



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: 3013516

Applicant Name: Megan McKay of Johnston Architects PLLC for Ballard Lofts LLC

Address of Proposal: 6404 24th Ave NW

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a five-story structure, containing 5,770 sq. ft. of retail at street level with 72 apartment units above. Parking to be provided includes 5 retail parking spaces at grade and two levels below grade for 79 vehicles. Existing structures to be demolished.

The project description has changed. Originally this project was an addition to the permitted MUP #3007108 and #3013468 project. During review under #3013516 the projects were joined as one development.

The following Master Use Permit components are required:

Design Review (SMC Chapter 23.41) with Development Standard Departures:

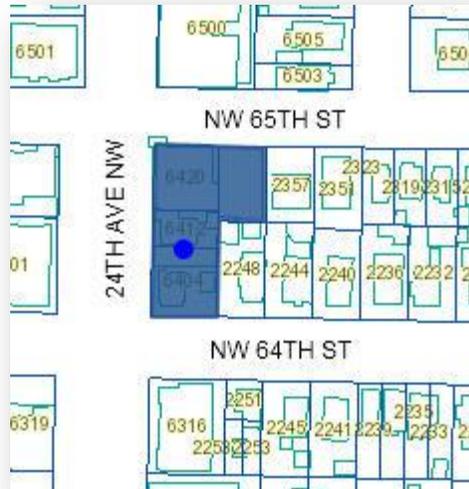
1. Access to parking. (SMC 23.47A.032.A1c).
2. Parking stall size. (SMC 23.54.030).
3. Driveway width. (SMC 23.54.030.D):

SEPA-Environmental Determination (Chapter 25.05 SMC)

DPD SEPA DETERMINATION:

Determination of Non-significance

- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts



Permitting History & Project Description: This project started in 2007 with a MUP for development of the two parcels along NW 65th Street. The original permit issued in April 2008, was under #3007108 and was for a 5-story structure containing 2,260 sq. ft. of retail and two live-work units at street level, with 38 apartment units above. Parking was to be provided below grade, on two levels for 47 vehicles.

In May 2012 a post decision submittal was made under MUP #3013468. The original MUP was modified to allow a 6-story structure containing 2,168 sq. ft. of retail and two live-work units at street level, with 42 apartment units above. Parking was to be provided below grade, on two levels for 48 vehicles. This post permit submittal was approved in September 2012. The revision was to remove the loft apartments and provide 5 floors of traditional one story apartments.

In October 2012 a SEPA MUP submittal for development of the two lots along 24th Ave NW, south of the property of the two permits listed above, was submitted to DPD under Project #3013516. The development was to be an addition to the already permitted (but not constructed) project to the north, Phase 1. The project was to allow a six-story addition containing 54 residential units above 3,625 sq. ft. of ground level retail. Parking was to be provided for 17 vehicles in a below grade garage. A month later the project was renoticed to change the amount of parking from 17 stalls to 54 parking stalls.

During the design process the project evolved from 6 floors of apartments to 2 floors of loft units and two floors of traditional apartments, similar to the original 2007 MUP. As well it was determined the whole site would be built as one structure and not in phases. The Design Review Board and DPD reviewed the new proposal, and minor changes made to the already permitted northern part of the structure. This permit will be for the four parcels to be developed and constructed as one project.

The proposed project is for the design and construction of a mixed use building with approximately 72 residential units located above approximately 5,770 sq. ft. of ground level retail. Five retail parking spaces will be accessed off of NW 65th St. and the 79 residential stalls will be accessed off of NW 64th St. The main residential entry will off of a courtyard that will bisect the retail space and provide amenity space for residence and during certain hours, the public.

Current Development: There are currently five structures located on the site. Three commercial structures and two single family residences.

Access: The site is bordered by NW 65th Street to the north, 24th Ave NW to the west and NW 64th Street to the south. The commercial structure on the corner of 65th and 24th has a curb cut access off of NW 65th St, the single family structure has a curb cut off of NW 64th Street.

Surrounding Development: The abutting site to the east, developed with a single-family residence, is zoned NC1-65'. The rest of NW 64th Street, between the adjoining site and 22nd Avenue NW, is zoned Lowrise 1 (LR1) and developed with a mix of single family and multifamily structures. The site lies within the Ballard Hub Urban Village.

