



**City of Seattle**  
Edward B. Murray, Mayor

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**Department of Planning and Development**  
D. M. Sugimura, Director

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

**Application Number:** 3016160

**Applicant Name:** Marsha Mawer-Olson, Caron Architects for 7016 Ocean Blue LLC

**Address of Proposal:** 7016 15<sup>th</sup> Ave NW

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a 5 story structure containing 89 residential units above 2,460 sq. ft. of commercial space and 4 live-work units. Parking for 49 vehicles to be provided at grade. Existing structures to be demolished. Approx. 4,220 cu. yds. of soil will be removed from the site.

The following approvals are required:

**Design Review** pursuant to Chapter 23.41, Seattle Municipal Code, with Departures:

**Development Standard Departures** from Street Level Development Standards (SMC23.47A.008.B.3 & 4)

**Development Standard Departures** from Landscaping and Screening Standards (SMC23.47A.016.D.1.a.2 & SMC23.47A.016.D.1.c.2)

**Development Standard Departure** from Residential Setbacks (SMC23.47A.014.B.3.b)

**Development Standard Departures** from Parking Space Standards (SMC23.54.030.E & SMC23.54.030.F.2.b.2)

**SEPA – Environmental Determination** – Chapter 25.05, Seattle Municipal Code.

**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

Site Zone: Neighborhood Commercial 2P-40 (NC2P-40)  
The zoning changed from an NC2-40 zone on 6/14/15, which is the zone the project is vested to.

Nearby Zones: Directly to the north, south and west along 15<sup>th</sup> Ave NW the zone is a NC2P-40. Directly to the east the zoning is SF 5000 and LR2-RC. In the broader context, to the north, east and west, a half block off of 15<sup>th</sup> Ave NW the zoning is SF5000.

Lot Area: 23,375 square feet.

Environmentally Critical Areas: None

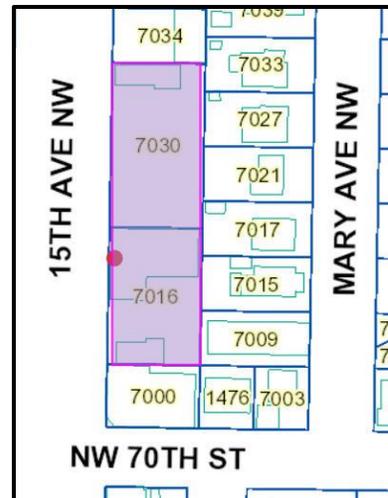
Access: The site is bordered by 15<sup>th</sup> Ave. NW.

Current Development: A single-story commercial structure, a two-story mixed use building, a single family residence converted to a multifamily use and surface parking.

Surrounding Development: Directly to the north is a single-story structure built in 1942 currently used as a drinking establishment. To the south is a commercial use in a recently renovated, single-story brick building constructed in 1927. At the rear of the site, to the east, are one story single family residences built in the first half of the 20<sup>th</sup> century, and a single story brick apartment building in the LR2 zone.

Across 15<sup>th</sup> Ave NW are older single story commercial buildings and single family residences converted into commercial or multi-family uses.

Neighborhood Character: 15th Ave NW is a busy arterial that connects the northwestern neighborhoods of Seattle to areas south of the Ship Canal and downtown. This section of 15th Ave NW is under-developed and consists of older, mostly single story, commercial structures interspersed with single family residences converted to apartments or commercial space. Many of the businesses along 15th Ave NW Ave. are not pedestrian oriented. In contrast, in the LR2 RC zone around the corner from the site on NW 70th St., many of the older one-story commercial buildings are occupied by small restaurants and retail uses. This has created a vibrant micro-neighborhood that attracts people from beyond the area. Outside of the commercial zones, the neighborhood is developed with smaller single family residences. The Rapid Ride bus line D runs along 15<sup>th</sup> Ave NW. Salmon Bay Park is located a couple blocks to the west and Ballard High School and the Ballard pool are located a few blocks to the south.



