

Vicinity Information

The site is located at the corner of 20th Avenue N.W. and N.W. 56th Street in Ballard. The project site consists of four parcels and slopes from a low point at the southwest corner up to a high point (+3 feet) moving north along 20th, and to another high point located on the east end of the site (+4 feet) on N.W. 56th Street. The site currently includes four structures, which will be demolished as part of this project. Adjacent zoning surrounding the site is NC3-65 on the north, west and east, and NC3-85 to the south. Adjacent uses include apartment buildings to the north and to the east, and commercial uses to the west and south.

The site itself is also zoned NC3-65. The site is located in the Ballard Hub Urban Village, which encompasses all of the properties to the north, south, east and west of the site.

The neighborhood is a transitional area from the Market Street business district to the south of the project to lowrise and single family residential zoning to the north of the project. The 20th Avenue corridor will someday likely be a commercial thoroughfare, but today it is more residential in character as it marches uphill to the north. N.W. 56th Street is more of a commercial street, with more retail and commercial uses, as well as residential uses in the area. The more immediate areas surrounding the project site have been redeveloping into 65- and 85-foot tall mixed use buildings in the last ten years. Within two blocks of the site are located amenities such as the Ballard Public Library, Ballard Park, Swedish Hospital, QFC, banks, shops, restaurants, and Majestic Bay Theater. The existing built context varies from new multifamily buildings to early 20th century buildings to small utilitarian office buildings.

Public Comments

Public comments were invited at the two Design Review public meetings and the Master Use Permit application. Comments from the Design Review meetings are noted within the Design Review process summaries which follow below.

Master Use Permit Application

The applicant revised the design and applied for a Master Use Permit with a design review component on January 12, 2012. The public notice period for the Master Use Permit application ran from January 12, 2012 to January 25, 2012.

ANALYSIS — DESIGN REVIEW

Architect's Presentation: *(November 14, 2011 and June 11, 2012)*

Three alternative design schemes were presented. All of the options included a retail commercial space at the corner.

The first scheme (Option A) showed a “C” shaped configuration with a 20’ courtyard opening on the north side and a 0’ setback on the south. The “C” shaped scheme maximized the allowable FAR on the site, is code-compliant and offered no departures. The garage entry was on 20th Ave NW which is designated as an arterial road. This scheme also was a small courtyard on the north side.

The second scheme (Option B) showed a “T” shape configuration with a 10’ courtyard on the north and a 10’ setback from the property line. The “T” shaped scheme was code-compliant, did not take full advantage of the available FAR, had a smaller courtyard to the north, and had the garage entry access on 20th Ave. NW.

The third scheme (Option C) showed an “L” shaped configuration with a 30’ courtyard on the north side and a 5’ horizontal setback and varying vertical on the first level for the residential units on the south side. The “L” shaped scheme, which was the preferred option, reduced the width of the proposed building so it offered the largest courtyard. The garage entry was located away from the intersection as far as possible along NW 56th street.

Public Comments *(at the Early Design Guidance)*

Approximately 15 members of the public attended this Early Design Review meeting. The following comments, issues and concerns were raised:

- Clarified the elevation of the parking level below grade and distance between the property line and proposed building face. Expressed preference for option three because it provided the greatest light and air buffer area between the proposed building and the neighbors to the north.
- Suggested that a shadow study was needed to understand the impacts on the north and east. Clarified that proposed units would be apartments.
- Concerned that the proposed structure will be too close and too high to the abutting building to the east. Solar access to the rooftop deck will be impacted. Would like to see more of the building mass shifted to the southwest corner and the building form step downward to the east.
- Concerns that the conceptual design lacked sufficient modulation. Noted that the design should be more residential in nature and less institutional. Suggested breaking the building length into three modules. Opposed access proposed from 56th.
- Clarified the building code regulation governing windows on walls on property lines. Would like to see modulation of the north façade as well.
- Clarified design concept for rooftop plans.

Design Presentation: *(June 11, 2012)*

The Project’s architect, Dave Heater, presented a brief recap of the highlights from the Early Design Guidance meeting. He stated that the project’s goals included producing urban housing, creating a design that was conscious of good Ballard design, activating the N.W. 56th Street edge, and producing efficient units that will encourage people to live in downtown Ballard.