ECA's: None.

Neighborhood Character: The neighborhood is predominately a mixture of single story commercial building and single family residences built in the early part of the 1900's, interspersed with apartment buildings dating from the 1960 to the present.

DESIGN REVIEW

EARLY DESIGN GUIDANCE MEETING: July 23, 2012

DESIGN DEVELOPMENT

The EDG packet includes materials presented at the EDG meeting, and is available online by entering the project number (3013516) at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

The EDG packet is also available to view in the 3013516 EDG file, by contacting the Public Resource Center at DPD:

Mailing Public Resource Center
Address: 700 Fifth Ave., Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Email: PRC@seattle.gov

After asking a number of clarifying questions following the architect's presentation, the Board elicited comments from members of the public attending the meeting. Forty six members of the public signed in requesting to become parties of record for the project.

PUBLIC COMMENT

Comments solicited from the public included the following:

- Impacts (both visual and noise) of HVAC equipment of importance for this location and project;
- Worried about increased units and impacts on sewer capacities;
- Wider setback from property line along NW 64th Street needed to better align with setbacks of existing structure;

- Project needs a traffic study, in particular one that addresses impacts of parking entrance and exit for both NW 65th and NW 64th streets; intersection at NW 65th Street and 24th Avenue NW already dangerous;
- Shadow impacts of such a large and tall structure will severely impact neighbors to the east;
- Take into account the historic values embodied in structures and neighborhood fabric; incorporate these historic references and values into the proposed architecture;
- There is no other place in the city that combines a NC1 zoning designation with a 65-foot height allowance; this is anomalous and the anomaly ought to be addressed architecturally;
- Concerns about security issues connected to proposed east courtyard;
- Concerned with the broader issue of the “fit” of the height, bulk and scale of the proposed structure within the established “neighborhood character.”
- Concerned about truck loading required to service the retail spaces in such a development.

INITIAL RECOMMENDATION MEETING: January 28, 2013

The packet includes materials presented at the Recommendation meeting, and is available online by entering the project number (3013516) at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

or contacting the Public Resource Center at DPD:

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PUBLIC COMMENT

Approximately 10 members of the community attended the Design Review Meeting. The following comments, issues and concerns were raised:

- Commented that the Nordic buildings are being eradicated. Would like Scandinavian design for Ballard.
- Stated that proposed angled blade signage on the corner of 65th and 24th is okay but not on the corner of 24th and 64th.
- Encouraged the east façade treatment of having no windows where the façade is close to the property line.
- Encouraged the user areas of the roof deck to be pulled away from the east side to maintain privacy for the residence to the east. Asked that any lighting provided on the roof be low and oriented towards 24th Ave NW.
- Liked the project change back to larger units.
- Encouraged ‘pulling down’ the siding to the top of canopy along 24th Ave NW to be similar to what is being proposed along NW 65th St.

- Encouraged reducing the scale of the glazing and lowering the canopy along the south portion of 24th Ave NW and NW 64th St.
- Encouraged changing the building scale along 24th Ave NW.
- Encouraged clustering of dryer vents.
- Concerned about how canopies along street will drain. Noted that drainage from canopies along with peeing dogs kills plantings.
- Concerned about retail entry at corner of 24th Ave NW and NW 65th Street, noted that this is a dangerous corner, and thinks a corner entry is not a good idea.
- Questioned how the garage entry location was determined. The applicant responded that SDOT made the decision to have the entry along NW 65th St to preserve the trees along 24th Ave NW.

FINAL RECOMMENDATION MEETING: March 18, 2013

The packet includes materials presented at the Recommendation meeting, and is available online by entering the project number (3013516) at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

or contacting the Public Resource Center at DPD:

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Seattle, WA 98124

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PUBLIC COMMENT

The following comments, issues and concerns were raised at this meeting:

- Concerned that the double wide driveway would create traffic congestion along 65th. Suggested right-in, right-out turning movement restrictions, as well as signage to inform traffic accessing the building.
- Suggested that the raised canopy will allow the green screen to be more viable.
- Noted the congestions along 24th Ave.
- Would like to see turning restrictions on the apartment building across from the project on 65th.

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.

