. Trash and recycling would be stored in the below grade parking garage and brought up the driveway for pick up. Along the east side there would be residential units at grade. Above the first story all uses would be multifamily residential.



Overhead weather protection is proposed along most non-residential sidewalk frontages. The brown portions of the siding are a Prodema-like resin-wood material. The remainder of the exterior is cementitious siding and glass. A rooftop common area would be located away from the eastern building edge in a move to increase privacy of residents in buildings to the west. Similarly, the private open spaces westward of units are designed with landscape elements preventing access to the western edge.



## **PUBLIC COMMENTS**

The Notice of Application for the project was published on September 23, 2010. The required SEPA public comment period ended October 6, 2010.

The Northwest Design Review Board held publicly noticed Early Design Guidance meeting for the project on August 9, 2010. A recommendation meeting was held on December 13, 2010.

Public comment included:

- Design Guidelines such as those for Height, Bulk and Scale, Responding to Site Characteristics, and Architectural Concept and Consistency are not adequate to a situation where the size of the parcel being developed is much larger than those creating the surrounding context.
- Traffic would be made more unsafe with a garage entry on N.W. 57<sup>th</sup> St.
- There would be a large difference in height, bulk and scale between the proposed building and existing ones across the property line to the west.
- Access to light and air would be affected for residents in the buildings to the west.

- A tall building with windows facing west would negatively affect the privacy of residents in that direction.
- Existing trees on the proposal site and in the adjacent right of way have high ascetic value and should be preserved.
- Traffic and on-street parking in the area are congested.

## **ANALYSIS-DESIGN REVIEW**

### **Design Guidelines Priorities**

The initial ideas for the project were presented at an Early Design Guidance meeting on August 9, 2010. After 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 the following design guidelines found in the City of Seattle’s “Design Review: Guidelines for Multifamily and Commercial Buildings” of highest priority to the project. The recommendations made were agreed to by all of the Board members present, unless otherwise noted.

- A-1 Responding to Site Characteristics - The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation, and views or other features.**
- A-2 Streetscape compatibility - The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.**

The site is a block long along 24<sup>th</sup> Ave. N.W. A single building along this frontage needs to be articulated so as to limit the appearance of length. A tripartite massing would be appropriate. This street is also characterized by commercial activity along broad sidewalks with mature street trees. The proposed building should be consistent with and add to the commercial character of the urban village in Ballard.

The two streets bordering the proposal are more multi-family residential in character and the new building should respond to this character in those areas.

- 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.**

To the west of the proposal site are two existing, two-story multifamily buildings with side setbacks facing the proposal site. These existing uses should be considered in the placement of windows and open space in the proposed building and in the form of the building itself.

- 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.**

The building would present two multi-story corners along N.W. 24<sup>th</sup> St. These corners are not gateways nor otherwise unusually prominent. They should be architecturally addressed but not over emphasized.

**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.**

Massing of the build would best be concentrated to the east, along N.W. 24<sup>th</sup> St. and away from the west property line. The use of crenellation-like elements on the west façade, as shown in the preferred massing Option C, appears to be an effective treatment of the west side of the building.

Breaking the building into three distinct massing along N.W. 24<sup>th</sup> St. would effectively moderate height, bulk, and scale.

**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.**

The new QFC building across 24<sup>th</sup> Ave N.W. provides a strong context for this new building. Along 24<sup>th</sup> Ave. N.W. a strong pedestrian oriented commercial character should be fostered. On the two side streets a transition from the commercial realm to a multi-family one should be established. On the west the building should provide a high degree of compatibility with the multi-family areas adjacent.

**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 facade walls.**

The building forms should express the commercial, live-work base and the residential upper stories while also incorporating much movement of elements and other modulation, emphasizing a series of vertical elements or masses, to lessen the appearance of a long, narrow building.

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

Entry gates to a pathway around the west side of the building would add human, pedestrian level interest to that side of the proposal.

Where live work units are provided, the transition from the sidewalk realm should be carefully designed to provide the appropriate amount of connectedness between them and the public realm.