Mr. Heater summarized the surrounding context and character of the Ballard neighborhood. Masonry is repeated throughout the neighborhood as a design/materials element.

The project was asked how to be a good neighbor to existing apartment buildings nearby. The L-shaped scheme was recommended as the preferred scheme as it was the best neighbor to the adjacent uses. The design review board also stated that the project should consider a clean, simple massing along 56th that would break up the long façade but would create three different pieces of the building: a corner piece, an entry piece, and then an eastern residential piece.

The project retains the approximately 1,282 sq. ft. retail space at the corner of 20th and 56th. This is the place best suited for commercial uses as it is the most visible space, and the floor to floor heights are highest; the corner space reads from the outside as a double-height retail space, although units, not commercial space, are located on the second floor. Residential units march up 20th Avenue (3 units) and down 56th Street (5 units). The units on 20th Avenue are being designed such that they can be easily converted into retail spaces and potentially combined with the commercial space on the corner. The entry to the parking garage is located on N.W. 56th Street, as recommended by the Board.

Mr. Heater detailed the elevations and materials. Brick masonry is being used on many parts of the building to tie it into the existing Ballard context. Green cementitious panels are being used as an accent to the masonry. The units, a mix of studios, one bedroom, and two bedrooms, will all include operable windows. The residential lobby includes a tiered level, with the residential amenity space located to the back (north side) of the building. The amenity space will open onto the north courtyard which will allow the space to be better activated by residents. The lobby entry will be identified by a notch in the building, and a change in materials.

The eastern elevation is stepped back four feet to give more space to the adjacent building to the east. The building has also been designed to minimize the window-to-window condition with the building to the east. On the north elevation, the brick masonry wraps the corner, creating a different pattern to add visual interest. The project has been designed with green paneling along the north façade to soften the building face.

The outdoor spaces of the project and the neighboring apartment buildings with shadow studies were shown. Direct sunlight will reach the northern courtyard of the project for about four months of the year. The adjacent buildings will also not be in total shade as a result of the project.

The units along N.W. 56th were shown in an up close rendering. These units have been set back 5 feet to allow for privacy of the residents. A deck has also been provided to allow potential outdoor seating for residents; a rail and landscaped buffer separates this private area from passing pedestrians. A storefront glazing system is used to provide a maximum amount of light for these units.

The garbage and transformer room was discussed. Previously the garbage room was located at grade. The garbage room (the terminus of the trash chutes) has been moved to the parking garage/basement level, but a staging area for garbage and recycling has been placed just west of the parking entrance for ease of transfer of dumpsters on garbage day. Just west of the garbage room is a transformer vault; this location meets the requirements of Seattle City Light. The potentially blank façade has been mitigated by the use of landscaping and painted doors.

Public Comments *(at the recommendation meeting)*

Comments included:

- Question as to whether both the parking levels were subterranean?
- Shadow studies should include more information regarding winter shadows, would like to know where vents for residential units come out, would rather that active people use the roof top space instead of the lower landscaped space where noise could be an issue for neighbors.
- Will there be security fences surrounding the site where it meets grade?

DESIGN GUIDELINE PRIORITIES

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. The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

The Neighborhood specific guidelines are summarized below. For the full text please visit the [Design Review website](#).

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.*

Ballard-specific supplemental guidance:

Development Surrounding the Park

- *West, North and East sides of the park: Townhouse style design is appropriate at street level adjacent to the park. Residential developments that provide units that directly access the public right-of-way are preferred since they help enliven the street environment. Sidewalk-related spaces should appear safe and welcoming.*
- *South side of the park: If mixed use development occurs around the park, it is desirable to provide active storefronts along the entire south edge of NW 57th Street, west of 22nd Avenue NW, and a consistent street wall with a two-story minimum height.*
- *Mixed Use and Residential on East-West Streets: Buildings should maintain a consistent street wall up to a minimum of two story development and provide a setback(s), particularly on the south side of the street, beyond three stories to enhance solar access to the street and avoid a 'canyon'. Deviations from the consistent street wall should be allowed for public usable open spaces. Where appropriate, mid-block pedestrian connections are strongly encouraged. The Design Review Board may consider a departure to reduce open space requirements in exchange for a mid-block pedestrian connection. Such spaces shall be sited and designed in a manner that are clearly public in nature and engaging to pedestrians.*

At the Early Design Guidance Meeting, the Board noted that the garage entrance should be designed to be minimally intrusive to the sidewalk and pedestrian circulation. The Board also pointed out more dedication to bicycle parking and accommodations should be included on the subject site.

