



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: 3006334
Applicant Name: Brittani Ard
Address of Proposal: 7204 California Avenue SW

SUMMARY OF PROPOSED ACTION

Land Use Application to allow two townhouse structures, one two unit and one three unit (for a total of five units) pending Lot Boundary Adjustment #3006291. Parking for five vehicles will be located in attached garages.

The following approvals are required:

SEPA - Environmental Determination - Chapter 25.05 SMC.

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

BACKGROUND DATA

Site Description

This 9,082.3 square foot site is located in a Lowrise Duplex Triplex (LDT) zone in the Orchard Ravine Community of West Seattle and one block south of the Morgan Junction Residential Urban Village boundary. The site is paved and vacant and was used as a surface parking lot for the former Gatewood Baptist Church across the street. A 24 foot wide undeveloped street named Parshall Place SW adjoins the east side of the lot. The eastern portion of the lot and Parshall Place SW are mapped as being located within a 40 percent steep slope environmentally critical area.

Area Development

Development in the vicinity consists primarily of single family residences in the large Single Family 5000 zones to the east and west of California Avenue SW. Development along California Avenue SW in the Lowrise 2 and 3 zones to the north of the site consists of a mixture of multifamily structures and some commercial uses including office and coffee shop uses. The former Gatewood Baptist Church is located directly across the street to the west. There are townhouse developments under separate ownership under construction on the adjoining lots to the north and south of the project site. There is a one story apartment structure on the northeast

corner of SW Othello Street and California Avenue SW adjoining the townhouse development under construction on the lot south of the project site.

To the east of the site across undeveloped Parshall Place SW there is a log cabin which was historically used as a hunting lodge. The owners of the log cabin have submitted an application to designate it as an historic landmark. The north end of the block is bordered by SW Orchard Street which slopes up steeply toward the east and is divided by a sloping median covered with trees and vegetation. The Neighborhood Plan and Seattle Comprehensive Plan call for a ten foot wide landscaped strip along SW Orchard Street to enhance the "Green Crescent" identified in the Neighborhood Plan. The approved landscape plan for the townhouse development to the north shows a five foot wide path along the north side of the buildings within the property line. In the street right-of-way along SW Orchard Street, street trees per City of Seattle Arborist are shown as well as a concrete walk for pedestrians and bicyclists.

Proposal Description

The applicants propose to construct two townhouse structures, one two unit and one three unit (for a total of five units) pending Lot Boundary Adjustment number 3006201. Parking for five vehicles will be located in attached garages.

Public Comment

Several comment letters and emails were received during the comment period which ended March 21, 2007. Concerns were expressed about why the townhouse projects on the properties to the north and south of the site are not included in the SEPA review for this Master Use Permit. The Morgan Junction Residential Urban Village Neighborhood Plan adopted by City Council in 1999 identified SW Orchard Street as a "Green Crescent" including sidewalks and landscaping. The Orchard Ravine Community Association (ORCA) and the Morgan Junction Community Association (MOCA) are concerned about preserving the view of the 100 year old historic hunting lodge from California Avenue SW. The owners of the hunting lodge have submitted an application for historic landmark status. The community is also concerned about slope stability, drainage, construction noise, and preservation of the neighborhood character.

ANALYSIS-SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated January 10, 2007) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant 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) 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 such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

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, and a small increase in traffic and parking impacts due to construction workers' vehicles. Existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code, would mitigate several construction-related impacts. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

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

The proposal site is located adjacent to a residential area where construction of this scale would impact the noise levels. The SEPA Noise Policy (Section 25.05.675B SMC) lists mitigation measures for construction noise impacts. It is the department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance is necessary to mitigate impacts that would result from the proposal on surrounding properties, because existing City ordinances do not adequately mitigate such impacts. This is due to the density of residential units in the area and the proximity of these structures to the proposal site. The proposal is, therefore, conditioned to limit construction activity to non-holiday weekday hours between 7:30 A.M. and 6:00 P.M. and Saturdays from 9:00 A.M. to 6:00 P.M. After the structure is enclosed, interior construction may be done in compliance with the noise ordinance. The department may modify this condition to allow work of an emergency nature or which cannot otherwise be accomplished during these hours by prior written approval of the Land Use Planner.

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). No unusual circumstances exist which warrant additional mitigation, per the SEPA Overview Policy.

Long-Term Impacts

Long-term or use-related impacts are also anticipated from the proposal: 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 a mixed-use structure and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); Land Use Code (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption). Additional land use impacts which may result in the long-term are discussed below.

Drainage

Rain water on roofs and on the driveways will be the major source of water runoff on the site. The rain water on the roofs will be collected in gutters and connected to the storm drainage system. No drainage will be directed to the adjoining streets. Verification of an appropriate stormwater control system and its proposed location of connection to the public system will be required to be shown on the construction plans. No additional mitigation measures will be required pursuant to SEPA.