Some additional setback of the ground floor of the building at the two street corners should be done in a way which increases the sense of pedestrian comfort and accommodation there.

Techniques such as planting deciduous trees and creation of a rain garden (on the west side), which are “low impact design measures”, should be considered.

**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.**

Material and color boards should be shown at the Recommendation Meeting. Materials should be durable and at sidewalk level should provide an appealing texture and sense of durability.

#### **MASTER USE PERMIT APPLICATION**

The applicant revised the design according to the Design Review Board’s guidance and applied for a Master Use Permit on September 10, 2010.

#### **DESIGN REVIEW BOARD RECOMMENDATION**

The Design Review Board conducted a Recommendation Meeting on December 13, 2010, to review the applicant’s formal project proposal developed in response to the previously-identified priorities. At the public meeting, site plans, elevations, floor plans, landscaping plans and proposed exterior materials were presented for the Board members’ consideration.

#### **Board Deliberation**

At the Board Meeting the Board generally endorsed the proposed building design particularly liking the quality of materials shown, the arrangement of street level uses, and the architectural expressions of the west, north and south facades.

The Board thought the east façade would benefit from additional attention. It recommended that the wood toned Prodema material be concentrated at the “bookends” of the façade, eliminating the “striping” of light colors and darker Prodema material. They indicated that a shadow line at the material transition from wood or Prodema to cement panels should be added. The Board stated the balconies at the northeast corner detract from the simplicity of the design and should be removed. The Board indicated that a stepping parapet line might be a way to mark where material changed at the “bookends.” The Board pointed to a design inspiration image in the applicant’s package (page 31 at the top left) as an example of how to handle the “bookends” in a

way where a regular rhythm of openings and a bold color allows the bold color and material to remain a simple mass. The Board stated the Prodema material must not be value engineered out of the project.

The Board indicated that the live-work entries need a semi-public zone to transition from the sidewalk to the tenant space. A better public/private distinction should be created with elements such as a paving change, a roof over the entry, an entry planter, an exterior stoop, and/or an entry bay.

The Board stated that the west fence should be attractive and durable and that horizontal banding and use of materials from the building would be appropriate.

The Board recommended approval of the design shown at the Recommendation Meeting and of the requested Development Standard Departures listed below with the recommended conditions also listed below.

**Development Standard Departures**

Three departures were requested.

DEPARTURE TITLE	CODE REQUIREMENT	DEPARTUR E REQUEST	RATIONALE FOR REQUEST	BOARD RECOMMENDATION
Sight Triangle, SMC 23.54.030.G.2	A 10' by 10' sight triangle is required.	To place a 12'' by 18'' pole in the sight triangle and install mirrors.	The proposal provides adequate visibility for vehicle safety and also provides a façade pattern with an attractive rhythm of elements indicating structural support. (C-2)	Approval recommended.
Building Setback, SMC 23.47.A.014.B.3	A 15' setback for portions of building above 13' adjacent to residential zone.	To allow a small (56 sq. ft.) encroachment into the setback as illustrated in graphic	The encroachments are part of façade modulation which is highly successful and moderates the appearance of	Approval recommended.

		supplied.	bulk and scale. (B-1)	
Decks in Setbacks without open railings.	Decks allowed in required setbacks must have open railings.	Two level 2 decks in the required west setback are requested to have solid railings.	These proposed solid railings are architecturally attractive and provide increased privacy for adjacent residences. (A-5)	Approval recommended.

**Recommended Conditions**

1. The wood tone Prodema material and other materials shown on design review materials must be incorporated in a similar way in the built project eliminating striping and concentrating it on the outer elements respective facades.
2. The MUP and Construction plan sets shall be consistent with materials reviewed by the Design Review Board as amended subsequent to the Recommendation Meeting and approved by DPD Land Use Staff.
3. Obtain DPD Planner approval of the design of the west property line fence in a manner which provides some transparency, uses high quality materials, is well designed and potentially uses some of the same materials incorporated into the building.
4. Add shifts in the plane of façade materials to create shadow lines where the materials change.
5. Eliminate corner balconies at the northeast corner of the building.
6. Take measures to define the transitional space between the live-work units and the public sidewalk in a manner to create either a commercial or somewhat residential character as desired by the project proponents.