At the Final Recommendation Meeting, The Board appreciated the entrance to the garage being as minimally intrusive as possible, and appreciated the amount of bicycle parking that will be placed in the garage. The Board asked the applicant to consider additional bicycle racks within the right-of-way for visitors to the site.

A-4 Human Activity. *New development should be sited and designed to encourage human activity on the street.*

Ballard-specific supplemental guidance:

Development Surrounding the Park South side: Setbacks from the property line should be allowed up to ten feet consistent with pedestrian zoning requirements for outdoor activity. Mixed Use Development on Avenues: Commercial uses are encouraged to setback in order to provide opportunities for pedestrian activities where appropriate.

At the Early Design Guidance Meeting, the Board discussed at length the viability of live/work units and how the proposed design can achieve an active and engaging street front. The Board was very supportive and encouraging of the proposal to over-frame the floor (to bring the floor up to grade) for the three units along 20th Avenue, thereby allowing flexibility of these units to be converted to commercial or retail use in the future. These three units would also take access directly from the sidewalk, in addition to the internal corridor.

The Board recognized the challenge of designing the proposed residential spaces along 56th Street to function well for both residential and potential commercial use and have the flexibility to convert from one to another as the economy dictates.

The Board expressed concern with these residential units and recommended that a privacy zone is needed if the units function primarily as residential use. The Board also agreed that micro-retail or commercial uses would better engage the sidewalk and could be viable at this location. As designed at this EDG phase, the Board felt that the ground level units were too detached from the street and needed to be better integrated. If the units continue to be elevated above grade, then they should have a direct connection to the sidewalk. For all of the units, the Board was very interested in units with sufficient depth to realistically accommodate work space separate from living space for future live/work or commercial.

At the Final Recommendation Meeting, the Board was supportive of the applicant's approach to the residential units on both 20th Avenue N.W. and N.W. 56th Street. The construction of the units on 20th will allow for future flexibility to transition to commercial spaces, while the units on 56th maintain privacy for residents while still creating a connection to 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.*

At the Early Design Guidance Meeting, the Board noted that at the next meeting, they would like to review a solar/shadow study of the proposed building and how it affects both the neighboring buildings as well as the proposed courtyard open space. The Board would also like to better understand the relationship between the proposed building mass within the context of the surrounding buildings. The Board is especially interested in the sensitivity to the west façade of the building to the east.

See also D-2 for the discussion of blank walls.

At the Final Recommendation Meeting, the Board appreciated the building's additional setbacks to respect the adjacent apartment buildings to the north and the east. The Board liked the applicant's approach of minimizing window-to-window conflicts, and asked the applicant to confirm this, and if they do, to either change the layout of the windows or frost them. The Board agreed that noise from the landscaped area on the north side would not impact adjacent properties, nor would vents from units, as there is ample setback between buildings that will carry odors away.

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.*

Ballard-specific supplemental guidance:

- *West side of the park: For residential units with direct access to the street, a ten foot landscaped setback or pedestrian walkway immediately adjacent to the park property edge is recommended with a low landscaped fence or low hedge to help define the relationship between the property and the park edge.*
- *North and East sides: New development should provide a landscaped fence or low, dense hedge to help define the street edge. No more than a ten foot setback to provide an effective transition between townhouse units and the public realm is desirable. In general, the landscaped setback from the park to the building edge should be integrated as an extension of the mid-block pedestrian connection system.*
- *Single Use residential: Townhouse or other residential developments that have direct unit entrances on the sidewalk are encouraged. New development should mark the property line with a landscaped fence or low hedge planting to enhance the continuity of the street.*

See guidance provided under A-4.

At the Final Recommendation Meeting, the Board liked both the rooftop deck, and the northern landscaped space. The Board asked the applicant to look at the way seating areas were arranged in the northern landscaped space to ensure that they are usable. The Board also asked the applicant to make sure that all at-grade areas were securely fenced.

A-7 Residential Open Space. *Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.*

See E-2.

At the Final Recommendation Meeting, the Board liked that the commercial space has been oriented on the corner, and reads as a double height space. The parking garage access has been located as far away from the corner on NW 56th St as possible.

