



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND RECOMMENDATION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number(s): 3004747 and 3005091

Applicant Name: Victor Wu, Wu Construction, LLC

Address of Proposal: 13727 Meridian Ave. N.

Clerk File Number: 308766

SUMMARY OF PROPOSED ACTION

Land Use Application to allow cluster housing planned development (CHPD) containing 26 single-family residences. Project includes review of full unit lot subdivision one parcel into 26 unit lots with a private drive (Tract C) and two open space areas (Tracts A and B). Project also includes 5,000 cu. yds. of grading and demolition of existing structures.

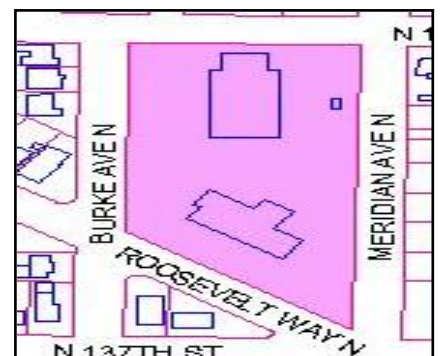
The following approvals are required:

- **Administrative Conditional Use (ACU)**
Clustered Housing Planned Development (CHPD) – SMC 23.44.024
- **Subdivision** – SMC(s) 23.22 & 23.76.023
- **SEPA** – SMC 25.05

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

BACKGROUND INFORMATION

This 3.05 acre site is located in the Haller Lake Neighborhood, which was formerly owned by the Seattle School District and was the location of the Nellie Goodhue School. The school has not been in use for several years. The property is currently owned by Wu Construction LLC. The property is zoned Single-family 5000 (SF 5000). The site abuts four rights-of-way; N. 140th St. to the north, Burke Ave. N. to the west, Meridian Ave.



N. to the east, and Roosevelt Way N. to the south. There are no Environmentally Critical Areas mapped or otherwise observed on the site.

The applicant proposes a Clustered Housing Planned Development and Subdivision consisting of twenty-six (26) single-family lots, with vehicle access to the sites from N. 140th St., Meridian Ave. N., and a private vehicle access easement (Tract C).

Vehicle access for lots 1 thru 10 and 13 thru 19 will be by individual driveways from a vehicle/pedestrian easement (Tract C); lots 11 and 12, 23 and 24, 25 and 26 will be by common driveways on Meridian Ave. N.; and lots 20 thru 22 by individual driveways on N. 140th St. A total of 23 curb cuts are proposed for the entire site; 17 on Tract C, 3 on Meridian Ave. N. and 3 on N. 140th St.

On the western portion of Meridian Ave. N. a 5' concrete walk and 5.5' swale/landscaping strip will be provided from the abutting sites; along the northern and eastern portions of the vehicle/pedestrian easement (Tract C) a 5' porous concrete walk will be provided from the abutting sites; along the southern portion of N. 140th St. a 5' walk and 5.5' landscaping strip will be provided from the abutting sites; along the northern portion of Roosevelt Way N. a 5' concrete walk and 5.5' landscaping strip will be provided from the abutting sites; and along the eastern portion of Burke Ave. N. a 6' concrete walk and drainage swale will be provided from and on the abutting sites, respectively.

Procedural Information

This DPD Decision and Recommendation includes three distinct components of review to evaluate the proposal. One component is the SEPA threshold determination and mitigation of adverse environmental impacts (SMC 25.05). The second component is the Administrative Conditional Use (ACU) for the Clustered Housing Planned Development (CHPD). Lastly is the Subdivision component, which requires a written report and recommendation by the Director to the Hearing Examiner. The Hearing Examiner will make a decision on the subdivision (preliminary plat) and the City Council will then render a determination on the final plat pursuant to SMC 23.22.074.

Future development of the subject site will undergo further permitting requirements, including construction-level approvals such as grading and building permits.

Public Notice and Comment Period

Notice of application was provided in the manner prescribed in SMC 23.76, including posted notice on the site, publication in the Land Use Information Service and mailing.

DIRECTOR'S ANALYSIS – ADMINISTRATIVE CONDITIONAL USE (ACU)

SMC.23.44.024 Clustered housing planned developments.

Clustered housing planned developments (CHPDs) may be permitted as an administrative conditional use in single-family zones. A CHPD is intended to enhance and preserve natural features, encourage the construction of affordable housing, allow for development and design flexibility, and protect and prevent harm in environmentally critical areas. CHPDs shall be subject to the following provisions:

A. Site Requirements.

1. *The minimum size of a CHPD shall be two (2) acres. Land which is designated environmentally critical due to the presence of a riparian corridor, wetland or steep slope according to SMC Chapter 25.09, Regulations for Environmentally Critical Areas, and submerged land shall not be used to meet minimum size requirements.*

The site is 3.05 acres in size. There are no environmentally critical areas (ECA's) mapped by the City of Seattle or otherwise observed on the site. Therefore this requirement is satisfied.

2. *Where portions of a site are designated environmentally critical due to the presence of a riparian corridor, wetland or steep slope according to SMC Chapter 25.09, Regulations for Environmentally Critical Areas, the conditional use clustered development provisions under Section 25.09.260 shall apply, superseding the standards of this section.*

This criterion is not applicable as there are no environmentally critical areas mapped by the City of Seattle or otherwise observed on the site.

3. *The Director may exclude land from a CHPD if it is separated from the site by topographical conditions, if it has a poor functional relationship with the site, or if inclusion of the land would negatively impact adjacent single-family zoned lots.*

No portion of the property has topographical conditions which would warrant exclusion, nor does the site have a poor functional relationship as a whole, thus no portion of the site need be excluded from the CHPD due to negative impacts on adjacent single-family zoned lots.

- B. *Type of Dwelling Units Permitted. Only single-family dwelling units shall be permitted in a CHPD.*

Twenty-six (26) single-family homes are proposed.

- C. *Number of Dwelling Units Permitted.*

1. *The number of dwelling units permitted in a CHPD shall be calculated by dividing the CHPD land area by the minimum lot size permitted by subsection A of Section 23.44.010 in the single-family zone in which the CHPD is located. Land which is designated environmentally critical due to the presence of a riparian corridor, wetland or steep slope and submerged land shall be excluded from the land used to calculate density in a CHPD. For CHPDs which include more than one (1) zone, the number of dwelling units shall be calculated based on the proportion of land area in each zone.*

The CHPD land area is 133,238.93 sq. ft. as indicated on the survey. The minimum lot size permitted by SMC 23.44.010-A for the subject single-family zone (SF 5000) is 5,000 sq. ft. As a result 26.70 units are allowed and twenty-six (26) dwelling units are proposed which is consistent with this requirement.

