



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

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

Application Number: 3003579
Applicant Name: Brittani Ard for DC Granger Construction
Address of Proposal: 1006 N 39th ST

SUMMARY OF PROPOSED ACTION

Land Use Application to establish use for future construction of eight ground related townhouse structures (four duplex townhouse structures). Existing structure to be demolished. A future unit lot subdivision is planned for the site, which will be reviewed separately under DPD # 3003973. Project includes 1,125 cubic yards of grading (985 cu yds of cut and 140 cu yds of fill).

The following approval is required:

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

BACKGROUND DATA

Zoning: Lowrise Two (L2)
Proposed Use: Ground Related Townhomes
Public Comment: The comment period for this proposal ended on July 11th, 2006. During the public comment period, DPD received five written comments related to the project and some phone calls. Comments were related to height of the proposed structures, view blockage, and noise impacts.

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).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated November 8th, 2005. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant and reviewed the project plans and any additional information in the file. As indicated in the checklist, 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 with the introduction of proper conditions. A discussion of these impacts is warranted.

Short - term Impacts

Construction activities for the townhomes could result in the following adverse impacts: construction dust, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers' vehicles. Several construction related impacts are mitigated by existing City codes and ordinances applicable to the project, such as the Noise Ordinance, the Street Use Ordinance and the Building Code. Considering the residential character of the area and to minimize the impact of construction impact to the area, the applicant has provided a construction management plan. Conditioning is appropriate to ensure that certain elements of the plan are part of the MUP plans. The following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

The character of the area is residential in nature and as a result the construction-related noise will have an impact on the surrounding residents. The times allowed for construction per the Noise Ordinance (SMC 25.08) are found to be inadequate to mitigate the noise impacts on the residents in the neighborhood. Thus proper conditioning is warranted.

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Seattle's Department of Transportation, and no further SEPA conditioning is needed.

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). The grading activities associated with the initial site work could add particulates to the air that can be mitigated by simply watering down the site during these grading activities. Conditioning authority is warranted to ensure the site is wet during grading activities to reduce the amount and affect of air borne debris on the surrounding community.

The demolition of the existing residential structure on site requires a permit from the Puget Sound Clean Air Agency (PSCCA). As a result, proper conditioning is warranted to ensure compliance with PSCCA requirements.

Long - term Impacts

The following long-term or use-related impacts, increased demand on public services and utilities; increased light and glare; and increased energy consumption are not considered adverse, as other City Departments review the feasibility of these issues. Additional land use and parking/traffic impacts which may result in the long-term are discussed below.

Parking

Eight spaces parking spaces are required by the Land Use Code (SMC 23.54) and eight spaces are proposed for the development. Analysis of the parking demand is necessary considering the context and scope of the project. According to the Institute of Transportation Engineers (ITE) 3rd Edition (2004), for residential condominium/townhouse land uses the average parking supply ratio is 0.98 spaces per dwelling unit. The table below summarizes ITE’s anticipated parking demand for the development considering both suburban and urban data:

Parking Demand Analysis

Urban Setting			
Structure Type	# of Units	ITE Demand	Total Demand
<i>Townhouse (not rented)</i>	8	.98 / Unit	
<i>Total</i>	8	NA	7.84 spaces
Suburban Setting			
Structure Type	# of Units	ITE Demand	Total Demand
<i>Townhouse (not rented)</i>	8	1.46 / Unit	
<i>Total</i>	8	NA	11.68 spaces

Data for suburban sites under the same land use (residential Condominium/Townhouse) shows 1.46 vehicles per dwelling unit demand. In the suburban scenario, 11.68 or 12 parking spaces would generate a spill over of around 4 vehicles. Additional information was required by the applicant to ensure that any spill over parking that may occur can be accommodated by the street system.

A correction was issued by the Department requesting the applicant provide an existing condition parking demand analysis. The area of analysis is as follows: along the east side of Whitman Ave N between N 39th and N 40th Streets; along both sides of Whitman Ave N between Bridge Way N and N 39th St; along both sides of N 39th St between Aurora Ave N and Woodlawn Park Ave N. The applicant conducted these studies at or past 9 pm on a two week day (not on Fridays). Out of the areas studied a total area approximately 76 legal street parking spaces are available as a whole. The two counts showed that 46 and 43 spaces were used respectively at the survey times. This results in a 44.5 average when divided by the 76 spaces

total yields parking saturation of 58.5% for the study area. Site visits were also conducted by the planner and parking spaces were available in the study area during weekday evening times. Even if the development created the four spills over spaces anticipated for a suburban setting, it could be accommodated in the street parking. As a result, no mitigation required for the development for parking impacts.

Traffic and Transportation

This surrounding area is heavily served by transit being near Stone Way N, Aurora Ave N and Bridge Way N. The amount of traffic expected to be generated by this proposal is within the capacity of the streets in the immediate area and therefore, no SEPA mitigation is warranted for traffic impacts.

Summary

In conclusion, adverse effects on the environment resulting from the proposal are anticipated to be non-significant. Meeting the conditions found at the end of this document pursuant to SEPA policies will mitigate adverse impacts identified from the development.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

DECISION - SEPA

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

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (C).

CONDITIONS - SEPA

Prior to Issuance of the Building Permit

1. Add a note to the site plans stating that construction vehicles must enter the site from the alley unless certain construction activities make it infeasible.

Prior to Issuance of any Demolition Permit (non-appealable)

2. The owner(s) and/or responsible party(s) shall provide documentation to DPD that Puget Sound Clear Air Agency (PSCAA) has received all information necessary to assess and mitigate likely air impacts at least 10 days in advance of the demolition of any structures on site greater than 120 sq. ft.

During Construction

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

3. All construction activities shall be limited to non-holiday weekdays from 7:00 a.m. and 6:00 p.m. and Saturdays from 9:00 a.m. to 6:00 p.m. Other than surveying, surveillance and securing the site (no grading), work on Sundays is not permitted. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residential units, no major noise creating work such as those listed below, is permitted on Saturdays from 9:00 a.m. to 6:00 p.m.:
 - Pile driving.
 - Grading with heavy machinery.
 - Concrete pouring.
 - Jack hammering.
 - Use of gas generators without the use of hay bales to baffle noise.
4. After the parking court is completed worker parking and all related vehicles shall use it for off site parking to relief parking congestion from the street.

Signature: _____ (signature on file)
Lucas DeHerrera, Land Use Planner
Department of Planning Development

Date: August 10, 2006