



# City of Seattle

Gregory J. Nickels, Mayor

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

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

**Application Number:** 3004649

**Applicant Name:** Kelly Foster

**Address of Proposal:** 3433 Meridian Avenue N

### **SUMMARY OF PROPOSED ACTION**

Land Use Application to allow four four-unit structures (16 units total). Surface parking for five vehicles and parking for 16 vehicles to be provided within the structures (21 parking spaces total). Existing 6,923 square foot structure is to be removed. Future unit lot subdivision will create 16 fee-simple lots.

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: Residential, Multifamily Lowrise 2 (L-2)

Date of Site Visit: September 8, 2006

Uses on Site: A 3-story boarding home

Substantive Site Characteristics:

This 19,223 square foot subject site is a rectangular corner lot that fronts on N 35<sup>th</sup> Street to the north and Meridian Ave N to the east. The site is located within an area zoned Residential, Multifamily Lowrise 2 (L-2) which continues to the west and east. The area adjacent to the south is zoned Commercial 1 with a height limit of 40 feet (C1-40). The area adjacent to the north is zoned Single Family 5000 (SF5000). The uses in the area include a combination of single-family and multiple-family residences.

The entire site is elevated approximately 4 feet above the sidewalk to the east, and is relatively flat. The site is not located in any mapped environmentally critical area.

There is an existing 3-story wood boarding house which was constructed in 1900 on the northwestern portion of the lot. This approximately 6,923 square foot structure is proposed to be removed. There

were two mature deciduous trees on the northern boundary of the lot, however, one blew down in December 2006. There are also some smaller trees, shrubs, and lawn on the site.

Proposal Description:

The applicant proposes to demolish the existing boarding house and construct four 4-unit townhouse buildings. Pedestrian access to the units shall be provided either from street frontage or by the vehicle easement. Two of the 4-unit buildings will have street frontage on Meridian Avenue N, with the additional 2 buildings located to the west of these structures. Vehicular access to all units will be provided via a shared ingress and egress easement (with the lot to the south) which runs west from Meridian Avenue N to an area between the proposed buildings. Required parking will be provided by 16 parking stalls provided within the buildings and can be accessed via this easement. There will also be 5 surface parking stalls, which are not located together, but are spread throughout the project site adjacent to the different structures.

A future unit lot subdivision application will allow fee-simple property transactions of each individual townhouse unit and the lot on which it is located. This action is contemplated in this decision.

Public Comment:

The comment period for this proposal ended on August 9, 2006. During this period, no written comment letters related to this project were received.

**ANALYSIS - SEPA**

Environmental review resulting in a Threshold Determination is required pursuant to the 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 June 25, 2006. The information in the checklist, project plans, and the experience of the lead agency with 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, 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 certain limitations or circumstances (SMC 25.05.665 D 1-7), mitigation can be considered. A more detailed discussion of some of the potential impacts from this short plat follows.

Short-Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project, such as: the Noise Ordinance, the Critical Areas Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code.

#### Noise

Construction activities, including demolition of the existing structure will create noise impacts. Excavation will be required to prepare site. As development proceeds, noise associated with construction of the buildings could adversely affect the surrounding residential uses. Due to the proximity of neighboring residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted. The hours of construction activity shall be limited to non-holiday weekdays, as conditioned below.

#### Earth

The site is not within a mapped environmentally critical area. The project will comply with City of Seattle DPD approved plans and requirements during construction.

#### Long-Term Impacts

Long-term or use-related impacts include increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of multifamily residences and will be mitigated by the City's adopted codes and/or ordinances. Specifically these include: the Stormwater, Grading, and Drainage Control Code (storm water runoff from additional site coverage by impervious surface); the Land Use Code (minimum lot area, vehicle access to parking); and the Seattle Energy Code (long-term energy consumption). An analysis of impacts associated with specific SEPA policies follows.

#### Plants and Animals

The site currently contains deciduous trees, shrubs, grass, and other types of vegetation. However, most of this vegetation is to be removed with the proposed construction of the four buildings and access driveway. None of the trees on site met the qualifications for "exceptional tree" status. The applicant indicated that there are no known endangered plant species on the site.

The applicant has indicated that no birds or animals have been observed on or near the site or are known to be on or near the site. During the staff site visit, no birds or animals were observed; however, it is assumed that songbirds occasionally visit the site or nearby sites.

#### Historic and Cultural Preservation

The existing 3-story wood rooming house built in 1900 is approximately 6,923 square feet in size. This structure was evaluated by the Department of Neighborhoods for possible landmark designation as part of the SEPA review. This review was conducted per interdepartmental agreement between the Department of Planning and Development and the Department of Neighborhoods for review of structures built 50+ years ago for possible landmark status.

The applicant provided archival photos and related information for this review. In a letter dated January 24, 2007, The Department of Neighborhoods concluded that the structure had suffered aging and deterioration: "...we have determined that due to a loss of integrity it is unlikely that the building at the address listed above would meet the standards of designation as an individual landmark." Thus, there is no requirement that the applicant seek historic landmark status for the existing structure.

### Traffic and Parking

The Land Use Code requires each housing unit to have at least one off-street parking space. The proposed four buildings (total 16 units) will have parking for 16 vehicles within the proposed structures. The project proposal also includes 5 surface parking stalls on site to address additional parking demand, thus, a total of 21 parking spaces will be provided. Parking is allowed only on the west side of Meridian Avenue N for this block so the additional 5 parking stalls are needed to help offset the limited on-street parking. The other townhouse structures on this block of Meridian Avenue N have off-street parking provided by attached or underground garages.

The Institute of Transportation Engineers (ITE) Manual (7<sup>th</sup> edition) estimates that Townhouse units generate approximately 5.9 vehicle trips per day. The availability and proximity of transit to downtown and other employment areas, such as, the University District, will make it more likely that this development will generate fewer than this number of vehicle trips. The ITE figure is based more upon developments in outlying areas. Therefore, the amount of traffic to be generated by this proposed project is within the capacity of the streets in the immediate area, so no SEPA mitigation of traffic impacts is warranted.

### Summary

In conclusion, several adverse effects on the environment are anticipated as a direct impact of the proposed construction. However, specific impacts identified in the foregoing analysis have been mitigated by existing codes and ordinances, per adopted City policies.

### **DECISION – SEPA**

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

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

### **CONDITIONS – SEPA**

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

1. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and

painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Activities that generate minimal noise, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

Signature: (signature on file) Date: February 22, 2007  
Janet Hyde-Wright, Land Use Planner  
Department of Planning and Development