A-10 Corner Lots. *Building on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.*

At the Early Design Guidance Meeting, the Board agreed that the building design and form should hold the corner as shown in the initial preferred concept design (#3) shown.

B. Height, Bulk and Scale

B-1 Height, Bulk, and Scale Compatibility. *Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.*

Ballard-specific supplemental guidance:

Development Surrounding the Park

- *West, North and East sides of the park: In general, the overall development massing should maximize the solar access to the park through careful massing arrangement of the upper levels, set back above a two-story base containing townhouse style units.*
- *South side of the park: Civic and cultural uses are anticipated to be developed along the south edge of the park. However if mixed use development does occur, it should provide a consistent street wall with a two-story minimum height. Development should be set back above the two story height and/or modulate the facade to enhance solar exposure to the park.*
- *Mixed Use Development on North-Side Avenues: Buildings should maintain a consistent street wall up to a minimum of two stories and provide a setback(s), particularly on the west side of the avenue, beyond three stories to enhance solar access to the street and avoid a 'canyon' effect.*
- *Mixed Use and Residential Development on East-West Streets: Same as above, except with setbacks particularly on the south side of the street beyond three stories to enhance solar access to the street. Buildings should provide façade modulations that break down the scale of larger developments to recall the underlying original 50' parcel widths.*

At the Early Design Guidance Meeting, the Board appreciated the effort to keep the building profile narrow and less bulky. The Board requested more information regarding solar studies, landscape plans and blank wall treatment to address scale concerns. See also A-5, D-2, and E2.

At the Final Recommendation Meeting, the building remains massed in a narrow and less bulky manner, and has increased its setbacks and modulation facing the east and north sides to reduce the perception of height, bulk, and scale. Massing elements along N.W. 56th have been broken down into three segments to reduce the mass and scale along the long façade on N.W. 56th. The applicant also provided solar studies showing the impacts of the project on adjacent buildings and their open spaces.

C. Architectural Elements and Materials

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.*

Ballard-specific supplemental guidance:

Institutional Development: The design of institutional buildings should be distinguished from commercial and residential buildings by location on the site, materials and massing. A building with public uses should exhibit a civic presence through careful attention to its relationship with the public realm. A primary entrance, building form, and architectural elements should be designed and scaled to reflect the public activities contained within.

At the Early Design Guidance Meeting, the Board appreciated the early design concept for clear and simple building forms and shapes using high quality materials and looks forward to further development of this concept. The Board encouraged a residential expression for the building that is well integrated with the residential/commercial expression of the ground floor. The Board warned against a monolithic expression along 56th Street and recommended setting the building back at the first or first and second floors.

At the Final Recommendation Meeting, the project is broken up into three main elements, but is tied together through the use of materials. See B-1.

C-4 Exterior Finish Materials. *Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.*

Ballard-specific supplemental guidance:

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

The Board looks forward to reviewing the details of the color and material palette at the Recommendation meeting.

At the Final Recommendation Meeting, the project materials were presented to the Board. The materials include cementitious panels in the following colors: “Intellectual Gray,” “Kilim Beige,” “Luau Green.” Other materials include brick masonry, wood resin panel in a copper color, dark bronze storefronts, adobe-colored vinyl windows, and cast in place concrete elements.

D. Pedestrian Environment

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.*

Ballard-specific supplemental guidance:

Active, open, interesting building facades are strongly encouraged, particularly on sites adjacent to the park.

At the Early Design Guidance Meeting, the Board noted that the design and treatment of the east elevation is important and they would like to review details at the next meeting. The façade will be located at the east property line and will not have openings, so the material, texture, color and patterning of this façade should be addressed.

At the Final Recommendation Meeting, the Board appreciated the applicant’s treatment of the blank wall on the north. The Board also appreciated the treatment of the garage/garbage/transformer area.

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.*

Ballard-specific supplemental guidance:

Service areas, loading docks and refuse should be internal to the development or carefully screened, especially on sites directly adjacent to the park.

At the Early Design Guidance Meeting, the Board discussed the access location and would like to better understand how the trash and recycling will be handled both in terms of storage, but also collection. This is particularly of concern with the residential units on either side of the garage entrance (one in the proposed building and one in the next door building). Clear sight lines and lighting should be included for safety measures. The Board also discouraged the transformer from being located at ground level along the sidewalk.