2. *Where portions of a site are designated environmentally critical due to the presence of a riparian corridor, wetland or steep slope according to SMC Chapter 25.09, Regulations for Environmentally Critical Areas, the conditional use provisions for regaining development credit and clustering under Section 25.09.260 shall apply.*

This criterion is not applicable as there are no environmentally critical areas mapped by the City of Seattle or otherwise observed on the site.

3. *One (1) additional detached single-family structure may be permitted if the development includes recreational, meeting and/or day care facilities open to the surrounding community.*

No additional units are proposed.

- D. *Subdivision. A CHPD may be subdivided into lots of less than the minimum size required by subsection A of Section 23.44.010.*

The applicant proposes a subdivision into twenty-six (26) single-family lots. Lot sizes vary from 4,057.00 – 7,954.00 sq. ft. (**Table 1** summarizes the proposed lot sizes). Of the lots proposed, there are 13 lots that are less than 5,000 sq. ft. and there are 13 lots that are greater than 5,000 sq. ft.

TABLE 1 – Proposed Lot Sizes (sq.ft)			
Number of Lots	Square Footage (range)	Square Footage (range) Excluding the easement area	Referenced Lot Numbers
5	4,057 – 4,250	NA	21, 23 – 26
5	4,573 – 4,865	3,648 – 3,940	2, 3, 5, 6, 13
6	4,928 – 5,158	4,003 – 4,218	4, 16 - 19, 22
4	5,275 – 5,825	4,461 – 4,512	7 - 9, 12
6	6,016 – 7,954	6,016 – 7,954	1, 10, 11, 14, 15, 20

- E. *Yards. Yards shall be required for structures within a CHPD.*

1. *Structures shall be set back a minimum distance of twenty (20) feet from the street property line of a CHPD.*

There are four street property lines that abut the site: N. 140th St., Burke Ave. N., Meridian Ave. N, and Roosevelt Way N. Twenty (20') foot yards are shown by the applicant's information. No structures are proposed within twenty (20) feet of the four street property lines.

As a result, the proposal is compliant with this requirement.

2. *No dwelling unit in a CHPD shall be closer than five (5) feet to a side lot line of an abutting single-family zoned lot.*

No structures are proposed within five (5) feet of an abutting single-family zoned lot. As a result this requirement is met.

3. *No dwelling unit in a CHPD shall be closer than twenty-five (25) feet to a rear lot line of an abutting single-family zoned lot.*

No dwelling unit is proposed within twenty-five (25) feet of a rear lot line of an abutting single-family zoned lot. As a result this requirement is met.

4. *No dwelling unit in a CHPD shall be closer than five (5) feet to any lot line of an abutting non-single-family zoned lot.*

Not applicable; all abutting lots are zoned *Single-Family*.

5. *There shall be a minimum distance of ten (10) feet between principal structures which are within one hundred (100) feet of the property line of a CHPD.*

All proposed structures will be separated by no less than ten (10) feet. As a result, this requirement is satisfied.

6. *To provide a sense of privacy, and to mitigate the effects of shadows between structures which are more than one hundred (100) feet from the property line of CHPD, required yards between structures in the CHPD shall vary depending on the design of the facing facades as follows:*

- a. *Walls shall be not less than ten (10) feet apart at any point.*

All proposed structure envelopes will be separated by no less than ten (10) feet. As a result, this requirement is satisfied.

- b. *A principal entrance to a structure shall be at least fifteen (15) feet from the nearest interior facade which contains no principal entrance.*

The actual layout of each single-family structure will be determined during the building permit phase of the project; conceptual floor plans have been submitted for the proposed lots. Meeting this requirement will be feasible. Imposition of a condition on the Conditional Use approval is appropriate to ensure that this standard is met for all proposed lots and structures.

- c. *A principal entrance to a structure shall be at least twenty (20) feet from the nearest interior facade which contains a principal entrance.*

Meeting this requirement is feasible depending on the layout of each structure. Imposition of a condition on the Conditional Use approval is appropriate to ensure that this standard is met for all proposed lots and structures.

7. *The Director may increase the minimum required yards or require alternate spacing or placement of structures in order to preserve or enhance topographical conditions, adjacent uses and the layout of the project and to maintain a compatible scale and design with the surrounding community.*

The applicant has proposed yards for the placement of structures that preserves or enhances their relationship with the vehicle/pedestrian easement and the proposed property lines. Considering the applicant’s design choices with reduced curb cuts, a dominate internal vehicle/pedestrian easement (Tract C), vehicle parking within the structures’ and as a result vehicles absent in the required yards, more light and architectural interest will be visible from the vehicle/pedestrian easement and the perimeter rights-of-way. Specifically, since all structure in the CHPD will have parking within the structures’ facing an easement or street, the front facades of the single-family structures will have more visible yard space and windows facing the street. The proposed yards will enhance the layout of the project and be in line with the design principles proposed by the applicant. The appropriate yards are found by looking at one or more of three issues: 1) compatible in scale and design with surrounding community, 2) enhancing the layout of the project, and 3) enhancing topographical conditions. An analysis of the required yards within the CHPD is appropriate (**Table 2** — below is a summary of the proposed yards).

Table 2 - PROPOSED YARDS (setbacks)					
Lot Number	From Tract C easement	From Burke Ave. N	From Meridian Ave. N	From N 140th St	From Roosevelt Way N
1	10’ min.	20’ min.	Does not abut (DNA)	20’ min.	DNA
2-7	10’ min.	20’ min.	DNA	DNA	DNA
8-10	10’ min.	DNA	DNA	DNA	20’ min.
11	DNA	DNA	20’ min.	DNA	DNA
12-13	10’ min.	DNA	20’ min.	DNA	DNA
14-19	10’ min.	DNA	DNA	DNA	DNA
20	10’ min.	DNA	DNA	20’ min.	DNA
21	DNA	DNA	DNA	20’ min.	DNA
22	DNA	DNA	20’ min.	20’ min.	DNA
23-26	DNA	DNA	20’ min.	DNA	DNA

A summary of the site planning and yards will provide insight to the overall layout of the lots. The internal yards proposed for lots 1, 2-7, 8-10, 12-13, 14-19 and 20 are all ten (10) foot yards when measured from the adjacent proposed vehicle/pedestrian easement (Tract C).

Lots 1-7 abut the proposed vehicle/pedestrian easement and Burke Ave. N. Lots 8-10 abut the proposed vehicle/pedestrian easement and Roosevelt Way N. Lots 11, 23-26 abuts Meridian Ave. N. Lots 12 and 13 abut the proposed vehicle/pedestrian easement and Meridian Ave. N. Lots 14-19 abut the proposed vehicle/pedestrian easement. Lot 20 abuts the proposed vehicle/pedestrian easement and Meridian Ave. N. Lots 21 and 22 abut N. 140th St.