**DIRECTOR’S ANALYSIS - DESIGN REVIEW**

The Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the Citywide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design.

**DECISION - DESIGN REVIEW**

The proposed design requested development standard departures are **CONDITIONALLY GRANTED**. Design Review conditions are listed at the end of this report.

## ANALYSIS-SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist prepared by the applicant and submitted on August 10, 2010 and annotated by the Department. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665D) 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 such limited circumstances (see SMC 25.05.665.D.1-7), mitigation may be considered by the Department.

### Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. Additionally, due to the temporary nature and limited scope of these impacts, they are not considered significant per SMC 25.05.794. The following is an analysis of construction-related noise, air quality, drainage, earth, grading, traffic and parking impacts as well as mitigation.

### Air Quality

The existing on-site buildings will be demolished. Prior to demolition activities, the contractor will provide to Puget Sound Clean Air Agency pre-survey documentation of buildings for possible presence of asbestos and lead paint. Notice to the Puget Sound Clean Air Agency is required prior to demolition of any structures greater than 100 square feet in coverage. OSHA requirements are required to be followed to determine any special handling or disposal requirements for demolition debris. If asbestos is present in the existing buildings, Puget Sound Clean Air Agency, Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos encountered during building demolition. Other than assurance that the required notice has been provided, no SEPA conditioning of air quality impacts is necessary, as the Department finds them to be non-significant.

### Construction Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential uses. Many apartments are adjacent to the site, and more

residences are nearby. The Noise Ordinance alone is found to be insufficient to mitigate potential noise impacts during construction. Pursuant to SEPA policy authority for construction impacts the following conditioning will be imposed.

All construction activities are subject to the limitations of the Noise Ordinance, SMC [25.08](#). Construction activities (including but not limited to deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays 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 activities, such as site security, monitoring, and weather protection shall not be limited by this condition.

The project team has the option to submit for review and approval a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. Such a Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise.

- The applicant(s) or responsible party(ies) have the option to submit for review and approval a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. Such a Plan shall include discussion of management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise.
- Unless otherwise modified in an approved Construction Impact Management Plan (see condition 1), all construction activities are subject to the limitations of the Noise Ordinance, SMC [25.08](#). Construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays<sup>1[1]</sup> 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 activities, such as site security, monitoring, and weather protection shall not be limited by this condition. If an approved Construction Noise Management Plan modifies this condition, the applicant(s) and/or responsible party(ies) shall make the Plan publicly available at the construction site office.

### Earth/Grading

An excavation to construct the partially below grade parking for the proposal will be necessary. The depth of the excavation will be a maximum of approximately 30 feet in depth. Approximately 94,000 cubic yards of soil and existing material will be removed from the site, which could create potential earth-related impacts. Compliance with the Stormwater, Grading, and Drainage Control Code (SMC 22.800) will require the proponent to identify a legal disposal site for excavation and demolition debris prior to commencement of demolition/construction.

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Compliance with the Uniform Building Code and the Stormwater, Grading, and Drainage Control Code will also require that Best Management Practices (BMPs) be employed during demolition/excavation/construction including that the soils be contained on-site and that the excavation slopes be suitably shored and retained in order to mitigate potential water runoff and erosion impacts during excavation and general site work. A drainage control plan, including a temporary erosion and sedimentation control plan will be required with the building permit application. In addition, a Shoring and Excavation Permit will be required by SDOT prior to issuance of a building permit. Compliance with the requirements and conditions described above will provide sufficient mitigation for the anticipated earth-related impacts.