At the Final Recommendation Meeting, the main garbage area has been moved to the basement, however, a garbage/recycling staging area has been placed to the west of the garage entry which will allow a fully enclosed area for dumpster storage on garbage day.

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.*

At the Early Design Guidance Meeting, the Board supported hybrid commercial and residential expression at the ground level.

At the Final Recommendation Meeting, the commercial space at the corner reads as though it is of double height; this is the best and most visible location for commercial space on the site. In addition, the Board liked the way the residential spaces on 20th Avenue N.W. could be easily converted to commercial space in the future.

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.*

See A-4.

At the Final Recommendation Meeting. See A-6.

E. Landscaping

E-2 Landscaping to Enhance the Building and/or Site. *Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture, and similar features should be appropriately incorporated into the design to enhance the project.*

At the Early Design Guidance Meeting, the Board was concerned that the proposed courtyard area to the north of the building would be in shadow and therefore may lack usability by tenants. A strong landscape design (shadow garden) that activates this space and is well programmed will be critical elements to explore and detail at the next meeting. The Board also suggested that some of this amenity open space could be shifted to the street front in order to provide more relief for the ground level live/work units.

The area between the property line and the building face at the ground level are also critical and should be addressed with vegetation and grade changes to create a buffer between the sidewalk and the units.

At the Final Recommendation Meeting, the Board reviewed the shadow studies of the north outdoor area and agreed that planting in this area would not be a problem.

DECISION – DESIGN REVIEW

The Design Review Board conducted a Final Recommendation Meeting on June 11, 2012 to review the applicant's formal project proposal developed in response to the previously identified priorities. At the public meetings, site plans, elevations, floor plans, landscaping plans and computer renderings of the proposed project were presented for the Board members' consideration.

Board Recommendations

After considering the site and its context, hearing public comment, considering the previously identified design priorities, reviewing the plans and renderings showing the proposed revisions, and reviewing the requested departures, the Design Review Board members **unanimously recommended approval of the project's design and recommended approval of the three departures requested, as outlined in the matrix below.** Four Design Review Board members attended the recommendation meeting. The recommendations summarized above were based on the plans submitted for the June 11, 2012 meeting.

Development Standard Departures Granted		
No.	Standard	Departure Approved
1	NW 56th St. Residential Street Level Requirements SMC23.47A.008.D.3	A reduction in the horizontal setback for residential use from 10 ft to 5 ft and a reduction in the vertical distance which would vary from 5" (at the easternmost unit entry) to 1'-6" (at westernmost unit entry) is permitted.
2	20th Ave. NW Street Level Uses SMC23.47A.005.C.3	An additional ±43% of residential use at street level on this arterial is permitted.
3	20th Ave. NW Residential Street Level Requirements SMC23.47A.008.D.3	A reduction in the horizontal setback for residential use from 10 ft to 1 ft and a reduction in the vertical distance which would vary from 1'-1" (at northwest corner) to 2'-1" (at south edge of residential use) is permitted.

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed recommendations, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the recommendations and decision of the Design Review Board made by the members present at the decision meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multi-family and Commercial Buildings, and is consistent with SEPA requirements or state and federal laws. Therefore, the Director accepts the Design Review Board’s recommendations and **CONDITIONALLY APPROVES** the proposed design with the conditions summarized at the end of this Decision.

The Director of DPD has reviewed the recommendations of the Design Board members present at the final Design Review recommendation meeting and finds that the Board acted within its authority and the Board’s recommendations are consistent with the guideline’s and do not conflict with regulatory requirements.

CONDITIONS

Design Review conditions are listed at the end of this report.

DIRECTOR’S ANALYSIS—SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05) because the proposed project is located in a commercial zone and exceeds four dwelling units.

The applicant provided the initial disclosure of this development's potential impacts in an environmental checklist dated December 12, 2011. The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant, reviewed the project plans, considered pertinent public comment; and forms the basis of this analysis and decision based on its experience as lead agency with review of similar projects.

As indicated in this analysis, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC [25.05.665 D](#)) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and 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. Adverse impacts are anticipated from the proposal. Thus, a more detailed discussion of impacts is appropriate and is noted below.

