



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 & DEVELOPMENT**

Project Number: 3012213

Applicant: Jon Hall, GGLO Architects, for AMLI Residential Partners LLC,
and HAL Real Estate

Address: 2428 NW Market Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a seven-story building containing 12,200 sq. ft. of retail commercial uses at ground level, with 305 residential units. Parking for 415 vehicles is to be provided in a below grade parking garage. Proposal includes demolition of existing structures on site (5) and excavation of approximately 60,000 cu. yds. of soil.

The following Master Use Permit components are required:

Design Review - Chapter 23.41, Seattle Municipal Code

SEPA-Threshold Determination -Chapter 25.05 Seattle Municipal Code.

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

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

SITE BACKGROUND INFORMATION:

The site, approximately 1.64 acres in size, and zoned C1-65, NC3-65 and NC3P-65, is currently occupied by several, one-story commercial buildings and surface parking. The existing structures will be demolished.

The site has a gradual and steady slope from northeast to southwest of approximately 17 feet. Current access to the site is from both NW Market Street and NW 56th Street.

Directly to the west and southwest, the development site abuts properties zoned Industrial Buffer (IB U/45). At the northeast corner of the site, the first 50 feet to the west measured from the adjacent 24th Avenue NW right-of-way has a “pedestrian” designation as it is zoned NC3P-65. One block to the south and at the northern edge of NW 54th Street the zoning shifts to General Industrial (IG U/65) with an Urban Industrial (UI) shoreline designation. The area south of NW 54th Street is characterized by a heavy concentration of repair facilities for ships and docks. The southern boundary of the development site lies slightly less than 500 feet from the actual shoreline.

The west edge of the development site lies about a quarter of a mile from the Hiram Chittenden locks. The entire site lies within the Ballard Hub Urban Village, is located one block west of the Ballard Branch of the Seattle Public Library and one block south and west of the Ballard Skate Park.

Design Review

Early Design Guidance Meeting: May 23, 2011

DESIGN PRESENTATION

The presentation was made before four of the members of the Northwest Board, meeting at Ballard High School on the evening of May 23, 2011.

There was a brief initial presentation of a site analysis by the design team, including a preliminary look at opportunities and restraints which included surrounding uses, view opportunities, etc. Three important elements of the analysis were noted:

- 1) a 50 foot by 100 foot portion of the northeast corner of the site, bordering on the intersection of NW 56th Street and 24th Avenue NW, extended into a pedestrian designated zone (NC3P-65);
- 2) on the southeast corner of the block, a piece of land approximately 100 X 100 feet, is currently occupied by a gasoline station and is not part of the development site;
- 3) topographically, the development site slopes approximately 17 feet from the northeast corner to the southwest corner.



Three alternative design schemes were presented. Scheme A, the design team's preferred scheme, was the head of a monkey wrench with a south-facing courtyard. Between the third and sixth levels, however, there was a bridge element of residential units that partially covered the courtyard. Scheme B was in the form of a lower-case "h" or chair, with a longer, thinner courtyard, but one entirely open to the west. Scheme C provided a central courtyard, open at levels two and three to the north and NW 56th Street.

A series of street-level studies were then shown, identifying in perspectives and cross-sections the three distinctive abutting street environments, that of NW Market Street, NW 56th Street, and 24th Avenue NW.

PUBLIC COMMENT

Approximately 11 members of the public attended this Early Design Review meeting and affixed their names to the sign-in sheet. Several members of the public identified themselves as residents who lived along NW 56th Street or who used that street as the connector to their places of residence. The following comments, issues and concerns were raised at the meeting:

- Concerns by more than one member of the public that the NW 56th Street façade would not be given high priority and the result would be an overbearing under-modulated blank wall along that street frontage;
- Comments on the proposed parking entry and exit along NW 56th Street, noting that the street was narrow and already overutilized for its size;
- A comment that there was a high water table (and underground stream that the site development would need to address);
- Comment that there was a sewer line located beneath one of the existing buildings on site;
- Concern that the ambient noise levels from area industrial uses, especially to the south of the site, would need to be dealt with in planning the residential units.
- Questions regarding the adequacy of parking provided for commercial uses planned for the site.

PRIORITIES & BOARD RECOMMENDATIONS

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 following siting and design guidance and identified by letter and number those siting and design guidelines found in the City of Seattle's *Design Review: Guidelines for Multifamily and Commercial Buildings* of highest priority to this project. A portion of the proposal at the northeast corner of the site is also subject to the *Ballard municipal Center Master Plan Area Design Guidelines*.