A. SITE PLANNING

A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site condition and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

At the EDG meeting the Board stated that the larger development site includes the site of this proposal and the site to the north for which a MUP, one that underwent Design Review, has already been issued. See comments above in the Board's deliberations that relate to the integration of Phase 1 and current proposal elements.

At the Initial Recommendation meeting the design of Phase II was the focal point of the presentation and discussion but the structure was presented as a whole as both phases will be constructed at the same time.

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

At the EDG meeting this guideline was selected as a confirmation by the Board of the desirability of replicating a section of sidewalk along 24th Avenue NW that is already vibrant and active, a place of pedestrian activity, and adorned with attractive and established street trees. A special care should be in place to bring the attractiveness and activity of the pedestrian way around the corner at NW 64th Street. Particular effort needs to be given to attractively intertwine the midblock residential entry and the public pedestrian way.

At the Initial Recommendation Meeting the Board questioned how residents and non-residents would use the entry courtyard and how residents would enter the building. The proposed design of the courtyard will have a metal swinging gate or fence that will be open during the day and closed at night. A key card activated door will allow residents to enter when the gate is closed.

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 Recommendation meeting the Board stated that the east side of the roof facing into the lowrise residential zone should not be accessible to users of the amenity areas on the roof deck. It is important that residents not be able to peer into the backyards of the properties to the east.

The Board recommended that ground level courtyard should be screened from the adjacent property by landscaping and a water feature.

At the Second Recommendation meeting, the Board was pleased with rooftop design response of pulling the paver patio area away from the east edge of the roof and the addition of a sedum roof cover added in between to prevent tenants from viewing the abutting neighbors.

The Board recommended that the courtyard design include a focal point on the far wall along the east property line with the water feature and landscaping to provide a visual terminus as viewed from the residential entry area.

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.**

At EDG: This guideline reflects the Board's support of the overall alignment of the preferred scheme with the Phase 1 scheme and the importance of the setback from the property line on the east side of the proposed structure. As noted in the Board's deliberations, however, further design development cannot neglect the architectural expression at the perimeter of the building, specifically the west and south facades, and the need to manifest a sensibility to height, bulk and scale impacts in the building's overall expression.

At the Initial Recommendation meeting the Board discussed height, bulk and scale and the relationship of the façade as it transitions from siding of the upper floors to the ground level storefront. They would like to see the storefront height minimized, see C-3 and D-11. The Board recommended that at the south corner of the west façade, the solid parapet not bow upward, so as to shorten the height of the façade along that elevation.

At the Second Recommendation meeting, the Board was pleased that the parapet at the south corner has been reduced to a 42" railing height and does not slope up to the south.

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.**

At the EDG it was suggested that the applicant develop a well-proportioned building that exhibits a coherent architectural concept. Design the architectural elements and finish details to create a unified building, so that all components appear integral to the whole. This guideline expresses the Board's concern that the external articulation of the building should give distinctiveness to each (Phase 1 and Current phase) portions of the building but not hide the concept that gives the building its strength and coherency.

At the Initial Recommendation meeting the Board liked the most recent changes to the Phase I elevations. It was suggested that the elevations of the two phases work well but still need more knitting together. The upper stories of Phase II should be lightened up. See also B-1 and C-3.

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

At the EDG: There is an historical desirable human scale along this block whose memory after the existing buildings which provide for this interface are gone needs to be

successfully architecturally transferred into the new interface of building and pedestrians. That is a challenging task. The activation of each of the entrances, both retail and residential, important to the success of the project. A further challenge will be to provide for a residential entry that is in harmony with retail entrances along the sidewalk.

At the Initial Recommendation meeting the Board discussed minimizing the height of the storefronts at the south portion of 24th Ave NW and NW 64th St. They recommended lowering the height of the storefront canopy and “pulling the siding down” to the top of the canopy to mimic the NW 65th Street façade.

At the Second Recommendation meeting, the height of the storefronts at the southern portion of the 24th Ave NW façade and along NW 64th St were reduced by several feet the mullions and overhead awning above were revised to step down with the sidewalk grade.

- 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.**

At the Initial Recommendation meeting, the Board stated that they want to see the ribbed concrete at the lower level of Phase I continued at the lower level of Phase II. They would prefer to see a more natural weathered color to the concrete than the red. If color is used try to make it integral to the concrete.