The applicant is proposing a New Urbanism as a design concept for the CHPD, which is a concept that promotes human interaction among other principles. Some general principles of New Urbanism include: bringing structures closer to the street, reducing the effect of the automobile on the street and keeping eyes of the residents on the street to promote community surveillance.

The developer has made three basic structural design choices and included amenities such as covered entryways, ground level/2nd story den/parlor/living room/bonus room, and enclosed two car garages. Also, driveway access curb cuts have been minimized throughout the entire CHPD (see Preliminary Floor Plans and Elevations) MUP Plans date stamped April 25, 2007.

Individual driveway curb cuts from the vehicle/pedestrian easement are proposed for lots 1-10 and 13-19. Individual driveway curb cuts from N. 140th St. are proposed for lots 20-22. Shared driveway curb cuts from Meridian Ave. N are proposed for lots 11-12, 23-24, and 25-26. The proposal's dominant vehicle/pedestrian easement access, reduction of driveway curb cuts and use of shared driveways are design amenities that will produce great benefit for the development as a whole.

There are some intricacies of the Land Use Code that require that front yards be taken from abutting streets. This will cause the code required front yards of some lots (1-10, 13-19) to be different from the way yards will appear and orient. Lots 20-22 will provide their code required front yard toward N. 140th St. Lots 23-26 will provide their code required front yard toward Meridian Ave. N. Lots 1-12 and 13-19 design orient their front yards toward the thirty-two (32) foot vehicle/pedestrian easement and the code required front yard will actually be seen as a reduced front yard in appearance. Lots 1-26 will have twenty (20) foot rear yards.

An analysis of the scale of the proposed lots in relation to proposed yards is appropriate to provide background and context for the proposal.



TABLE 3 – Proposed Lot Sizes Analysis (sq.ft)			
Lot Number	Square Footage	Square Footage excluding the easement area	Easement area
1	6,602.50	5,030.00	1,572.50
2	4,724.00	3,799.00	925.00
3	4,865.00	3,940.00	925.00
4	4,974.00	4,049.00	925.00
5	4,816.00	3,891.00	925.00
6	4,573.00	3,648.00	925.00
7	5,741.00	4,527.00	925.00
8	5,418.50	4,623.00	795.00
9	5,275.00	4,461.00	814.00
10	6,521.00	5,596.00	925.00
11	7,954.00	3,996.00	3,958.00
12	5,825.00	4,512.00	1,313.50
13	4,851.00	4,775.00	76.00
14	6,016.50	3,850.00	2,166.50
15	6,293.50	4,092.00	2,201.20
16	5,143.00	4,218.00	925.00
17	4,928.00	4,003.00	925.00
18	4,932.00	4,007.00	925.00
19	5,105.00	4,180.00	925.00
20	6,123.50	4,551.00	1,572.50
21	4,250.00	no easement	na
22	5,158.00	no easement	na
23	4,057.00	no easement	na
24	4,057.00	no easement	na
25	4,057.00	no easement	na
26	4,057.00	no easement	na
Total area equals 133,238.93 Average lot size (including easement) equals 5,124.57			

Looking at the scale of the proposed lots visually (see analysis **Table 3**) in comparison with the surrounding community, lots proposed are smaller in scale than surrounding lots (see **Table 4**). Comparing the average of the lots within the surrounding selected areas (see **Table 4**) and the proposed lot sizes, it is clear that the proposed lots are eighty-eight (88) percent of the size of the surrounding Single-Family 5000 lots in the community. The internal yards as currently proposed will enhance the layout of the project and maintain a compatible scale and design with the surrounding community.

In light of the smaller scale of proposed lots when compared to existing lots in the area, along with the proposal’s positive design choices: dominant vehicle/pedestrian easement (Tract C), reduction of driveway curb cuts and use of shared driveways; ten foot front yards from the innermost edge of abutting easement (Tract C) would be compatible with the surrounding community. As a result, this criterion is satisfied by the proposal.

The proposed yards appear to considered the standards within the Land Use Code, the Director approves the internal setbacks and the overall layout of the lots as analyzed above (see MUP plans date stamped April 25, 2007).

TABLE 4 – Surrounding Lot Analysis (sq.ft)		
Address Range and Zoning (location of area)	Square Footage (number of lots)	Total sq.ft. of Area
1. 13746 – 13761 Burke Ave. N. <i>Zone: SF 5000</i> <i>(lots directly west of the site along Burke Ave. N.)</i>	7,560 (1) 7,632 (1) 6,630 (1) 6,630 (1)	28,452
2. 1904 N. 140 th St. 14002 Wayne Pl. N. 14003 Meridian Ave. N. <i>Zone: SF 5000</i> <i>(lots directly north of the site along N. 140th St.)</i>	4,200 (1) 4,800 (1) 5,850 (1)	14,850
3. 2103 N. 140 th St. 13708- 13744 Meridian Ave. N. <i>Zone: SF 7200</i> <i>(lots directly east of the site along Meridian Ave. N)</i>	19,218 (1) 9,619 (1) 13,544 (1) 13,555 (1) 13,555 (1) 7,500 (1) 21,189 (1) 7,500 (1) 7,242 (1)	112,922
4. 1908 Roosevelt Way N. no address <i>Zone: SF 5000</i> <i>(lots directly south of the site along Roosevelt Way N.)</i>	5,001 (1) 4,300 (1)	9,301
	<i>Three area sq.ft. average SF 5000</i> <i>Four area sq. ft. average SF 5000 & SF 7200</i>	52,603 sq. ft. ÷ 9 properties = 5,845 165,525 sq. ft. ÷ 18 properties = 9,196

F. *Landscaping. The Director may require landscaping along some or all exterior lot lines of a CHPD to minimize the effect of the CHPD on adjacent uses. The Director may require the retention of existing mature landscaping. In addition, landscaping may be required to reduce the potential for erosion or excessive stormwater runoff, reduce the site coverage by impervious surfaces, and screen the parking from the view of adjacent residentially zoned lots and the street.*

Plant species shall be compatible with surrounding landscaping. Maintenance shall be the continuing responsibility of the owner.

The proposed platting pattern attempts to maintain compatibility by providing rear and side yards abutting the rear and side yards of surrounding lots, as required for external CHPD yards. As a result, additional landscaping is not needed to minimize the effect of the CHPD on adjacent uses. The yards from the CHPD property lines will mirror the surrounding community and single-family use is proposed, matching the adjacent uses on the boundary of the CHPD.

Regarding retention, there is some healthy landscaping along or near the west, east and south property lines of the development site that should be retained to minimize the effect

of the CHPD on the surrounding single-family uses. The retention of mature landscaping will maintain the relationship between the adjacent properties and the site to the greatest extent possible. Because of future development requirements, existing landscaping may be required to be removed, the applicant must provide a landscaping retention plan regarding all landscaping near property lines and their feasibility of being saved.