Note: The Board's recommendations follow in *italics*

Site Planning

A-2 **Streetscape Compatibility**

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

The Board noted that equal attention needed to be devoted to each of the three streets abutting the project.

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

Entries should be clearly identifiable and visible from the street.

The Board noted that, as presented, there appeared to be some ambiguity regarding the courtyard entry, namely what it entered to and who was invited to enter.

A-4 **Human Activity**

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

The Board noted that the graphics presented indicated a sensitivity to this guideline and encouraged careful consideration of the interplay of the proposed live/work units and the sidewalk.

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.

The Board linked this to the B1 guideline and the importance of addressing the interface of the proposed structure and the existing smaller building to the west along NW Market Street.

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

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

The Board noted this guideline in conjunction with concerns for the social interactions with neighbors across NW 56th Street.

A-7 **Residential Open Space**

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

Comments from the Board were generally favorable in concept regarding the roof-top decks. The Board awaits further development of these spaces and further development and clarification regarding functionality and details that enhance the delight quotient of the plaza area.

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.

The Board noted they would be particularly interested in developments as they related to this guideline and to street functionality.

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.

Please note what the Ballard Municipal Center Master Plan Area Design Guidelines says regarding mixed-use development on north-south avenues, particularly regarding setbacks, overhead weather protection, etc., as it would apply to the 24th Avenue NW façade.

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 of the adjacent zones.

The Board noted this as their three star guideline of highest priority. The Board requested that they be shown at recommendation time a series of east-west and north-south sections at a scale that would include adjacent streets as well as the built environment. Provide some perspectives and bird's eye views that convey a better sense of the façade along NW 56th Street, by far the longest façade and the most problematic for the public.

Stair wells and elevator over-runs should not be located along the sensitive NW 56th Street edge lest they augment the height and bulk already perceived by neighbors across the street as oppressive.

B-1, Ballard Municipal... Guidelines, calls for setbacks at the upper level "particularly on the west side" of north-south avenues for mixed use development. The applicant should be prepared to show how this guideline is being responded to.

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 character and siting pattern of neighboring buildings.

The Board gave the general directive that the project should "fit in." The applicant should be able to explain how the design, once developed, fits in.

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 context.

This guideline was selected to be of highest priority for the project, without further specificity.

C-3 Human Scale

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

Related to this guideline was the Board's desire to see details of how the live/work and/or townhouse units interfaced with the sidewalk to achieve a good human scale as well as to promote values of security and comfort.

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.

The Board reminded the development team that this was really a big building as compared to its immediate neighbors and the importance of choosing materials that would be attractive to both dwellers and neighbors and that could be well maintained by the owners. The Board would like to see a materials board presented at the Recommendation meeting which illustrates both the materials and colors proposed.

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.

Again, the Board cautioned that the viewpoint to be assumed ought to be that of the neighbors across NW 56th Street.

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.

The Board noted that they would like to see more of the rooftop open spaces but particularly to see more graphic studies that explain the functionality, comfort and delight of the plaza area.

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.

The Board was particularly concerned with the NW 56th Street façade in this regard.

D-5 Visual Impacts of Parking Structures

The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.

The Board's guidance was that the parking should be invisible.

D-6 Screening of Dumpsters, Utilities and Service Areas

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

While important, the Board thought that this would be taken care of by thoughtful design. The Board presumed that all garbage, utility and service areas would be screened or located within the proposed structure.

D-7 Personal Safety and Security

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

The Board was particularly concerned with the relative grades between public sidewalks and both the live/work units and the central plaza as these related not only to safety and security but to broader issues of the feeling of well-being and comfort.

D-11 Commercial Transparency

Commercial storefronts should be transparent....

The Board noted that was important for the success of the project.

D-12 Residential Entries and Transitions

Should provide ...security and privacy...and be visually interesting for residents and pedestrians.

The Board noted once again the importance of providing intelligent and well-designed entries and transitions and that these were especially important details for live/work or townhouse units and for the main plaza.

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.

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

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

E-3 Landscape Design to Address Special Site Conditions

The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

The Board feels that the project should demonstrate a comprehensive and coordinated landscaping plan and street improvement effort.

DEVELOPMENT STANDARD DEPARTURES

At the time of the Early Design Guidance meeting, no development standard departure(s) were requested.

FIRST RECOMMENDATION MEETING –OCTOBER 24, 2011

Three members of the Northwest Board were present at the Recommendation Meeting held at Ballard High School on the evening of October 24, 2011.