At the Second Recommendation meeting, the Board was pleased with the design revision to include a natural concrete colored, ribbed concrete building base that extends the entirety of the building.

- 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.**

At the Recommendation meeting the Board stated they wanted the design to better address the garage portal on NW 64th Street to minimize its impact. See also E.2

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.**

At the Initial Recommendation meeting the Board debated the best way to treat the blank wall along the east property line with the adjacent site. The abutting property is also zoned NC-1 but is currently developed with a single family structure. The proposed wall sits back 2' from the lot line to allow for maintenance and some landscaping. The Board debated having windows in the wall and/or moving the wall. Due to building code requirements, potential future development and the wishes of the neighbors, keeping the wall blank in its current location was determined to be suitable. Treatment of the wall should provide visual interest through subtle color variations of the cement board siding. Art treatment of the wall could be considered.

At the Second Recommendation meeting, the Board was satisfied with the design response that includes a variation of the color siding and a weeping Alaskan Yellow Cedar vertical hedge at grade within the two foot setback.

- D-6 Screening of Dumpsters, Utilities and Service. 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.**

At the EDG: Utilities and service spaces needed to find their rightful hierarchical space in the scheme of things.

At the Initial Recommendation meeting this guideline was not specifically addressed.

- D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.**

At the EDG: This was expressed as a priority concern by the Board, as in their view it always is, but without particular content or direction.

At the Initial Recommendation meeting the Board wanted to know how the entries work and will be secured. See A-4.

- D-9 Commercial Signage. Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.**

At the Initial Recommendation meeting the Board discussed that any commercial signage at the corner of or along NW 64th St should not be visible from the residential zone to the east.

- 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 the building. Blank walls should be avoided.**

At the EDG: There is a desirable commercial transparency and commercial presence already established along this block front. This should be maintained. The proposed building entry at the southwest corner and the contiguous retail space at the southeast corner need to engage the pedestrian environment forcibly, as this corner of the structure will be highly visible up and down 24th Avenue NW.

At the Initial Recommendation meeting the Board questioned the size of the storefront glazing. They would like to see the verticality of the storefront system lessened at the SW corner along 24th Ave NW and NW 64th Street.

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 EDG: The design team should provide studies of the proposed pedestrian environment on all sides of the proposed development. The applicant should be prepared to present details for a variety of streetscape and pedestrian pathway amenities, including lighting, overhead weather protection, signage and other elements calculated to generate a friendly and lively environment at the perimeter of the site.

Landscaping should be designed with the goal of realizing the prioritized guidelines, should soften the edge conditions where appropriate, and should contribute to an attractive and usable interior open space, courtyard area. The design should incorporate specific treatments to provide for attractiveness and an allure to the pedestrian through-site pathway and establish a genuine neighborhood amenity. The Board would expect to see a comprehensive Landscape Plan, one that treats not only on-site open space and pathways but the streets' edges as well.

At the Initial Recommendation meeting the Board stated they would like to see a green screen around the garage entry at NW 64th Street. They also supported the idea of a greenhouse on the roof and encouraged the applicant to verify this would meet code and pursue the idea. Provide landscaping at the base of the east façade blank wall.

At the Second Recommendation meeting, the Board was supportive of the improved portal design around the garage entry that includes lowered height (8'-6") and a continuation of the retail façade overhead, a landscaped green wall and canopy frame around the garage which will reinforce the pedestrian scale and provide more landscaping. The Board recommended that the person door next to the portal should be a semi-transparent material to allow light through.

DEVELOPMENT STANDARD DEPARTURES

The following departures were requested at the Final Recommendation meeting.

1. **ACCESS TO PARKING. (SMC 23.47A.032.A1c).** The Code allows a maximum of one curb cut for access. The proposed design shows two two-way curb cuts – one along NW 64th St and one on NW 65th St.

The Board discussed this parking access departure request at length and recommended in favor of the request along with the following recommendations:

- a. Restrictive turning movements to and from the NW 65th Street garage entrance. [*Staff Note, such a condition will need to be supported by the analysis of the DPD Senior Transportation Planner*].
- b. Explore with SDOT the possibility of providing a curb bulb at the corner of 24th Ave and NW 65th St to create an enhanced pedestrian environment given the additional curb cut along 65th.