The construction of the vehicle/pedestrian easement (Tract C) may require landscaping be removed, but should be avoided to the greatest extent possible.

A landscape retention plan addressing the concerns above must be provided at the time of a demolition/grading/building permit review.

With the imposition of a condition regarding retention of landscaping, this criterion is met.

SMC 23.44.018 – General Provisions

- A. *Only those conditional uses identified in this subchapter may be authorized as conditional uses in single-family zones. The Master Use Permit Process set forth in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions shall be used to authorize conditional uses.*

Per SMC 23.44.024, CHPDs are identified within the subchapter of Administrative Conditional Uses and the site is located within a single-family zone.

- B. *Unless otherwise specified in this subchapter, conditional uses shall meet the development standards for uses permitted outright in Sections 23.44.008 through 23.44.016.*

See above (SMC 23.44.024), for development standard analysis.

- C. *A conditional use may be approved, conditioned or denied based on a determination of whether the proposed use meets the criteria for establishing a specific conditional use and whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*

See Administrative Conditional Use (CHPD) analysis above for the proposal's requirements and criteria information. The proposal is to allow twenty-six (26) single-family dwelling units on a 3.05 acre piece of property. The proposal makes provisions for a vehicle/pedestrian easement (Tract C) and sidewalks are proposed throughout the development. The property in the zone or vicinity of the subject site is comprised of the same zoning designation and use as is proposed by the applicant. The subject site is zoned Single-family 5000 (SF 5000) and is surrounded by single-family zoning on all sides of the site. Only Single-family use is found abutting and in the immediate vicinity of the site. Solely Single-family use is proposed, matching the surrounding use. After appropriate conditioning, we conclude that the proposed conditional use will not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.

- D. *In authorizing a conditional use, the Director or Council may mitigate adverse negative impacts by imposing requirements or conditions deemed necessary for the protection of other properties in the zone or vicinity in which the property is located.*

See conditions below.

E. Not applicable.

F. Not applicable.

DIRECTOR'S ANALYSIS – SUBDIVISION

The Land Use Code (Section 23.76.023) requires the Director of DPD to prepare a written report for a proposed preliminary plat. The Code calls for the Director's report to include the following:

- 1. The written recommendations or comments of any affected City departments and other governmental agencies having an interest in the application;*
- 2. Responses to written comments submitted by interested citizens;*
- 3. An evaluation of the proposal based on the standards and criteria for subdivisions contained in SMC Chapter 23.22;*
- 4. All environmental documentation, including any checklist, EIS or DNS; and*
- 5. The Director's recommendations to approve, approve with conditions, or deny the application.*

The Director's report is to be submitted to the Hearing Examiner and made available for public inspection at least thirty (30) days prior to the Hearing Examiner's public hearing.

1. Recommendations and comments by affected City departments and other government agencies having an interest in the application

The following represents a summary of the comments received from the agencies indicated. Information and documentation from each review agency is available in the DPD project file. This review is required per SMC 23.22.024, with plans and supporting information distributed to each department.

A. Director of Public Health

The Director of Public Health stated:

"I have reviewed #3005091[,] 13727 Meridian Ave. N., against the National Association of County and City Health Officials' "Public Health in Land Use Planning & Community Design" and Washington State Department of Ecology's "Environmental Justice: Checklist". Based on that review, the Environmental Health Division of Public Health - Seattle & King County has the following comments.

We strongly support the inclusion of a drainage swale which "could be designed to 'meander' and complimented with landscape feature[s] such as trees, rockery armored bends and sculpted grades to create a meandering stream visual effect" as noted on C-1. Please consider this and other improvements that would help with stormwater such as permeable pavements, vegetated roofs, rainwater harvesting, reverse slope sidewalks, minimal excavation foundations or rain gardens.

We know that these plans are too early to show trees. However, trees are an important part of the built environment and green infrastructure that positively affect health. Trees help ameliorate high ambient temperatures through the shade they provide and delay stormwater peaks. Please plant the maximum number of trees because of their linkages to community and environmental health and Seattle's Urban Forest Management Plan.

Construction can cause debris and soil to enter the storm drainage basin. Additional care should be taken to prevent any discharges to the stormwater."

B. Superintendent of City Light

City Light recommended approval subject to the following conditions:

"Seattle City Light will require overhead and/or underground easements along any ingress, egress and private roads. We also may need a strip to be determined along the edge of these roadways. We do not know whether the customer is requesting overhead or underground power distribution. We hope to finalize any easement requirements we have received building plans. We cannot determine exact easement requirements now."

C. Director of Housing

The Director of Housing recommended approval without conditions.

D. Superintendent of Parks and Recreation

The Superintendent of Parks and Recreation stated:

".... There are no adjacent or nearby park facilities that will be affected by the project."

E. Director of Seattle Public Utilities (SPU)

SPU recommended approval subject to the following:

WATER AVAILABILITY CERTIFICATE

For Property: **13727 Meridian Avenue N** In: Seattle Map No: 219-2

Requested for: Land Use Rec'd by SPU: 12/14/2007

DPD Project(s): 3004747 3005091 Developer:

This Certificate is:

Approved; Land Use Permit may be approved at this time. Property owner may order water service after meeting all service requirements. No change to the water distribution system is required. (See Water Service Requirements.)

Approval Comments:

Water Availability Certificate approval conditions: Design and Installation of approximately 585 feet of 8-inch diameter DIP water main in N. 140th St. from Meridian Ave. N to Wayne Pl. N. and in private roadway extending from N. 140th St. to Meridian Ave. N. including 2 fire hydrants.

Certificate Prepared by: J P Certified by: Joe Phan Date: 12/17/2007

This Water Availability Certificate ID No. **20072206** shall be valid for no more than 18 months from the date of certification. Changes after certification date may alter requirements.

Fireflow or other Seattle Fire Department requirements may alter water availability at any time. Water availability requirements will change if existing system cannot support desired water service.

EXISTING WATER SYSTEM INFORMATION

Water Service(s):

Size: 4" Type: Domestic Material: Other/unknown Meter: In

Pressure Zone: 590 Elevation: 462 Static Pressure: 55 psi

Recommended design pressure is 20 psi less than static pressure.

Proximity of nearest fire hydrant is: 450 feet NE of Property. Meets Standards

Comment:

Nearest modeled hydrant is on the E side of Wayne Pl about 310 ft N of 140th St, max flow 1000 gpm.

Water Main:

Size: 8 inches Material: Cast Iron Class: 22 Year: 1972

- Standard
- Abutting

Water Main is available to serve in: Meridian Ave.nue N

Distance of main to W margin of street is 42 feet.

Public ROW width is 60 feet.

The water system is in conformance with a County approved water comprehensive plan, and has water right claims sufficient to provide service.

The proposed project is within Seattle's water utility's direct service area.