APPLICANT'S PRESENTATION

Responding to those guidelines that the Board had indicated at the Early Design Guidance meeting were to be of highest importance for successful design development, the design team noted the following:

- Each of the three block faces had been given a distinct character and aspect (A-2);
- The plaza had been brought up to the sidewalk grade along NW Market street (A-3, D-12);
- Along NW 56th Street, the units earlier proposed as live/work units had been revised to be apartment units and the building had been set back 10 feet from the property line and landscaping had been used to define private spaces (A-4, A-6);
- The building adds additional modulation and changes in materials as it moves toward the west in order to transition to smaller buildings to the west (A-5);
- The parking entry along NW 56th Street had been moved further to the east And had been supplemented by a second garage entry on NW Market Street at the west end of the development (A-8, C-5);
- Overhead weather protection is provided along NW Market Street and 24th Avenue NW (A-10);
- The bulk of the building, the “big building” syndrome, is broken down with modulation and setbacks and changes in materials; stairwells and elevator overruns have been set back from the NW 56th Street façade (B-1, C-2);
- Landscaping based upon a comprehensive concept from street level, through the plaza to the courtyard and upper-level terrace (E-1, E-2, E-3).

Development Standard Departures

Two departures were identified and requested at the October 24, 2011 meeting:

1. Curb cuts and parking access were requested from both NW 56th Street and NW Market Street. Without this departure the Land Use Code would permit a curbcut and entry from one of those two streets but not both (SMC 23. 47A. 032).
2. A departure was requested to allow residential uses along NW Market Street to exceed in the aggregate more than 20 percent of the street-level, street-facing façade (SMC 23.47A.005).

Public Comment

Nineteen members of the public affixed their names to the sign-in sheet provided at the meeting. Public comments included the following:

- The building still seemed “too high” for its location; and the project should provide affordable units and artists’ studios;
- An owner of the building and business to the west thought the driveway entry to parking being provided was too close and would generate negative impacts;
- Another member of the public liked the color scheme presented;
- Another member of the public thought the project proposed too little parking;
- *Covered* bicycle parking was requested; and clear signage indicating the availability of customer parking for retail uses was strongly urged.

Board Deliberations

The Board Chair first directed the deliberation toward a discussion of the requested departures. The Board members unanimously agreed that each of the requested departures should be recommended for approval.

Moving the parking access significantly to the east along NW 56th Street and adding a second access point off NW Market Street addressed the concerns the Board had expressed at the Early Design Guidance meeting regarding the mitigation of traffic impacts along NW 56th Street. The thoughtful design and rethinking of the central plaza/terrace area, breaking down what could otherwise be an overwhelming façade presence along NW Market Street and enhancing the pedestrian experience, was thought to more than justify residential uses comprising more than 20 percent of the street level façade.

The Board commented favorably on how the design team had addressed the guidelines and guidance provided by the Board at the Early design Guidance meeting. Particularly successful were the changes to the public plaza, private courtyard and upper terrace which produced, in abandoning the idea of a bridge of residential units above, an integrated opening of the center of the building and an effective distillation perceptually into two masses.

Each of the Board members pointed to significant design development that had occurred since they had viewed the proposal at the Early Design Guidance meeting. The Board members agreed, however, that there was a need to revisit the relationship of the four or five units located at the eastern end of the NW 56th Street façade and shown well below sidewalk grade. The

Board members agreed that what was perceived as a narrow “pit,” at least at some point above head level, located between the sidewalk and the lower floor units, raised not only safety, but comfort and aesthetic concerns regarding the liveableness of those units. The Board noted that prior to their granting approval of the overall design, the design team should provide them with another treatment and a “second look” at a more comfortable and decorous resolution to unresolved problems suggested by these units.

Additionally, the Board requested more detail from the applicant relating to the following elements of the proposed project:

- The design at the trash/garbage area along NW 56th Street;
- The appearance of the two parking entries and associated signage;
- Window treatments and detailing.

Having discussed the above issues, the Board agreed that the project should be returned to them in the near future for *a brief and focused second recommendation meeting* that would address the four elements described above.

Second (Final) Recommendation Meeting, November 14, 2011

The applicants returned for a “focused” Recommendation Meeting on November 14, 2011, at which time the design team discussed what previously for the Board had been the four unresolved components of the project and presented drawings relating to the resolutions proposed.