The Board also recommended the following conditions for the NW 65th Street garage entrance:

- c. Installation of real-time signage that indicates whether there is parking available within the garage; OR
- d. Provision of space within the garage to allow for adequate maneuvering space for vehicles that enter the garage when it is full, so that they are able to turn around to exit. This alternative may be accommodated by deleting a parking stall or adjusting the mix of parking stall sizes (see #2 below).

The Board agreed that this departure will result in safer circulation around and within the site (D-7).

2. **PARKING STALL SIZE. (SMC 23.54.030).** The Code requires a percentage of the provided parking stalls to be striped for small, medium and large size vehicles. During the discussion at the Second Final Recommendation meeting, the possibility was discussed for re-striping the stalls within the garage off of NW 65th St to accommodate the turnaround maneuvering space discussed above, while also maintaining the same number of stalls. The Board voted unanimously in favor of such a departure provided that such efforts result in the provision of turnaround maneuvering space and the same number of stalls.

The Board agreed that this departure will result in safer circulation around and within the site (D-7).

3. **DRIVEWAY WIDTH. (SMC 23.54.030.D):** As part of the Board deliberation over the second access point, the Board recommended that the driveway width along NW 65th St be reduced from the 22 foot requirement, to 20 feet in width to minimize the intrusion of this second curb cut on the pedestrian environment.

For these reasons, the Board voted unanimously in favor of the departure. (A-4, D-7)

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

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

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

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

BOARD RECOMMENDATIONS

At the conclusion of the Recommendation meeting in January 28, 2013, the Board recommended approval of the project with the following conditions:

1. The portal around the garage entry should be further developed to provide a better human scale and more landscaping. Guidelines A-5, C-5, E-2.
2. The east edge of the roof should not be accessible to users to preserve privacy of properties to the east. Guideline A-5.
3. The solid base material around the building should be ribbed concrete. A natural concrete color is preferred over the red color. Guidelines C-2, C-4.
4. Screen the courtyard from the abutting property with the water feature and landscaping. Design both so they will work if future development of the abutting property is to the lot line. Guideline A-5.
5. Reduce the solid parapet at the south corner of the west façade. Guideline B-1.
6. Minimize the height of the storefronts at the southern portion of the 24th Ave NW façade and along NW 64th St. Pull the siding material down to the top of the canopy. Guidelines C-3, D-11.
7. Keep the east façade blank wall 2'-3' back from the property line. Provide visual interest with subtle color variations of the cement board siding. Provide vertical type landscaping at the base. Guidelines A-5, D-2 and E-2.

At the conclusion of the Recommendation meeting in March 18, 2013, the Board recommended approval of the project with the following conditions:

1. The ground level courtyard design should include a focal point on the far wall along the east property line with the water feature and landscaping to provide a visual terminus as viewed from the residential entry area. (A-5)
2. The person door next to the portal along NW 64th St should be a semi-transparent material to allow light through. (E-2)

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

Five members of the Northwest Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3). The Director agrees with and accepts the conditions recommended by the Board that further augment the selected Guidelines.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. The Director of DPD has reviewed the decision and recommendations of the Design Review Board made by the five members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions

imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board. The Director is satisfied that all of the recommendations imposed by the Design Review Board have been met.

Director's Decision

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

SEPA ANALYSIS

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).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated November 8, 2012. The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant, reviewed the project plans and any additional information in the file, and pertinent comments which may have been received regarding this proposed action have been considered.

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

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, 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.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality.

PUBLIC COMMENT:

The public comment period ended on October 14, 2012 and December 12, 2012 when it was renoticed due to adding additional parking spaces. Public comments were received.

SHORT TERM IMPACTS

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

Air

Greenhouse gas emissions associated with development come from multiple sources; the extraction, processing, transportation, construction and disposal of materials and landscape disturbance (Embodied Emissions); energy demands created by the development after it is completed (Energy Emissions); and transportation demands created by the development after it is completed (Transportation Emissions). Short term impacts generated from the embodied emissions results in increases in carbon dioxide and other greenhouse gases thereby impacting air quality and contributing to climate change and global warming. While these impacts are adverse they are not expected to be significant. The other types of emissions are considered under the use-related impacts discussed later in this document. SEPA conditioning is not necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675.A.

Noise

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends. Some of the surrounding properties are developed with housing and will be impacted by construction noise.