Property: **13727 Meridian Ave. N.** WAC ID No: 20072206 DPD Project(s): 3004747 3005091

Water Service Requirements:

- New Meter Location: Meridian Ave. N. AND new 8" DI mains to be installed in N. 140th St. and in private roadway
- The maximum allowable size for the fire services is the same size as the main; the largest available fire service is 8 inches. The maximum allowable size for irrigation, domestic, and combination services is one size smaller than the main; the largest available domestic or irrigation service size is 6 inches; and the largest available combination service is 10 inches.
- **One meter will serve the domestic water needs of a single legal parcel.** If the legal parcel is short platted prior to approval for occupancy after final inspection of the building permit, then separate meters will be required for each legally described parcel. This may necessitate the installation of a water main by the developer.
- The property owner is responsible for the installation, maintenance and liability of the service line from the City union near the meter to the building served. New water service piping from the City union to the building must be inspected by SPU prior to covering. Call (206) 684-5800 for an inspection.
- For new water services, Property owner must sign SPU's Application and Agreement for Water Service, pay all connection service charges, and other charges which may or may not be listed below, and submit the legal description of the property to be served. Apply for service at 700 5th Ave., 31st floor. The time between the service order and installation varies depending on workload, service size and type. **Wait Times can be 30-90 days;** call (206) 684-5800 for the current projected wait time.
- Prior to ordering a new water meter that will serve a back lot; a recorded easement with a suggested minimum width of 5' must be provided. If more than one water service line is needed through an easement, the easement is suggested to be a minimum of 2.5' per service line.
- Underground piping through an easement, from the City union to the property line, must be either type K or L copper, or Ipex Kitec (PE-AL-PE) and fittings.

Required Payments:

- A calculated Connection Charge may apply when any new water service is ordered.
- When required by the Fire Department, or when requested by the developer, standard charges for hydraulic modeling or a hydrant flow test are due.
- Standard charges are due when any new water service is ordered, or when any existing water service is retired or re-established.
- For questions regarding standard charges or other fees for water service, please contact Seattle Public Utilities at 206-684-5800.

General Comments:

- One domestic water meter is allowed to serve one legal parcel. A subdivision must be approved with address(es) assigned prior to ordering additional water service(s).
- Plans provided at this time do not indicate change to existing water service(s). Please provide detailed plans of water services at time of ordering new meter(s). Please realize that water requirements may change when desired water service is requested.
- If the proposed project changes after this review of Water Availability, or if the current plan submitted to SPU does not detail the entire scope of the proposed project, water requirements may change and a new Water Availability Certificate will need to be issued to supersede the Water Availability Certificate which is based on incomplete or modified data.
- Customers connected to sewers in the King County (KC) service area are subject to the KC capacity charge. Call King County (206) 296-1450 for more information.
- Design and Installation of approximately 585 feet of 8-inch diameter DIP water main in N 140th Street from Meridian Ave. N to Wayne Pl N and in private roadway extending from N 140th Street to Meridian Ave. nue N including 2 fire hydrants.

F. Chief, Fire Department

The Fire Department recommended approval under the 2003 Seattle Fire Code.

G. Metropolitan Services Department

King County, Department of Transportation, Metro Transit, Transit Route Facilities stated:

Bus stops shall be preserved at the following locations:

- Southbound on Meridian Ave. N., 80' south of N. 140th St.
- Southbound on Meridian Ave. N., 30' north of Roosevelt Way N.

Include a 10' long by 8' deep concrete pad at both bus stop locations. Contact Dan Wells, Northwest District Facility Planner, 206-263-4745, daniel.wells@metrokc.gov

H. Other Governmental Agencies

No comments were made on the proposal by other governmental agencies.

2. Responses to written comments of interested citizens

Comments on the proposal were submitted to DPD by mail, email and phone conversations: among the issues raised about the development — was concern about vehicle/pedestrian easement location on Meridian Ave. N., opposition to the number of lots being created, concern with the increased density and increase vehicle traffic and their circulation routes. Responses to the above comments are found throughout the decision at the applicable location.

3. Evaluation of the proposal pursuant to applicable codes

The preliminary plat process is detailed in SMC 23.22, Subchapter II, providing criteria to evaluate proposed subdivisions. These criteria include evaluation of protective improvements for topographical and surface hazards, dedications, the public use and interest, environmentally critical areas, transportation concurrency level of service, among others. The following section is a discussion of these criteria.

SMC 23.22.050 – Topographical and surface hazards – Protective improvements.

Land having topographical or subsurface conditions hazardous to the health, safety or general welfare of persons or property in or near a proposed subdivision shall not be subdivided unless the construction of protective improvements will eliminate the hazards or unless land subject to the hazard is restricted to uses which will not expose persons or property to the hazard. Protective improvements consistent with the standards established in Subchapter VI shall be constructed, prior to final plat approval unless a performance bond acceptable to the Director of Engineering is filed in lieu of the improvements.

The site's slope generally rises less than 2% to the south and contains no mapped or observed environmentally critical areas. No area of the site has topographical or subsurface hazards that would affect the health, safety or general welfare of persons or property in or near a proposal. As a result the entire site is available for subdivision. The applicant has recognized a 3,958 sq. ft. area for open space/landscaping and an underground stormwater control tank, located at the southern tip of the site, near proposed lots 10 and 11. With regard to topographical and subsurface conditions, no protective covenants are required for the proposal.

SMC 23.22.052 - Dedications required.

- A. *Every subdivision shall include adequate provision for dedication of drainage ways, streets, alleys, easements, slope rights, parks and other public open spaces for general purposes as may be required to protect the public health, safety and welfare.*

The proposal makes provisions for a twenty-five (25) foot private vehicle access road (Tract C) as an easement. After Seattle Department of Transportation (SDOT) and DPD issued initial corrections and comments, the applicant made minor revisions to the design. The residential standard is sixteen (16) feet wide, tapering over a twenty (20) foot distance to a ten (10) foot opening at the property line; or provide a passing area at least twenty (20) feet wide and twenty (20) feet long. The passing area shall begin twenty (20) feet from the property line, with an appropriate taper to meet the ten (10) foot opening at the property line. If a taper is provided at the other end of the passing area, it shall have a minimum length of twenty (20) feet (SMC 23.54.030 D.1.d.). Twenty-five (25) feet provides ample room for maneuvering while simultaneously minimizing pavement coverage and in turn surface runoff from the site.

The abutting rights-of-way will have required improvements of one or more of the following (additional pavement, gutters, curb, street trees, planter strip, and sidewalk), which meets both the requirements of the Land Use Code and the requirements of the Street Improvement Manual. This change is supported by DPD.

The applicant proposes the remaining vehicle/pedestrian access (Tract C) as an easement, see subsection below for analysis on allowing vehicle access by easement. Accordingly, these criteria are met.