## **DESIGN REVIEW**

### **EARLY DESIGN GUIDANCE MEETING: January 13, 2014**

The EDG packet includes materials presented at the EDG meeting, and is available online by entering the project number (3016160) at this website:

<http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/SearchPastReviews/default.aspx>

The EDG packet is also available to view in the project file (project number 3016160), 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](mailto:PRC@seattle.gov)

## **PRESENTATION**

At the EDG meeting, the applicant presented the three options shown in the packet, available online.

The applicant clarified that in Options A and C, a green screen will be provided at the east property line to screen the parking from the abutting residential properties. This is in lieu of the code required landscaping and fence shown in code compliant Option B. The roof deck is located at the southern portion of the structure to take advantage of the views.

## **PUBLIC COMMENT**

The following comments, issues and concerns were raised during the public comment portion of the Early Design Guidance meeting:

- Encouraged providing trees and an increased setback between the street and building as 15<sup>th</sup> Ave NW is very busy.
- Stated that it is odd the development team does not think commercial uses at street level are viable.
- Encouraged a design that would carry the commercial street life on NW 70<sup>th</sup> St around the corner and up 15<sup>th</sup> Ave NW.
- Preferred the overall design of Option A, and the courtyard shown in Option B.
- Encouraged providing screening of the parking along the east property line adjacent to the residential zone.
- Discouraged balconies along the east elevation.
- Encouraged moving the roof deck away from the residential zones.
- Stated that a barrier is needed to make sure vehicles would not be able to cross onto the abutting residential properties.
- Expressed that the proposed project is an improvement over the current use of the site.

## **PRIORITIES & BOARD RECOMMENDATIONS**

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance.

**EARLY DESIGN GUIDANCE: January 13, 2014**

1. **Building Massing:** The applicant presented three different massing options. The Board liked both Option A and the applicants preferred Option C. Option A separates the commercial and residential uses with a well-defined architectural feature the applicant is calling a “bar” or “wrap”. The wrap breaks and shifts as grade changes along 15<sup>th</sup> Ave NW to allow the massing to stay within the allowable height limit. Option C proposes a courtyard at the residential entry off of 15<sup>th</sup> Ave NW and a second courtyard off the parking area on the east side of the structure. The courtyards provide the predominate break in the building massing. The commercial uses are set back from the lot line and the residential façade overhead. (B-1)
  - a. The Board expressed that the applicant should move forward with the design using the massing shown in either Option A or C. There was some skepticism of the viability of the street facing courtyard as an amenity space.
  - b. The Board noted that the project responds well to the constraints of the site except for the east side. The applicant should consider softening up the massing in response to the adjacent residential uses. It was expressed that the east side of Option A had a more residential scale.
  - c. The Board expressed a like of the roof treatment of Option A.
2. **Screening of Parking:** The parking at the rear of the site is surface parking. Code requires screening and landscaping of surface parking when it abuts a residential zone. The applicant is asking for departures from these requirements and proposing a green screen at the property line. The Board indicated that they preferred the landscaping and screening shown in the code compliant option. (A-5, E-2)
  - a. The applicant should provide screening and a planting strip with landscaping and trees at the east lot line where the parking is close to grade with the adjacent properties.
  - b. Where there will be a significant grade change between the residential properties to the east and the parking level, the applicant should provide tree wells and landscaping at the higher level.
  - c. The applicant should decrease the depth of the Live/Work units to provide area for screening and landscaping of the parking meeting code requirements.
3. **Relationship to the Street at Ground Level:** The Board expressed that the design of the street level along 15<sup>th</sup> Ave NW should take its cues from the commercial storefronts along NW 70<sup>th</sup> St. (D-1)
  - a. The applicant should provide a more generous setback from the property line at the live/work units. If needed, decrease the depth of the Live/Work units to provide this area.
  - b. If provided, the entry courtyard should be designed to be a usable space for the tenants and discourage unwanted public use.
4. **Materials:** The Board encouraged the project to use the type and quality of materials shown in the examples on page 9 of the EDG packet. (C-4)
  - a. The applicant should show what materials are being proposed for the blank north and south elevations.