### Greenhouse Gases

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project

### Pedestrian Circulation

The Street Use Ordinance includes regulations that regulate dust, mud, and circulation within the public right-of-way. Street use permits obtained from SDOT will be necessary for any temporary closures of sidewalks and/or traffic lanes. The sidewalk along 24th Ave. N.W. is an important pedestrian route which should be kept open to the greatest extent possible. SEPA authority will be exercised to require that a safe pedestrian route along 24<sup>th</sup> Ave. N.W. be kept open as much as possible. Permit approval by SDOT to allow closure of these routes as necessary will overrule this condition.

### Construction-Related Traffic and Parking

Under SMC 25.05.675.B.2, DPD has authority under SEPA to impose conditions to mitigate parking impacts related to the project. During construction, parking demand will increase due to construction personnel and equipment. Off-site parking during construction hours in the general vicinity of the project is limited. To minimize on-street parking in the vicinity due to construction impacts, construction workers will be required to park in the on-site garage when it becomes available.

Truck trips could be generated during excavation, shoring, and foundation construction. A truck route for site excavation has not yet been developed with the City. A construction traffic plan must be provided to the City in connection with the issuance of a street use permit.

It is the policy of the City of Seattle to minimize or prevent temporary adverse impacts associated with construction activities, including measures to address parking and transportation impacts during construction per SMC 23.05.0675.B.1.g. Pursuant to this policy, project approval shall be conditioned upon the following:

- To minimize on-street parking in the project vicinity due to construction impacts, construction workers will be required to park in the on-site garage when it becomes available.
- Site work shall be conducted in a manner that would minimize interference with vehicular, pedestrian, and other non-motorized forms of circulation. Temporary traffic control or pedestrian obstructions during construction (if any) shall be undertaken only pursuant to a permit authority received from SDOT.

### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff from greater site coverage by impervious surfaces, potentially decreased water quality in surrounding watersheds, increased on-site bulk and scale, increased ambient noise due to increased human activity, increased demand on public services and utilities, increased light and glare, increased energy consumption, increased on-street parking demand, and increased vehicle traffic. These long-term impacts are not considered significant.

Notwithstanding the Determination of Non-Significance, the following impacts merit more detailed discussion.

### Earth

There would be almost no potential for erosion from the completed development, since almost no exposed earth would remain on-site. Open space would be provided in the form of interior courtyards. Landscaping would be provided by built-in containers, landscaping strips, and by street trees. As there is no erosion potential, impacts are not considered significant and no mitigation is warranted.

### Traffic and Parking

Traffic generated by the proposed development would come predominantly from the residents in the building. The moderate amount of proposed retail use (9,575 sq. ft.) would tend to have hours of operation generating traffic at times other than the peak commute hours and have little effect upon congestion during peak traffic periods. The proposal includes 107 residential units and three live-work units, for a total of 110 units with residents.

The Institute of Traffic Engineers (ITE) publication Trip Generation Seventh Edition provides data based upon multiple surveys of existing developments which is commonly used to estimate traffic volume which might be generated. It is not uncommon to adjust the estimate gained from this source based upon expert opinion on a particular development in a particular location. Many of the developments surveyed are in suburban locations where residents may rely less on walking or transit for trips than at the subject location. ITE based estimates would be expected to be substantially higher than actual experience in this central Ballard location.

The ITE based estimates for residential traffic for the proposed development are 73.7 in the a.m. peak hour (1.23 per minute on average) and 60.5 in the p.m. peak hour (1.01 per minute on average). An expert might adjust this estimate at the Ballard location by as much as one third.

The intersection of N.W. 57<sup>th</sup> and 24<sup>th</sup> Ave. N.W. is fully signalized and is currently busy but functioning at acceptable levels of service. Parking is prohibited on one side of N.W. 57<sup>th</sup> Street near the intersection adding additional flexibility for east bound vehicles turning right or left at 24<sup>th</sup> Ave. N.W.

The addition of one vehicle per minute during peak trip generation periods of the proposed building would not be expected, based upon the experience of the DPD, to cause a notable change in that function.

No SEPA based conditioning of traffic impacts is warranted.