Earth

The site is mapped as an environmentally critical area due to slopes exceeding 40 percent. An environmentally critical areas (ECA) exemption was granted due to previous development on the site and construction activities. Therefore, the ECA steep slope development standards were waived but ECA review and submittal standards will remain. A geotechnical engineering report was submitted with the ECA exemption request and the Master Use Permit application including recommendations for the foundations, retaining walls, drainage, earthwork, excavation and slopes, and concrete. DPD's geotechnical engineer determined that based on the submitted documents and the soils report dated August 29, 2006, the proposed development will be located sufficiently away from the "steep slope" areas. In this respect, the proposed developments associated with the building permit numbers 6112192 and 6112203 may be regulated through the Stormwater, Grading and Drainage Control Code and the Seattle Building Code. The construction plans must provide a construction fence, in a north/south direction, located approximately 20 feet west of the toe of the eastern "steep slope" areas with a note indicating that all construction activities shall be confined on the west side of this fence. Compliance with these conditions and the requirements of the ECA Ordinance will be required prior to issuance of the building permits. Therefore, no mitigation of earth or drainage impacts will be required pursuant to Section 25.05.675D of the Seattle SEPA Ordinance.

Plants and Animals

Comment letters requested ten feet of landscaping along SW Orchard Street to enhance the "Green Crescent" called for in the Neighborhood Plan and Seattle Comprehensive Plan. The project site does not have street frontage on SW Orchard Street, so there is no Land Use Code or SEPA authority under Section 25.05.675N of the SEPA Ordinance to require landscaping on that street. The four unit project under Seattle Building Permit Number 6112203 on the adjoining site to the north is a corner lot with street frontage along both SW Orchard Street and California Avenue SW. Section 23.54.015D2b of the Seattle Municipal Code (SMC) indicates that projects in LDT zones containing fewer than ten units and constructed next to a non-arterial street such as SW Orchard Street, trigger minimal street improvements where the street meets the width requirements and is paved, as is SW Orchard Street. A no-protest agreement to future street improvements and design of the structures to accommodate the grade of future improvements are the only items required for the four unit project on the adjoining lot to the north. However, the landscape plan shows street trees per City of Seattle Arborist. The type of landscaping required for the street right-of-way area on SW Orchard Street adjacent to this site will be determined when the street use permit is issued for the project.

Height, Bulk, and Scale

The site is separated from the nearest residential uses on all sides by a steep slope and Parshall Place SW to the east, California Avenue SW and the former Gatewood Baptist Church to the

west, SW Othello Street on the south, and SW Orchard Street on the north. The streets provide buffers to minimize the impact of new development on neighboring properties. The proposed structures will not block air or light to the townhouses under construction on the adjoining lots on the north and south. The three story structure will be similar in scale and massing to other residential structures in the vicinity. The two proposed structures will have a well-defined character which complements the architectural character and siting pattern of neighboring buildings in terms of articulation, style, roof forms, fenestration and materials. There are no sensitive height, bulk, or scale impact issues which have not been addressed through the design of the project. Furthermore, due to the small size of the project, this analysis is limited to evaluating impacts with respect to the environmentally critical areas. Therefore, no additional height, bulk, or scale mitigation is warranted pursuant to the height, bulk, and scale policy of Section 25.05.675G of the SEPA Ordinance.

Traffic and Transportation

The Institute of Transportation Engineers (ITE) Trip Generation Manual estimates that multifamily units generate approximately 6.1 vehicle trips per day per unit. Based on the estimates in the Trip Generation Manual the five units would generate approximately 30.5 vehicle trips per day. The availability and proximity of transit on California Avenue SW will make it likely that there will be fewer vehicle trips than from developments in outlying areas on which the ITE generation equation is based. The site has ready vehicle access to two arterials, (California Avenue SW and Fauntleroy Way SW). The volume of traffic along California Avenue SW is moderate and nearby intersections operate at acceptable levels. The amount of traffic expected to be generated by the proposed project is within the capacity of the streets in the immediate area. Therefore, no SEPA mitigation of traffic impacts is warranted.

Parking

The parking policy in Section 25.05.675M of the Seattle SEPA Ordinance states that parking impact mitigation may be required only where on-street parking is at capacity as defined by the Seattle Transportation Department or where the development itself would cause on-street parking to reach capacity. Parking utilization in the vicinity appears to be below capacity and on-street parking can be found during the daytime or evening hours. The five parking spaces provided on-site in the individual garages would meet the code requirement and are expected to accommodate the parking demand generated by the project. Car ownership by the occupants of the units is anticipated to be lower than average due to the centralized location of the building, accessibility to transit, and proximity to downtown. Therefore, no mitigation of parking impacts is necessary pursuant to SEPA.

SUMMARY

In conclusion, several adverse effects on the environment are anticipated resulting from the proposals which are nonsignificant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the 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 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment with respect to transportation, circulation, and parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030(2)(C).

SEPA CONDITIONS

During Construction

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

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

1. In order to further mitigate the noise impacts during construction, the owner(s) and/or responsible party(s) shall limit the hours of construction to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. and on Saturdays from 9:00 a.m. to 6:00 p.m. This condition may be modified by the Department to permit work of an emergency nature of to allow low noise exterior work after approval from the Land Use Planner. Interior work may proceed at any time in compliance with the Noise Ordinance.

Signature: (signature on file) Date: June 7, 2007
Malli Anderson, Land Use Planner
Department of Planning and Development