- b. Consider pulling the south façade back from the property line and providing windows as the adjacent single-story property was recently renovated.
5. **At the Recommendation meeting, the applicant should provide the following additional information:**
- a. A rendering of the east elevation.
  - b. A rendering showing the project looking south along 15<sup>th</sup> Ave NW.
  - c. A rendering at eye level looking north, showing the east elevation and surface parking area at the lowest elevation point.
  - d. A rendering of the green screen fence.
  - e. A full landscape plan of the parking level, street level and roof deck.
  - f. A full materials board.

### **RECOMMENDATION MEETING: July 14, 2014**

The Recommendation packet includes materials presented at the Recommendation meeting, and is available online by entering the project number (3016160) at this website:

<http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/SearchPastReviews/default.aspx>

The Recommendation packet is also available to view in the project file (project number 3016160), by contacting the Public Resource Center at DPD:

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

**Email:** [PRC@seattle.gov](mailto:PRC@seattle.gov)

### **PUBLIC COMMENT**

The following comments, issues and concerns were raised during the public comment portion of the Recommendation meeting:

- Concerned about potential noise from the roof top deck.
- Concerned about the loss of solar access on nearby garden.
- Concerned about the impact of development on animals.
- Did not support the proposed exterior color palette, would prefer calmer colors.
- Questioned the maturity level of the landscape buffer to be provided between the proposed developments and abutting residential zoned properties. [The applicant stated the proposed green screen planting will be fast growing and trees will be 8' to 9' in height when planted.]
- Suggested clematis as a vine and advised against ivy being planted.

## **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.

### **RECOMMENDATION MEETING: July 14, 2014**

1. **Materials and Color Palette:** Most of the Board's guidance revolved around the proposed color palette of the exterior facades. There was discussion about the use of cement board with two Board members concerned about its extensive use as the primary exterior material. The Board agreed that the applicant should work with the Land Use Planner on determining a more muted color palette for the east side. (C-4)
  - a. Consider a material change from the proposed cement board, especially at the parapet. (C-2, C-4)
  - b. Avoid 'natural' materials used in other Ballard projects as they are not aging well. (C-4)
  - c. Concerned that the proposed brick color will read as CMU and not brick. (C-4)
  - d. Modify the color palette on the east elevation facing the residential zones. (C-4)
  - e. The west façade design is suitable for 15<sup>th</sup> Ave NW. (C-4)
  - f. Encouraged the reference to the buff colored brick of the existing building to the south. (C-4)
  - g. Consider a more natural shade of yellow. (C-4)
  
2. **Relationship to Residential Zones:** The Board agreed that having landscaped open parking abutting the residential properties was preferable to having enclosed parking within a structure along the east property line. They encouraged the applicant and development team to talk to the residential property owners to the east to get feedback on what type of plantings they would prefer along the east property line. (A-5, A-8, E-2)
  - a. Provide a green screen on the east elevation of the concrete retaining wall where it faces the residential lots. (A-8, E-1, E-2)
  - b. Provide low maintenance landscaping along the east property line. (E-1, E-2)
  - c. Juliette balconies on the east elevation should not protrude more than 2' from the building. (A-5)
  - d. Shift the roof top amenity deck to the west, away from the residential zone. (A-5)

### **DESIGN REVIEW GUIDELINES**

The priority Citywide guidelines identified by the Board as Priority Guidelines are summarized below, while all guidelines remain applicable. For the full text please visit the [Design Review website](#).

#### **Site Planning**

- A-2 **Streetscape Compatibility.** The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.
- A-4 **Human Activity.** New development should be sited and designed to encourage human activity on the street.

- A-5 **Respect for Adjacent Sites.** Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.
- A-8 **Parking and Vehicle Access.** Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.