Short -Term Impacts

The following temporary construction-related impacts are expected: temporary soils erosion; temporarily decreased air quality due to dust and other suspended air particulates during construction and demolition; increased noise from construction operations and equipment; increased traffic and parking demand from construction personnel; tracking of mud onto adjacent streets by construction vehicles; conflict with normal pedestrian movement adjacent to the site; and consumption of renewable and nonrenewable 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 may be adverse, and in some cases, mitigation is warranted.

City codes and/or ordinances apply to the proposal and will provide adequate mitigation for the identified impacts. Specifically these are: 1) Grading and Drainage Control Ordinance, SMC [22.800](#) (storm water runoff, temporary soil erosion, and site excavation); and 2) Street Use Ordinance (tracking of mud onto public streets, and obstruction of rights-of-way during construction). Other agencies will provide adequate mitigation for the identified impacts, such as the Puget Sound Clean Air Agency (dust/air impacts during construction and demolition).

Earth

The proponents have submitted a preliminary geotechnical investigation for DPD review. The borings on site indicated weathered glacial till consisting of dense to very dense materials; there are no indications of unstable soils on the site. The project will require approximately 20,000 cubic yards of excavation, and DPD anticipates further study and design associated with the grading and construction permits. DPD geotechnical staff indicates that existing Codes (Grading and Drainage Control Ordinance, SMC [22.800](#)) provide authority to require appropriate mitigation for this project, and that no specific conditioning is warranted in this regard.

Air Quality

The on-site structures will be demolished. Characterization of on-site building for lead paint and asbestos will be required prior to demolition. The project will be required to obtain a permit from the Puget Sound Clean Air Agency prior to a demolition permit being issued. Such additional study and the PSCAA permit will provide adequate mitigation of any potential SEPA impacts.

Environmental Health

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 alerts the applicant to this law and provides a contact: Joe Hickey, DOE, (425) 649-7202.

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 [factsheet](#) 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) 263-8496.

Existing regulations adequately address potential impacts to environmental health. In addition, there is no evidence of environmental health issues on the project site. No further conditioning of site cleanup or hazardous waste treatment is warranted pursuant to SEPA policies.

Greenhouse Gas Emissions

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 significant, so mitigation is not required pursuant to SEPA.

Streets and Sidewalks

The proposed on-site demolition, excavation and construction are controlled by a demolition/building permit, separate from this Master Use Permit. The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through the Seattle Department of Transportation. It is the City's policy to minimize or prevent adverse traffic impacts which would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (25.05.675 R).

In this case, adequate mitigation is provided by the Street Use Ordinance, which regulates and provides for accommodating pedestrian access. Therefore, additional mitigation under SEPA is not warranted.

Construction Noise

As redevelopment proceeds, noise associated with demolition/construction activities at the site could adversely affect the surrounding residential/commercial uses. However, the limitations of the Noise Ordinance are found to be adequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC [25.05.665](#)) and the SEPA Construction Impacts Policy (SMC [25.05.675 B](#)), no mitigation other than compliance with the Construction Noise Ordinance is warranted.

Construction Parking

During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities. Construction workers can be expected to arrive in early morning hours and to leave in the mid-afternoon. Surrounding residents generate their peak need for on-street parking in the evening and overnight hours when construction workers can be expected to have departed. In addition, most of the commercial uses in the surrounding area include enough on-site parking such that street parking is not an issue. Construction parking impacts will be insignificant and therefore SEPA mitigation of parking impacts during construction is unwarranted.

Construction Traffic

Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. Traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated in part by enforcement of SMC [11.62](#). This immediate area is subject to some 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 export/import of material from the site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other building materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which will not be mitigated by existing codes and regulations.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cause 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. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC [11.62](#).

City code (SMC [11.74](#)) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Long-Term Impacts

Potential long-term or use impacts anticipated by the proposal include: increased height, bulk and scale of building in some areas of the site; increased light and glare from exterior lighting, increased noise due to increased human activity; increased demand on public services; increased traffic on adjacent streets; increased on-street parking, and increased energy consumption. These long-term impacts are not considered significant because they are minor in scope, but some warrant further discussion (noted below).