1. The first area of concern had been the below-grade units facing onto NW 56th Street towards the eastern portion of the façade. The Board members had previously agreed that the presence of the “pit” located between the sidewalk and the lower floor units, raised not only safety, but comfort and aesthetic concerns regarding the liveableness of those units. The design team provided the Board with another treatment that did away with any attempt to provide amenity space between the units and the retaining wall adjacent the sidewalk and placed stairways more directly aligned with entries into the units. While some members of the Board still had misgivings regarding the desirability and livability of these subterranean units, the Board regarded the revisions as improvements and approved the revisions as presented.
2. The design team presented a new entry into the trash room with a dedicated approach and sidewalk located to the west of the garage entry on NW 56th Street. The Board acknowledged the effectiveness of this re-design and granted its approval.
3. Refinements and detailing applied to the two garage entries, including clear and attractive signage, were presented to the Board and these modifications likewise were met with the Board’s approbation.
4. Finally, the Board was presented with specific details regarding siding treatments, windows, window placement within the envelope of the building, and the windows relationships to window surrounds. The renderings at a larger scale clarified for the Board insets, reveals, proposed shadow lines and the overall relationship of subsets of the composition to larger components in the composition of the skin of the structure. The Board expressed its satisfaction with the presentation and the details presented.

Board's Deliberations

The Board expressed its satisfaction with the presentation and the details presented. It also affirmed its approval and recommendation for granting the requested departures from development standards previously requested by the applicants, namely, the departure for curb cuts and parking access from both NW 56th Street and NW Market Street rather than from only one of the streets (SMC 23.47A.032), and the departure to allow residential uses along NW Market Street to exceed in the aggregate more than 20 percent of the street-level street-facing façade (SMC 23.47A.005).

ANALYSIS AND DECISION - DESIGN REVIEW

The Director of DPD has reviewed the recommendations of the Design Review Board and finds that the proposal is consistent with the *City of Seattle Design Review Guidelines for Multifamily & Commercial Buildings Design Guidelines*. The Director **APPROVES** the subject design and the two departures from development standards recommended for approval by the Board, as well as those conditions recommended by the Board which have been incorporated into the plan sets.

This decision is based on the Design Review Board's final recommendations, on the plans, drawings and other materials presented at the public meeting on November 14, 2011, together with modifications to the plans submitted to the Department in response to the Board's comments, conditions, and directives given at that meeting. The design, siting, and architectural details of the project are expected to remain substantially as presented at the recommendation meeting except for those alterations made in response to the recommendations of the Board or in response to correction notices and incorporated into the plan sets subsequently submitted to DPD.

ANALYSIS - STATE ENVIRONMENTAL POLICY ACT (SEPA)

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (July 26, 2011). 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. This decision also makes reference to and incorporates the project plans submitted with the project application.

The Seattle SEPA Ordinance provides substantive authority to require mitigation of adverse impacts resulting from a proposed project (SMC 25.05.655 and 25.05.660). Mitigation, when required, must be related to specific environmental impacts identified in an environmental document and may be imposed to the extent that an impact is attributable to the proposal, and to the extent the mitigation is reasonable and capable of being accomplished. Additionally, required mitigation must be based on policies, plans and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675 inclusive (SEPA Overview Policy, SEPA Cumulative Impacts Policy, SEPA Specific Environmental Policies). In some instances, local, state or federal regulatory requirements will provide sufficient mitigation of an impact and additional mitigation imposed through SEPA may be limited or unnecessary.

The SEPA Overview Policy (SMC 25.05.665) 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 pertinent part that “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 specific circumstances, mitigation may be required (SMC 25.05.665.D).

ENVIRONMENTAL IMPACTS

The information provided by the applicant and its consultants, the public comments received, and the experience of DPD with the review of similar proposals form the basis for conditioning the project. The potential environmental impacts disclosed by the environmental checklist are discussed below. Where necessary, mitigation is called for under Seattle’s SEPA Ordinance (SMC 25.05).

Short - Term Impacts

Anticipated short-term impacts that could occur during demolition excavation and construction include: increased noise from construction/demolition activities and equipment; decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by construction activities; potential soil erosion and potential disturbance to subsurface soils during grading, excavation, and general site work; increased traffic and demand for parking from construction equipment and personnel; conflicts 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 25.05.794).

Many of these impacts are mitigated or partially mitigated by compliance to existing codes and ordinances; specifically these are: Stormwater, Grading and Drainage Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of the pedestrian right-of-way); the Building Code (construction measures in general); and the Noise Ordinance (construction noise). If any asbestos abatement is required, the project will have to obtain permits from and comply with the regulations of the Puget Sound Clean Air Agency. The Department finds, however, that certain construction-related impacts may not be adequately mitigated by existing ordinances. Further discussion is set forth below.