#### Water Quality/Drainage

The site is not located within the Shoreline District. Upon completion of the project, the site will be mostly covered by impervious surfaces. All vehicle parking will be provided in an underground parking garage. Stormwater from impervious surfaces will be collected for on-site detention and controlled release to the City's stormwater conveyance system. Most stormwater runoff from the completed project would be from "clean" surfaces (i.e., not exposed to vehicular traffic). Impacts to stormwater are not considered significant and no mitigation is warranted.

#### Plants/Animals

All existing vegetation would be removed during the site excavation and construction. There is no known occurrence of threatened or endangered species on or near the site.

Frontage improvements will include street trees. Landscaped open spaces will be provided in the interior courtyards, public rights-of-way, and the roof area. The project will comply with the City's Green Factor code requirements.

Impacts to plants and animals are not considered significant and no mitigation is warranted.

#### Energy and Natural Resources

Natural gas or electricity would be used as the principal source of energy for space heating. Electrical energy would be used for lighting and operating appliances. The proposed building provides substantial setback from the west property line allowing a much light to reach properties there as can reasonably be expected from a new structure making use of the zoned height limit. Building construction would comply with requirements of the Seattle Energy Code, at a minimum, to be reviewed at the time of Building permit application.

Long term impacts to energy and natural resources are not considered significant and no mitigation is warranted.

Housing

The City's SEPA policies encourage preservation of housing opportunities, especially low income housing. The proposed project would not demolish any housing. A total of 287 residential units are proposed. Utilities and transportation infrastructure are adequate to serve the project without adverse impacts. Housing opportunities close to transportation routes, retail areas, and urban areas minimize impacts to the regional transportation system.

There would be no long term significant impacts to housing. Therefore, no mitigation measures for such impacts are warranted.

Height, Bulk and Scale

The subject proposal has been through the Design Review Process, previously discussed in this decision. A project that is approved pursuant to the design review process is presumed to comply with the City's height, bulk and scale policies. This presumption may be rebutted only by clear and convincing evidence that the height, bulk and scale impacts documented through environmental review have not been adequately mitigated. SMC 25.05.675.G.2. Measures employed to mitigate height, bulk and scale impacts, as incorporated into the building architecture, were reviewed by the Design Review Board and found sufficient.

In order to respond to the site characteristics and reduce the building mass and bulk, the project was designed to read as three separate building components. Additional features on building faces will reduce height, bulk and scale impacts.

Long-term height, bulk and scale impacts have been addressed through the Design Review process. No additional SEPA mitigation measures are warranted.

Public View Protection

The City's SEPA policies protect public views of significant natural or human-made features from designated public places; private views are not protected. The proposed project will not impact public views. Therefore, no SEPA mitigation is warranted.

Light and Glare

No reflective materials, such as highly reflective glass or polished metal are proposed for the building exterior. The proposal includes use of low-level, directional lighting to minimize the occurrence of light and glare

Impacts from light and glare are not considered significant and mitigation is not warranted.

Public Services and Utilities

The change of use, increase in development on the site, type of development (residential and commercial), and the introduction of a resident population are expected to result in an increased demand for public services. There are no existing deficiencies in needed services or utilities to

the site. The project would comply with applicable codes and requirements of the Seattle Fire Department for fire protection and fire suppression, to be reviewed at the time of Building Permit application. All exterior entrances to the building would be well-lit and equipped with security gates.

All utilities required to serve the proposed mixed-used residential/commercial development are located within adjacent street frontages. Only side service connections should be required for each utility service. Overall, the impacts to public services and utilities are not considered significant and no mitigation is warranted.

*Existing and Projected Land Use; Comprehensive and Neighborhood Plan*

Residential use in a mixed use development is permitted outright in the NC3 zone. The proposal complies with development standards applicable to mixed-use development within the NC3-65 zone, except for the previously discussed development standard departures approved by the Design Review Board.

The City of Seattle Comprehensive Plan designates the site as a Hub Urban Village (Ballard). The proposed residential/commercial development is consistent with the Comprehensive Plan designation.

No mitigation resulting from land use impacts is warranted.