The city will maintain all utilities within the vehicle/pedestrian access easement (water, drainage, and sewer).

- B. *Protective improvements and easements to maintain the improvements shall be dedicated at the discretion of the City.*

Easements over the private vehicle access drive and sidewalk(s) are required as a condition of final plat approval. For the easement, SPU will maintain the water main, the storm and sewer utilities, road maintenance and other responsibilities of the easement will be maintained by the Home Owner's Association. Imposition of a condition will ensure this criterion is met.

- C. *Convenient pedestrian and vehicular access to every lot by way of a dedicated street or permanent appurtenant easement shall be provided. Access from a dedicated street shall be required, unless the Director determines that the following conditions exist, and permits access by a permanent private easement:*

The applicant proposes a thirty-two (32) foot wide pedestrian/vehicular access easement owned by the home owner's association with water to be maintained by the City of Seattle. The details of the proposed easement includes: twenty-five (25) foot wide curb to curb dimension and a five (5) foot pedestrian easement. On the western margin of Meridian Ave. N. a 5' concrete walk and 5.5' swale/landscaping strip will be provided from the abutting sites; along the northern and eastern margins of the vehicle/pedestrian easement (Tract C) a 5' porous concrete walk will be provided from the abutting sites; along the southern margin of N. 140th St. a 5' walk and 5.5' landscaping strip will be provided from the abutting sites; along the northern margin of

Roosevelt Way N. a 5' concrete walk and 5.5' swale/landscaping strip will be provided from the abutting sites; and along the eastern margin of Burke Ave. N. a 6' concrete walk and drainage swale will be provided from and on the abutting sites, respectively. Parking is not proposed along the easement.

- 1. Access by easement would not compromise the goals of the Land Use Code to provide for adequate light, air and usable open space between structures; and*

Typical Single-family street right-of-way widths are twenty-five (25) feet, so the proposed thirty-two (32) foot easement exceeds the requirement. Also, typical streets in single-family zones do allow parking on both sides of the street, where here, the proposal is for no parking along the easement. The front yards, while reduced from typical single-family standards with CHPD authority, will be absent of vehicles, which will provide space not found in typical single-family layouts with front yard driveways. Considering the thirty-two (32) foot width for the proposed access easement and the applicant's design choices; Vehicle access for lots 1 thru 10 and 13 thru 19 will be by individual driveways from a vehicle/pedestrian easement (Tract C); lots 11 and 12, 23 and 24, 25 and 26 will be by common driveways on Meridian Ave. N; and lots 20 thru 22 by individual driveways on N. 140th St. A total of 23 curb cuts are proposed for the entire site; 17 on Tract C, 3 on Meridian Ave. N. and 3 on N. 140th St. (see sheet 1 of 1, Preliminary Site Plan of the MUP plan set). The automobiles' affect on the streetscape is minimized and a result, the easement will provide adequate light air usable open space. Also, trees are proposed in the yards abutting the easement for lots 1-12 and 13-20; yards abutting N. 140th St. for lots 20-22; yards abutting Burke Ave. N. for lots 1-7 (see sheet L-1 of the MUP plan set). The trees will mimic and read as typical street tree patterns. Also the easement and rights-of-way will be paved with curbs, gutters and sidewalk on one side, notably the easement will be nearly indistinguishable from a typical city street. In light of the analysis above, the goals of the Land Use Code to provide adequate light, air and usable open space between structures would not be compromised. This condition is satisfied.

- 2. The dedication and improvement of a street is not necessary or desirable to facilitate adequate water supply for domestic water purposes or for fire protection, or to facilitate adequate storm drainage; and*

Water supply and storm drainage facilities can be accommodated in the proposed easement as reviewed and given preliminary approval by Seattle Public Utilities. The Seattle Fire Department has given preliminary approval of the thirty-two (32) foot (25' curb to curb width) easement without parking allowed along the easement. As a result this condition is satisfied.

- 3. The dedication and improvement of a street is not necessary or desirable in order to provide on-street parking for overflow conditions; and*

The proposed twenty-six (26) single-family lots will provide two (2) parking spaces per lot for a total of fifty-two (52) spaces on the lots. The proposed easement is thirty-two (32) feet wide, seven (7) feet wider than the city standard for new platted streets, which is a twenty-five (25) width. As a result of the provided on-site parking the easement will be sufficient and the dedication and improvement of a street is not necessary or desirable in order to provide an on-street parking for overflow.

4. *No potential safety hazards would result from multiple access points between existing and future developments onto a roadway without curbs and with limited sight lines; and*

As stated, the easement will have sidewalks, curbs, gutters and a paved roadway larger than is required for newly platted streets. The easement will not have limited site lines beyond what would be for a dedicated right of way. As a result this condition is satisfied.

5. *There is identifiable access for the public and for emergency vehicles; and*

There will be appropriate street signage matching street signage in the area. The easement will read as a platted street. In order to provide clarity for all access by the public and emergency vehicles, the signage and easement named (Tract C) should be altered to read as Wayne Pl. N. The names have been changed by the applicant on the proposed plat to meet this requirement. As a result this condition is satisfied.

6. *There is no potential for extending the street system.*

Considering that N. 140th St. terminates approximately 190 feet west of Meridian Ave. N., there is no potential for extending this street. Nor are there other east or west streets to extend from the site. As a result this condition is satisfied.

- D. *Roads not dedicated to the public must be clearly marked on the face of the plat.*

All proposed easements and dedications will be clearly labeled as recommended by the Director.

- E. *If the Hearing Examiner concludes that the public interest will be served, the Hearing Examiner may, in lieu of requiring the dedication to the public of land in a subdivision for protective improvements, drainage ways, streets, alleys, sidewalks, parks and other open space, allow the land to be conveyed to a homeowner's nonprofit maintenance corporation. In that case the subdivider shall, at or prior to the time of filing a final plat for approval, supply the Director with copies of articles of incorporation and bylaws of the grantee organization and with evidence of the conveyance or of a binding commitment to convey. The articles of incorporation shall provide that membership in the corporation shall be conditioned upon ownership of land in the subdivision, that the corporation is empowered to assess the land for costs of construction and maintenance of the improvements and property owned by the corporation, and that the assessment shall be a lien upon the land. The City Attorney shall review and approve the articles of incorporation and bylaws as to compliance with this provision. The Hearing Examiner may impose other conditions as he or she deems appropriate to assure that property and improvements owned by the corporation will be adequately constructed and maintained.*

The roadway and adjacent sidewalks within the proposed vehicle/pedestrian easement (Tract C) are proposed to be maintained by homeowners. The applicant will grant the City easements and SPU will maintain the water main in Tract C, all other maintenance (sewer, drainage, roadway, sidewalks) and costs associated with the easement will be maintained by the Home Owner's Association.