## **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.

## **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.
- C-3 **Human Scale.** The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.
- C-4 **Exterior Finish Materials.** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.
- C-5 **Structured Parking Entrances.** The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

## **D. Pedestrian Environment**

- D-1 **Pedestrian Open Spaces and Entrances.** Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.
- D-2 **Blank Walls.** Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.
- D-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.

## 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.

### **DEVELOPMENT STANDARD DEPARTURE**

The Board's recommendation on the requested departures was based upon the departure's potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departure.

At the Recommendation Meeting eight departures were requested:

- 1. Street Level Development Standards (SMC23.47A.008.B.3):** The Code requires an average depth of at least 30' for street level non-residential uses. The applicant is proposing a depth of 26'-6" for the retail space and live/work units along 15th Ave NW.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines **A-5 Respect for Adjacent Sites, A-8 Parking and Vehicle Access, D-1 Pedestrian Open Spaces and Entrances, and E-2 Landscaping to Enhance the Building and/or Site.** The design provides depth for landscaping at the surface parking and a setback from the street property line for landscaping.

The Board voted unanimously to grant this departure.

- 2. Street Level Development Standards (SMC23.47A.008.B.4):** The Code requires a floor-to-floor height of at least 13' for street level non-residential uses. The applicant is proposing a floor-to-floor height of 11' for two commercial spaces, and 12' for one commercial space. Three live work units will include mezzanines that begin 17'-6" from the street façade. One unit will have a floor-to-floor height of 8'-5" below the mezzanine and 8'-0" at the mezzanine level. One unit will have a floor-to-floor height of 9'-2" below the mezzanine and 8'-0" at the mezzanine level. One unit will have a floor-to-floor height of 10'-2" below the mezzanine and 8'-0" at the mezzanine level.

This departure would provide an overall design that would better meet the intent of Design Review Guideline **C-2 Architectural Concept and Consistency.** The design provides for a continuous floor line at the residential levels above the street level.

The Board voted unanimously to grant this departure.

- 3. Landscaping and Screening Standards (SMC23.47A.016.D.1.a.2):** The Code requires a certain amount of landscaping when surface parking is provided for 20 or more vehicles. The landscaped area is required to be at least 4' in length or width. The applicant is proposing a landscape strip along the east property line that has a width of 3'.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines **A-5 Respect for Adjacent Sites, A-8 Parking and Vehicle Access, and E-2**

**Landscaping to Enhance the Building and/or Site.** The design provides area for landscaping and trees along the east property line while also providing depth for parking requirements and street level commercial uses, and avoids an enclosed parking structure abutting the residential properties to the east.

The Board voted unanimously to grant this departure.

- 4. Landscaping and Screening Standards (SMC23.47A.016.D.1.c.2):** The Code requires 6' high screening and a 5' wide landscaped area inside the screening, when a lot abuts a residential zone. The applicant is proposing a 3' wide landscaped area.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines **A-5 Respect for Adjacent Sites, A-8 Parking and Vehicle Access, and E-2 Landscaping to Enhance the Building and/or Site.** The design provides area for landscaping and trees along the east property line while also providing depth for parking requirements and street level commercial uses and avoids an enclosed parking structure abutting the residential properties to the east.

The Board voted unanimously to grant this departure.

- 5. Landscaping and Screening Standards (SMC23.47A.016.D.1c.2):** The Code requires 6' high screening and a 5' wide landscaped area inside the screening, when a lot abuts a residential zone. The applicant is proposing that for the elevated northern portion of the landscaping strip along the east property line the landscaping be located outside the screening.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines **A-5 Respect for Adjacent Sites, A-8 Parking and Vehicle Access, and E-2 Landscaping to Enhance the Building and/or Site.** The design provides landscaping that will abut and be level with the adjacent residential lots providing better screening, and landscaping that will be visible.

The Board voted unanimously to grant this departure.