The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM, unless modified through a Construction Noise Management Plan, to be determined by DPD prior to issuance of a demolition, grading, or building permit, whichever is issued first.

Construction Parking and Traffic

During construction, parking demand is expected to 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.

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The immediate area is subject to traffic congestion during the PM peak hours on 24th Ave NW and nearby arterials, and large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic.

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted.

To mitigate construction parking impacts and other haul truck trip impacts, the applicant shall submit a Construction Haul Route and Construction Parking Plan for approval by Seattle Department of Transportation. This plan may include a restriction in the hours of truck trips to mitigate traffic impacts on nearby arterials and intersections. Evidence of this approved plan shall be provided to DPD prior to the issuance of demolition, grading, and building permits.

LONG TERM IMPACTS

Long term or use-related impacts are also anticipated as a result of this proposal, including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

Historic Preservation

The Department of Neighborhoods indicated the structures on site is unlikely to qualify for historic landmark status (Landmarks Preservation Board letter, reference number LPB 26/13). Therefore, no mitigation is warranted for historic preservation.

Parking and Traffic

As part of the environmental checklist, three transportation analysis were submitted by Transpogroup as the scope of the project changed. The latest report was generated in April 2013 (Transportation Impact Analysis, Ballard Lofts).

The project is expected to generate a net total of 505 daily vehicle trips, with 36 net new PM Peak Hour trips. Approximately 61 driveway trips are to be expected during the peak hour. Level of service analysis was performed for nearby intersections. That analysis showed that project traffic would represent approximately 4% or less of the weekday PM peak hour traffic volumes at all the offsite study intersections.

The parking analysis indicated that the amount of proposed parking (72 spaces) will most likely not accommodate the peak residential parking demand and has a potential overspill of 6 vehicles during overnight hours. Visitors for residential and commercial uses on the site may create demand for an additional vehicles. The Transportation Impact Analysis indicated there are a minimum of 66 spaces available during the evening hours within a short walking distance of the project.

DPD's Transportation Planner has reviewed the Traffic and Parking Analysis and determined that the additional peak hour trips and parking demand do not contribute significant adverse impacts requiring mitigation. Accordingly, no mitigation of impacts disclosed in this section is required.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the projects' 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 due to the relatively minor contribution of greenhouse gas emissions from this project.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

DETERMINATION OF NONSIGNIFICANCE

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

- 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 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW [43.21C.030](#) (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC [197-11-355](#) and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

SEPA - CONDITIONS OF APPROVAL

Prior to Issuance of a Demolition, Grading, or Building Permit

1. The applicant shall provide a copy of a Construction Haul Route and Construction Parking Plan, approved by Seattle Department of Transportation and DPD.
2. If the applicant intends to work outside of the limits of the hours of construction described in condition #3, a Construction Noise Management Plan shall be required, subject to review and approval by DPD, and prior to a demolition, grading, or building permit, whichever is issued first. The Plan shall include proposed management of construction related noise, efforts to mitigate noise impacts, and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short - term transportation impacts that result from the project.

During Construction

3. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7 am to 6 pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9 am and 6 pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. This condition may be modified through a Construction Noise Management Plan, required prior to issuance of a building permit as noted in condition #2.

DESIGN REVIEW - CONDITIONS OF APPROVAL

Prior to Issuance of MUP

4. Provide an easement recorded with King County to provide a 2' by 53'-10 1/2" planting strip and a 4'-5" by 45'-11" setback area as shown on the plans, on the lot east of and adjacent to the subject site, know as 2248 NW 64th Street.
5. The ground level courtyard design should include a focal point on the far wall along the east property line with the water feature and landscaping to provide a visual terminus as viewed from the residential entry area.
6. The person door next to the portal along NW 64th St should be a semi-transparent material to allow light through.

Prior to Certificate of Occupancy

7. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Beth Hartwick 206 684-0814 or beth.hartwick@seattle.gov).
8. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the Land Use Planner (Beth Hartwick 206 684-0814 or beth.hartwick@seattle.gov).

For the Life of the Project

9. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Beth Hartwick 206 684-0814 or beth.hartwick@seattle.gov).

Signature: (signature on file) Date: July 25, 2013
Beth Hartwick
Senior Land Use Planner
Department of Planning and Development