Earth

A study of the site’s groundwater and soil conditions, dated August 7, 2011, was prepared by GeoEngineers, Inc., and was submitted to the Department at the time of Master Use Permit application intake. According to the study, soil conditions at the site are suitable for support of the proposed development and there are no geotechnical considerations that would preclude development of the site as planned. The Seattle Stormwater Grading and Drainage Control Code requires that water released from the site be clean and limits the amount of suspended particles therein. Specifically, the ordinance provides for Best Management Practices to be in place to prevent any of the water or spoil resulting from excavation or grading to leave the site inadvertently. No further SEPA policy based conditioning of earth impacts during construction is necessary.

Traffic and Parking

Traffic during some phases of construction, such as excavation and concrete pouring, will be expected to be great enough to warrant special consideration in order to control impacts on surrounding streets. Seattle Department of Transportation will require a construction phasing truck transportation plan to deal with these impacts. The applicant(s) will be required to submit a Truck Trip Plan to be approved by SDOT prior to issuance of any demolition or building permit. The Truck Trip Plan shall delineate the routes of trucks carrying project-related materials.

Noise-Related Impacts

Both commercial and residential uses in the vicinity of the proposal will experience increased noise impacts during the different phases of construction. Compliance with the Seattle Noise Ordinance (SMC 25.08) is required and will limit the use of loud equipment registering 60 dBA or more at the receiving property line or 50 feet to the hours between 7:00 a.m. and 10:00 p.m. on weekdays, and between 9:00 a.m. and 10:00 p.m. on weekends and holidays.

Although compliance with the Noise Ordinance is required, additional measures to mitigate the anticipated noise impacts may be necessary. The SEPA Policies at SMC 25.05.675.B and 25.05.665 allow the Director to require additional mitigating measures to further address adverse noise impacts during construction. Pursuant to these policies, it is Department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance may be necessary. In addition, therefore, as a condition of approval, the proponent will be required to limit the hours of construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 7:00 p.m. and Saturdays between 9:00 a.m. and 7:00 p.m.

Air Quality Impacts

Demolition and construction activities could result in the following temporary or construction-related adverse impacts:

- Erosion from excavation and storm water impacts from ground clearing,
- Decreased air quality due to suspended particulates (dust) from excavation and construction, hydrocarbon emissions and greenhouse gas emissions from construction vehicles, equipment, and the manufacture of the construction materials,

Construction will create dust, leading to an increase in the level of suspended air particulates, which could be carried by wind out of the construction area. Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliative measures, as necessary, to reduce airborne dust. In addition, compliance with the Puget Sound Clean Air Agency regulations will require activities, which produce airborne materials or other pollutant elements to be contained with temporary enclosure. Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the construction area by vehicle frames and tires; this soil could be deposited on adjacent streets and become airborne. The Street Use Ordinance also requires the use of tarps to cover the excavation material while in transit, and the cleanup of adjacent roadways and sidewalks periodically. Construction traffic and equipment are likely to produce carbon monoxide and

other exhaust fumes. Regarding asbestos, Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency (“PSCAA”) prior to any demolition on site. If any asbestos is present on the site, PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos.

Construction activities themselves will generate minimal direct impacts. However the indirect impact of 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. No potential short term adverse impact to air is anticipated and therefore air quality mitigation is not necessary.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased carbon dioxide and other greenhouse gas emissions primarily from increased vehicle trips but also the projects energy consumption, increased demand for public services and utilities; increased height, bulk, and scale on the site; and increased area traffic and demand for parking. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Seattle Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use, parking requirements, shielding of light and glare reduction, and contains other development and use regulations to assure compatible development.

Air Quality

The number of vehicular trips associated with the project will increase the quantities of carbon dioxide and other greenhouse gas emissions in the area. Additionally, the project will create a level of electrical energy demand and natural gas consumption that does not currently exist on the site. Together these changes will result in ambient 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 over its life-cycle.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project’s energy consumption, are expected to 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.

Height, Bulk, and Scale

The proposal does not exceed the height of development (65 feet) allowed in the C-2 zone. The height, bulk and scale measures were addressed during the Design Review process. Pursuant to the Height, Bulk and Scale Policy of SMC 25.05.675 a project that is approved pursuant to the

design review process shall be presumed to comply with the height, bulk and scale policies. The proposed structures have been endorsed by the Design Review Board as appropriate in height, bulk and scale for the project.