- 6. Residential Setbacks. (SMC 23.47A.014.B.3.b):** The Code requires, for a structure containing a residential use that abuts the rear lot line of a lot in a residential zone a 15' setback for portions of the structure above 13' in height and an additional setback at the rate of 2' for every ten feet of height above 40'. The applicant is proposing the southern portion of the east facade to exceed the allowed 40' in height by 1.08'.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines **C-2 Architectural Concept and Consistency.** The Board indicated they were willing to grant this departure as the structure is providing an adequate setback from the residential zones and the departure will allow for architectural consistency of the proposed design and development.

The Board voted unanimously to grant this departure.

- 7. Parking Space Standards (SMC23.54.030.E.):** The Code requires that the parking aisle width for the proposed parking layout be 22' wide. The applicant is proposing a width of 20'.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines **A-8 Parking and Vehicle Access, and E-2 Landscaping to Enhance the Building and/or Site**. The design allows more depth for landscaping and trees along the east property line and street-facing street-level commercial uses on a narrow site.

The Board voted unanimously to grant this departure.

- 8. Parking Space Standards (SMC23.54.030.F.2.b.2):** The Code requires for non-residential parking access a curb cut a minimum width of 22' for two way traffic. The applicant is proposing a curb cut width of 20'-0".

This departure would provide an overall design that would better meet the intent of Design Review Guidelines **A-8 Parking and Vehicle Access** and **C-5 Structured Parking Entrances** by reducing the size of the curb cut and presence of the garage entry along 15<sup>th</sup> Ave NW.

The Board voted unanimously to grant this departure.

### **BOARD RECOMMENDATIONS**

The recommendation summarized below was based on the design review packet dated July 14, 2014, and the materials shown and verbally described by the applicant at the July 14, 2014 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, three Design Review Board members recommended **APPROVAL** (one Board member declined approval) of the subject design and of departures with the following conditions:

1. Modify the color palette on the east elevation facing the residential zones to a more muted palette. (C-4)
2. Provide a green screen on the east elevation of the concrete retaining wall where it faces the residential lots. (A-8, E-1, E-2)
3. Provide low maintenance landscaping along the east property line where the landscaping will be difficult to access. (E-1, E-2)
4. Juliette balconies on the east elevation should not protrude more than 2' from the building. (A-5)
5. Shift the roof top amenity deck to the west, away from the residential zones. (A-5)

### **ANALYSIS & DECISION – DESIGN REVIEW**

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.*

### Director's Analysis

Four members of the Northwest Design Review Board were in attendance and three of those members 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 three members present at the decision meeting who approved the design and finds that they are consistent with the City of Seattle Design Review Guidelines. 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.

Applicant response to Recommended Design Review Conditions:

- 1. The applicant responded on the plans with an east elevation showing the composite material in a lighter, paler yellow than the bold yellow color on the other elevations, therefore satisfying recommendation #1.*
- 2. This condition has not been fully met in the MUP set and will be a condition of the building permit (see conditions at the end of the decision).*
- 3. The applicant responded on the plans specifying low maintenance landscaping where the landscaping will be difficult to access, therefore satisfying recommendation #3.*
- 4. The applicant responded on the plans, dimensioning the Juliette balconies at 1' from the building and noting that no balconies shall be deeper than 2', therefore satisfying recommendation #4.*
- 5. The applicant responded on the plans, showing the roof top amenity deck shifted to the east, therefore satisfying recommendation #5.*

The Director is satisfied that conditions 1, and 3-5 of the recommendations imposed by the Design Review Board have been met. The Director accepts the Design Review Board's recommendations. Condition 2 will be fully met prior to issuance of the building permit.

### Director's Decision

The Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departures with the conditions summarized at the end of this Decision Board that further augment the selected Guidelines.

## **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 (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 2/4/2014. The Department of Planning and Development (DPD) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or its agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 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.

Under such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts in appropriate.

### **Public Comment:**

The public comment period ended on April 2, 2014. In addition to the comment(s) received through the Design Review process, other comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to parking and landscaping. Other comments were received that are beyond the scope of this review and analysis per SMC 25.05.