*Historic Preservation*

It is the City's policy to maintain and preserve significant historic sites and structures. For projects involving structures or sites which have been designated as historic landmarks, compliance with the Landmarks Preservation Ordinance shall constitute compliance with the City's SEPA policies regarding historic preservation.

The existing building was nominated for landmark status approximately six years ago during the review of a previous MUP for redevelopment of the site and the Seattle Landmarks Board declined to designate it. In the intervening period no changed conditions have occurred which would cause the structure to better meet the criteria for landmark designation.

Compliance with this ordinance constitutes compliance with the City's SEPA policies regarding historic preservation. Therefore, no SEPA mitigation for historic preservation impacts is warranted.

*Greenhouse Gases*

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Summary

In conclusion, certain non-significant adverse impacts on the environment are anticipated to result from the proposal. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances per adopted City policies.

**DECISION - SEPA**

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

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.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).

**CODE REQUIREMENTS**

A Notice of Intent must be filed with the Puget Sound Clean Air Agency prior to demolition of buildings.

**CONDITIONS - SEPA**

The owner(s) and/or responsible parties shall:

During Construction

Construction Noise

1. All construction activities are subject to the limitations of the Noise Ordinance, SMC [25.08](#). Construction activities (including but not limited to deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays 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 activities, such as site security, monitoring, and weather protection shall not be limited by this construction.
- The applicant(s) or responsible party(ies) have the option to submit for review and approval a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. Such a Plan shall include discussion of management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise.

- Unless otherwise modified in an approved Construction Impact Management Plan (see condition 1), all construction activities are subject to the limitations of the Noise Ordinance, SMC [25.08](#). Construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays<sup>2[1]</sup> 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 activities, such as site security, monitoring, and weather protection shall not be limited by this condition. If an approved Construction Noise Management Plan modifies this condition, the applicant(s) and/or responsible party(ies) shall make the Plan publicly available at the construction site office.
2. A safe pedestrian route along 24<sup>th</sup> Avenue N.W. shall be kept open past the project site during construction. Permit approval by SDOT to allow closure of this route as necessary will overrule this condition.
  3. Construction worker parking shall avoid residential neighborhoods and will utilize the on-site parking garage when it becomes available.
  4. Site work shall be conducted in a manner that would minimize interference with vehicular, pedestrian, and other non-motorized forms of circulation. Temporary traffic control or pedestrian obstructions during construction (if any) shall be undertaken only pursuant to a permit authority received from SDOT.

Design Review Conditions  
Prior to MUP Issuance

5. The building constructed shall substantially conform to the one represented to the Design Review Board and which received a recommendation of approval.
6. Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval of the Land Use Planner (Scott Kemp, [scott.kemp@seattle.gov](mailto:scott.kemp@seattle.gov)). 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.
7. 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 planner assigned to this project, or by the Design Review Manager.

An appointment with the assigned Land Use Planner must be made at least three working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.

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8. All of the conditions contained in this decision must be embedded in the cover sheet for updated MUP permit plans and for all subsequent permits including any MUP revisions, and all building permits.
9. The wood tone Prodema material and other materials shown on design review materials must be incorporated in a similar way in the built project eliminating striping and concentrating it on the outer elements respective facades.
10. The MUP and Construction plan sets shall be consistent with materials reviewed by the Design Review Board as amended subsequent to the Recommendation Meeting and approved by DPD Land Use Staff.
11. Obtain DPD Planner approval of the design of the west property line fence in a manner which provides some transparency, uses high quality materials, is well designed and potentially uses some of the same materials incorporated into the building.
12. Add shifts in the plane of façade materials to create shadow lines where the materials change.
13. Eliminate corner balconies at the northeast corner of the building.
14. Take measures to define the transitional space between the live-work units and the public sidewalk in a manner to create either a commercial or somewhat residential character as desired by the project proponents.

Signature: \_\_\_\_\_ (signature on file) \_\_\_\_\_ Date: July 28, 2011  
Scott Kemp, Senior Land Use Planner  
Department of Planning and Development  
Land Use Services

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