Traffic and Parking Impacts

Primary access for the development proposal will be provided by NW Market Street, NW 56th Street, and with trips along 24th Ave NW leading to the site entry on NW 56th Street. NW Market Street and 24th Ave NW are arterials with four lanes for traffic. In addition, 24th Ave NW in the vicinity of the site is improved with a center turn lane. The intersection of NW Market Street and 24th Ave NW is a signalized intersection with separate signalized movements for left turns. NW 56th Street is a local collector street. As noted in the Administrative Design Review discussion above, the Design Review Board approved a design departure to allow two curb cuts and entries to the project garage – one off of NW 56th Street and one off NW Market Street. This will mitigate some of the traffic trips that would otherwise access the site from NW 56th Street. The site is well-served by transit, with frequent King County Metro bus service along both NW Market Street and along 24th Ave NW.

The project is expected to generate approximately 770 total vehicle trips daily. Because the project is primarily residential apartments, only 90 trips are estimated for the AM Peak hour and only 93 trips are estimated for the PM Peak hour. Some localized traffic impacts are anticipated, but local streets have sufficient capacity to handle this increase in traffic and no significant adverse impacts from the proposed project are anticipated to the operation of area intersections and streets.

The proposed project will include a total of 304 residential apartment units and 12,200 sq. ft. of retail commercial uses at ground level. The retail uses are not anticipated to be “destination” retail that would generate significant traffic or parking requirements. The project will provide bicycle parking as required by the Land Use Code and will provide parking for 415 vehicles, which is anticipated to accommodate the project’s estimated parking demand. Any spillover parking is not considered to be significant. Because the project is primarily residential, the parking peak hours would be in the evening, which is off peak from the most intense parking demand for nearby commercial uses. No significant adverse impacts to parking are anticipated from the operation of the proposed project.

The project will be required to make street improvements along the abutting streets as required by the Seattle Department of Transportation Street Design Manual. No further conditioning is warranted.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the 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).

CONDITIONS-SEPA

Based upon the above analysis, the Director has determined that the following conditions are reasonable and shall be imposed pursuant to SEPA and SMC Chapter 25.05 (Environmental Policies and Procedures).

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

Prior to Issuance of the First Demolition or Building Permit

1. The applicant shall submit a construction Truck Trip Plan for approval by Seattle Department of Transportation. Temporary traffic control or pedestrian obstructions (if any) shall be managed in accordance with the City of Seattle Traffic Control Manual for In-Street Work and Manual for Uniform Traffic Control Devices.

During Construction

2. 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. 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:
3. The hours of construction activity not conducted entirely within an enclosed structure shall be limited to non-holiday weekdays between 7:00 a.m. and 7:00 p.m., and between 9:00 a.m. and 7:00 p.m. on Saturdays. All construction activities remain subject to the construction noise provisions of the Seattle Noise Ordinance (SMC 25.08.425).
4. Demolition debris and exposed ground surfaces shall be sprinkled/watered as necessary to control dust; and truck loads shall be monitored to minimize dust-related impacts.
5. If archaeological resources are inadvertently encountered during construction, work occurring in that portion of the site where the potential archaeological resources are found would be stopped, the City of Seattle land use planner assigned to the project and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation would be contacted, and regulations pertaining to the discovery and excavation of archaeological resources would be adhered to, including Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCE and Chapter 5.48 WAC.

CONDITIONS-DESIGN REVIEW

Prior to Issuance of a Certificate of Occupancy

6. The design, siting, and architectural details of the project shall remain substantially as presented at the Design Review recommendation meeting of November 14, 2011, except for any alterations that may be made in response to the recommendations of the Board and incorporated into the plan sets re-submitted to DPD prior to issuance of the Master Use Permit. Compliance with the approved design features and elements, including exterior materials, architectural detail, facade colors, and landscaping, shall be verified by the DPD Planner assigned to this project. Inspection appointments with the Planner shall be made at least five (5) working days in advance of the inspection.

7. Any proposed changes to the exterior of the building or other constructed elements on the site must be submitted to DPD for review and approval of the project Land Use Planner (Michael Dorcy, michael.dorcy@seattle.gov). Any proposed changes to approved improvements in the public right-of-way must be submitted to DOD and SDOT for review and final approval by SDOT.
8. All the conditions contained in this decision must be embedded in the cover sheet for updated MUP permit plans.

Signature: (signature on file)
Michael Dorcy, Senior Land Use Planner
Department of Planning and Development

Date: March 29, 2012