### **Short Term Impacts**

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: 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. The following analyzes construction-related noise, greenhouse gas, air quality, construction traffic and parking impacts, as well as mitigation.

### Noise

The project is expected to generate loud noise during demolition, grading and construction. The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development 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 and legal holidays in Neighborhood Commercial zones.

If extended construction hours are desired, the applicant may seek approval from DPD through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated.

A Construction Management Plan will be required, including contact information in the event of complaints about construction noise, and measures to reduce or prevent noise impacts. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>. The limitations stipulated in the Noise Ordinance are sufficient to mitigate noise impacts; therefore no additional SEPA conditioning is necessary to mitigation noise impacts per SMC 25.05.675.B.

### 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 expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project. Therefore no further mitigation is warranted pursuant to SMC 25.05.675.F

### 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 and parking (SMC 25.05.675. B and M).

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted and a Construction Management Plan is required, which will be reviewed by Seattle Department of Transportation and DPD. The requirements for a Construction Management Plan include a Haul Route and a Construction Parking Plan. The submittal information for a Construction Management Plan and review process for Construction Management Plans are described here: <http://www.seattle.gov/transportation/cmp.htm>.

### 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 is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by

SEPA policies. However, greenhouse gas emissions; height, bulk and scale; traffic and transportation; and parking impacts warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant, therefore, no further mitigation is warranted pursuant to SMC 25.05.675.F

Height, Bulk & Scale

The project went through a Design Review process which addressed the issue of Height, Bulk & Scale; see the above Design Review Analysis for details of the process and design changes.

Pursuant to SEPA Policy 25.05.675.G.2.c: Height, Bulk and Scale, "the Citywide Design Guidelines (and any Council-approved, neighborhood Design Guidelines) are intended to mitigate the same adverse height, bulk and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review process is presumed to comply with the 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 that have undergone design review shall comply with the design guidelines applicable to the project." Additional SEPA Mitigation of height, bulk and scale is not warranted under SMC 25.05.675.G.

Traffic and Parking

The applicant submitted a Traffic and Parking Study by William Popp Associates dated July, 24, 2014. The numbers used by the consultant were 83 residential units, 5 live/work units, 2,027 sq. ft. of office use and 1,589 sq. ft. of retail, which is slightly different than the proposed 89 residential units, 4 live/work units, and 2,460 sq. ft. of office use.

The study analyzed the proposed uses and the existing uses to determine the new daily trip generation. The project is anticipated to generate 390 new daily trips, with 25 new AM trips and 33 new PM peak hour trips.

It was determined the project's traffic impact on the surrounding streets would remain under the Transportation Concurrency Level of Service for the City.

The DPD Transportation Planner reviewed the information and determined that while these transportation impacts are adverse, they are not expected to be significant; therefore, no further mitigation is warranted per SMC 25.05.675.R.

The project is providing 47 parking spaces. The Traffic Report noted that the parking demand for this development is anticipated to be 47 parking spaces. This number of parking spaces accommodates all of the anticipated parking demand, and no additional mitigation is warranted per SMC 25.05.675.M.

### **DETERMINATION OF NON-SIGNIFICANCE**

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. Provide a Construction Management Plan that has been approved by SDOT. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>.

### **DESIGN REVIEW - CONDITIONS OF APPROVAL.**

#### **Prior to Issuance of a Building Permit**

2. Provide a green screen on the east elevation of the concrete retaining wall where it faces the residential lots.

#### **Prior to Certificate of Occupancy**

3. 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](mailto:beth.hartwick@seattle.gov)).

For the Life of the Project

4. 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](mailto:beth.hartwick@seattle.gov)) or a DPD assigned Land Use Planner.

Beth Hartwick, Senior Land Use Planner  
Department of Planning and Development

Date: December 7, 2015

BH:drm

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**IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT**

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at [prc@seattle.gov](mailto:prc@seattle.gov) or to our message line at 206-684-8467.