- F. *Any dedication, donation or grant as shown on the face of the plat shall be considered, to all intents and purposes, as a quitclaim deed to the donee or donees, grantee or grantees, for his, her or their use for the purpose intended by the donors or grantors.*

G. *Dedicated streets and alleys shall meet the requirements of Chapter 23.53 and the Street Improvement Manual. Easements shall meet the requirements of Section 23.53.025.*

The requirements of the applicable Chapters and Sections will be met.

SMC 23.22.054 Public use and interest.

The Hearing Examiner shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. The Hearing Examiner shall consider all relevant facts to determine whether the public interest will be served by the subdivision and dedication, and if it finds that the proposed plat makes appropriate provision for the public health, safety and general welfare and for open spaces, drainage ways, streets, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, fire protection facilities, parks, playgrounds, sites for school and schoolgrounds, sidewalks and other planning features that assure safe walking conditions for students who walk to and from school, is designed to maximize the retention of existing trees, and that the public use and interest will be served by the platting of subdivision, then it shall be approved. If the Hearing Examiner finds that the proposed plat does not provide the appropriate elements or that the public use and interest will not be served, then the Hearing Examiner may disapprove the proposed plat. Dedication of land to any public body may be required as a condition of subdivision approval and shall be clearly shown on the final plat. The Hearing Examiner shall not as a condition to the approval of any plat require a release from damages to be procured from other property owners.

The public interest will be served by the proposed subdivision. The proposed plat makes appropriate provision for the public health, safety and general welfare. The project develops an urban infill site, providing needed housing opportunities. The applicant proposes to construct a neighborhood open space/landscaping area at the southern end of the development site. While this would be an amenity for the new development and surrounding neighborhood and add to the amount of open space in the area, no open space is needed or required for the project. The project includes a stormwater system, on-site easements (pedestrian and vehicle) and rights-of-way improvements. The project will be served by the public water and sewer systems, which have adequate capacity. The Fire Department has reviewed and given conceptual approval to the subdivision. The public street in the project includes curbs, gutters, sidewalks, planter strips and street trees designed to City standards. Lots not abutting the public street will be provided with adequately dimensioned paved sidewalks connecting to the public streets. Safe walking conditions for students who walk to school or bus stops are provided by pedestrian connections to both Meridian Ave. N and N. 140th St. Existing trees will be retained to the extent practicable and street trees are to be provided consistent with City standards. Accordingly, these criteria are met.

SMC 23.22.058 Environmentally critical areas.

No plat shall be approved by the Hearing Examiner covering any land situated in a riparian corridor buffer, wetland and wetland buffer, or steep slope and steep slope buffer unless in compliance with the applicable provisions of SMC Section 25.09.240, Short subdivisions and subdivisions, in environmentally critical areas.

The project site contains no mapped or other wise observed Environmentally Critical Areas.

SMC 23.22.060 Transportation concurrency level-of-service standards.

Proposed subdivisions shall meet the transportation concurrency level-of-service standards prescribed in Chapter 23.52.

The traffic study for the project shows that traffic forecasted to be generated by the proposed development will/will not cause the transportation concurrency level-of-service to be exceeded. See Page 3, of the transportation impact analysis report located in the project file (DN Traffic Consultants, November 7, 2008).

SMC 23.22.062 Unit lot subdivisions.

Not applicable.

4. All environmental documentation, including any checklist, EIS or DNS

The applicant prepared an initial Environmental Checklist (SEPA) for the project dated March 15th 2007. The applicant has also submitted the following documents located in the project file: an Environmental Checklist for the project, a preliminary analysis of site access alternatives, Storm Drainage and Engineering Report, Geotechnical Investigation Report, and Voluntary Cleanup Program Summary, and an ACU application for CHPD. Based on this information, DPD issues a decision of non-significance and imposes conditions to mitigate adverse environmental impacts. The SEPA analysis of this project is discussed separately in a subsequent section of this report.

5. The Director's recommendation to approve, approve with conditions, or deny the application

As presented in the MUP and plat plan set(s) date stamped April 25, 2007 and August 19, 2008; the Director of DPD recommends approval of the Preliminary Plat under SMC 23.22.028 subject to the conditions referenced below.

RECOMMENDED CONDITIONS – SUBDIVISION

Recommended conditions of approval prior to recording of the final subdivision plat

DPD Recommendations

1. The curb, gutter, planting strips, and sidewalk should be installed accord to the concept plans reviewed by SDOT.
2. Provide public easements over the vehicle/pedestrian access easements (Tract C) on the face of the plat or concurrent with recording of the final plat. Provide appropriate easements for City Departments to access and work on the necessary utilities. For Tract C, provide documentation on the plat showing that the easement utilities, will be maintained by the City, while the roadway will maintained by the homeowners association.
3. Vehicle/pedestrian access easement and access drives shall be clearly noted on the final plat. Additionally, in order to provide clarity for the public and emergency vehicles, the signage and easement named (Tract C) should be altered to read as Wayne Pl. N.

4. Articles of incorporation and bylaws for the Homeowners Association, and evidence of conveyance or binding shall be submitted for review by the City Attorney.
5. The trees shown (see sheet L-1 of the MUP plan set) must be planted and a covenant or requirement of the Homeowners Association shall be maintained for the life of the project. Actual tree location may vary depending on individual lot design. If the trees are not proposed to be provided as shown in the plat, the application shall provide reasons why it is not feasible or desirable. The reviewer of each permit application shall have discretion over this matter.
6. The fact that these lots were created by the Clustered Housing Planned Development (CHPD) provision of SMC 23.44.024 shall be noted on the final plat.
7. Meet SPU requirements.
8. The Private Road (Tract C) being proposed as a vehicle/pedestrian access easement (privately owned) and meeting Fire Department requirements streets shall be constructed per SDOT specifications.
9. The final plate should note that Tract's A and B are not building sites for dwelling unit or for accessory structures incidental to dwelling units.

Recommended condition prior to issuance of grading permits.

10. The applicant must submit an erosion control plan.

Recommended condition of approval upon application for building permits

11. Submit a copy of the relevant final subdivision plat with all building permit applications. This plan must include the final approved design for all lots, rights-of-way, easements, sidewalks, yards, CHPD approved yards, building footprints, street trees, on-site required trees and roadway paving.

Recommended conditions of approval prior to issuance of any building permit

12. Pedestrian/vehicle improvements shall be completed for the existing streets and the private easement.
13. Street/easement improvements shall be completed leading to any lot.
14. Appropriate agreements relating to the use and maintenance of Tracts A and B shall be executed and recorded and be contained within a Homeowners Association Agreement.
15. A stop sign shall be installed for the eastbound vehicle traffic and the intersection of Wayne Pl N (also known as Tract C) and Meridian Ave. N.