The likely long-term impacts are typical of this scale of mixed use development, and DPD expects them to be mitigated by the City's existing codes and/or ordinances (together with fulfillment of Seattle Department of Transportation requirements). Specifically these are: the Land Use Code (aesthetic impacts, height, light, traffic, setbacks, parking) the Seattle Energy Code (long-term energy consumption), and the Street Use Ordinance. However, more detailed discussion of some of these impacts is appropriate.

Several adopted City codes and/or ordinances provide mitigation for the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code which requires provisions for controlled release to an approved outlet and may require additional design elements to prevent isolated flooding. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies.

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 significant, so do not require mitigation pursuant to SEPA.

Parking

A parking analysis was completed for the project. The peak parking demand was estimated based on data provided in the Institute of Transportation Engineers' (ITE's) Parking Generation report documenting average parking demand for various uses, including retail and apartment uses. The peak hourly parking demand for residential and retail uses would not necessarily occur at the same time. A shared parking analysis was completed to determine the peak parking demand of the combined uses and the time peak parking uses are likely to occur during a typical day. Based on the study, peak parking demand for the site is anticipated to occur at 10:00 P.M. and the overnight hours, and will consist of 107 vehicles. Based on the proposed parking supply of 120 parking stalls within the on-site parking garage, the proposed project would adequately serve the peak parking demand, no parking impacts are anticipated to result from the project, and no mitigation of parking impacts is warranted or required according to SMC 25.05.675.M.

Traffic and Transportation

A transportation impact analysis was completed for the project. Traffic will increase over existing conditions due to the addition of residents and retail uses to the project site. The proposed uses associated with the project replace an existing medical-dental office, single family house, and general office building that already generate trips to the site.

Thus, the additional trips generated by the proposed uses on the site, above those uses already existing, are 465 net new daily vehicular trips, with 38 occurring during the weekday PM peak hour. With the additional trips generated, all intersections studied by the transportation impact analysis will continue to operate under acceptable levels of service following construction of the project. Thus, DPD concludes that the project's likely impacts on traffic are minimal, will not be adverse or significant, and require no additional mitigation per SMC 25.05.675.R.

Height, Bulk, and Scale

SMC [25.05.675.G.2.c](#) 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 shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. 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 site is surrounded by properties that are similarly zoned. The Design Review Board considered issues of height, bulk and scale in its review of this project and unanimously recommended approval of the project design. The proposed structure is located on an NC3-65 zoned site, and the structure conforms to zoning requirements, including height and bulk. No additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

Light and Glare

The checklist discusses the project's potential light and glare effects on the surrounding area. The proposed project exterior design emphasizes a sympathetic arrangement of glazing and materials on the facades. Lighting will be downshielded but will provide enough light in the evening to provide a safe environment. DPD therefore determines that light and glare impacts are not substantial and warrant no further mitigation per SMC 25.05.675.K.

Other Impacts

Several codes adopted by the City will appropriately mitigate the use-related adverse impacts created by the proposal. Specifically these are: Grading and Drainage Control Ordinance (storm water runoff from additional site coverage by impervious surface); Puget Sound Clean Air Agency regulations (increased airborne emissions); and the Seattle Energy Code (energy consumption in the long term).

DECISION - SEPA

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

- [X] Determination of Non-Significance. This proposal has been determined not to have a significant adverse impact upon the environment. An EIS is not required under RCW [43.21C.030\(2\)\(C\)](#).

CONDITIONS – SEPA

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

The owner applicant/responsible party shall:

During Construction (including demolition)

1. All construction activities are subject to the limitations of the Noise Ordinance, SMC [25.08](#). Construction activities (including but not limited to demolition, grading, deliveries, framing roofing, and painting) shall be limited to those hours compliant with the Noise Ordinance.

Construction activities outside the above-stated restriction may be authorized by DPD when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours are weekend days must be submitted to **Noise Abatement Coordinators** — David George david.george@seattle.gov (206) 684-7843 or Jeff Stalter jeff.stalter@seattle.gov (206) 615-1760 — at least **three (3) days in advance of the requested dates** in order to allow DPD to evaluate the request.

CONDITIONS – DESIGN REVIEW

The owner applicant/responsible party shall:

For the Life of the Project

2. The applicant must retain the fenestration, architectural features and elements, and arrangement of finish materials and colors presented to the Design Review Board on June 11, 2012, and as modified in updated plans approved by Colin R. Vasquez, Senior Land use Planner, following the Board's recommendation meeting.