ANALYSIS – SEPA

The applicant prepared an Environmental Checklist for the project, a preliminary analysis of site access alternatives, Storm Drainage and Engineering Report, Geotechnical Investigation Report, and Voluntary Cleanup Program Summary. This information, supplemental information

contained in the DPD file for the project, comments from the public, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. Potential environmental impacts are discussed below only where mitigation under Seattle's SEPA Ordinance may be warranted.

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 the limitations set forth in subparagraphs D1 through D7 below. Unless otherwise specified in the Policies for Specific Elements of the Environment (SMC Section 25.05.675), denial or mitigation of a project based on adverse environmental impacts shall be permitted only under the following circumstances..." The Overview Policy (SMC 25.05.665) D1 through D7 and Specific Elements of the Environment (SMC Section 25.05.675) provide the circumstances in which denial or mitigation of a project can take place.

Short-term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from grading and clearing and hydrocarbon emissions from construction vehicles and equipment; temporary soil erosion; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; increased noise; increases in carbon dioxide and other greenhouse gas emissions and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Environmentally Critical Areas (ECA) ordinance and DR 33-2006 and 3-2007 regulate development and construction techniques in designated ECA's with identified geologic hazards. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, some impacts warrant further discussion.

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 green house 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 due to the relatively minor contribution of greenhouse gas emissions from this specific project. The other types of emissions are considered under the use-related impacts discussed later in this document. No SEPA conditioning is necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675A.

Noise

Noise associated with construction of the project could adversely affect surrounding uses in the area, which include all single-family residential uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to these 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. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, construction activities shall be limited to non-holiday weekdays between 7:00 A.M and 6:00 P.M., Saturdays and holidays between 9:00 A.M. and 6 P.M.

After each structure is enclosed with exterior walls and windows, interior construction on the individual enclosed buildings can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule; thus the duration of associated noise impacts. DPD recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction timeframe if conducted during these hours. Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case by case basis. As conditioned, impacts to nearby uses are considered adequately mitigated.

Air Quality

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. City Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded, uncovered trucks, which minimizes the amount of spilled material and dust from the truck bed enroute to or from a site. In addition, watering of the site and uncovered materials in trucks shall be required to reduce construction dust during grading. Federal auto emission controls will adequately mitigate air quality impacts from motor vehicles. See SMC §25.05.675 (Air Quality Policy). Lastly, to mitigate spillover onto the adjacent street systems, the wheels of construction vehicles leaving the construction site shall make provisions to wash vehicle tires, wheels and exteriors in order to prevent spillover of particulates into the adjacent rights-of-way. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Stormwater Runoff

The Stormwater, Grading and Drainage Control Code provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used. The

project will comply with the requirements of this Code and with any conditioning imposed on the grading permit. Therefore, no additional conditioning is warranted pursuant to SEPA policies.

Construction (Traffic)

Construction traffic includes trucks removing earth from the site, other construction vehicles and construction workers' vehicles. The SEPA checklist for the project states that initial estimates of grading quantities are 5,000 cubic yards of materials to be utilized for on-site fill. The grading and infrastructure phase timeline has not been established and not dump truck trips appear to be required. Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal. Traffic control would be regulated through the City's street use permit system, and a requirement for the contractor to meet all City regulations pertaining to the same. Temporary sidewalk or lane closures may be required during construction. The timing and duration of these closures would be coordinated with the City of Seattle to ensure minimal disruptions. The proposal will not represent a significant impact to the street system when meeting the conditions of City Code (SMC 11.62), no further mitigation is warranted.

The demand for parking by construction workers during construction will temporarily increase the demand for parking in the vicinity. This impact is not anticipated to be significant, however, since parking will be available on the project site and there is no data showing that off-site parking is at capacity.

Long-Term Impacts

Several adopted City Codes and Ordinances provide mitigation for these impacts. Specifically, these are the Land Use Code which controls land use, density and development standards, the Noise Ordinance and the Stormwater, Grading and Drainage Control Code which contains requirements for drainage.

Noise

Long-term noise will be typical of a residential neighborhood. The Noise Ordinance will continue to apply to activities on the project site after development. Impacts are not anticipated to be significant.

Light and Glare (non-vehicle)

Long term light and glare will be typical of a residential neighborhood. Impacts are not anticipated to be significant.

Traffic and Parking (includes vehicle light and glare)

Based on the submitted analysis of site access alternatives (by DN Traffic Consultants) for the project, the finished development will generate 249 vehicle trips per day, 20 vehicle trips during the AM peak hour, and 26 vehicle trips during the PM peak hour. Of the 20 AM peak hour trips, 15 are outbound and 5 are inbound. Of the 26 PM peak hour trips, 17 are inbound and 9 are outbound. As stated in the report, these trips would not adversely affect any intersections or roadways in the study area. DN Traffic Consultants made no recommend that stop-signs be installed at the intersection of the Private Road (Tract C) and Meridian Ave. N. However in

order to maintain a safe condition for this intersection, a stop sign shall be installed for the eastbound vehicle traffic. LOS will not be worsened with the additional trips generated by the proposal.

Access alternatives

As stated in Page 3 of the preliminary analysis of site access alternatives by DN Traffic Consultants: “A review of the roadways surrounding the site indicates a potential sight distance issue for access on the Roosevelt Way N. frontage. West of the site, Roosevelt Way N. has a grade break in the alignment which has the potential of creating a substandard sight distance condition if the internal access is extended to Roosevelt Way N. Although site access to Roosevelt Way N. is not currently proposed, if site access is located on Roosevelt Way N., it should be located to provide adequate site distance ~~which be~~ [at] the west end of the property.

Bus stops

Another issue of concern is concentrating multi-modal access at a specific location. Bus stops serving the site are currently located on Meridian Ave. N. Safe and efficient access is provided by locating bus stops at potential intersections of the site access roadway with Meridian Ave. N. There are no bus stops along the Roosevelt Ave. [Way] N. frontage.”

Headlight/taillight glare

Headlight/taillight glare are anticipated for the properties east of the intersection of Wayne Pl. N. (easement road, Tract C) and Meridian Ave. N. from vehicles exiting/entering the site. However, the impacts of this glare are expected to be minor, given the relatively small number of vehicles and brief duration of glare from any single vehicle. This impact is not significantly adverse to warrant mitigation.

As a result of the traffic impact report submitted by the applicant, no significant adverse impacts are anticipated from the creation of Wayne Pl. N. (easement road, Tract C) for vehicle traffic; no SEPA conditioning is needed or warranted.

The project includes the development of a vehicle/pedestrian access easement in the form of a private road (Tract C). The project also includes abutting improvements to Meridian Ave. N, Burke Ave. N and N. 140th St. The proposed 26 single-family lots will provide two parking spaces per lot for a total of 52 spaces on the private property. As a result of the applicant providing two spaces per lot, no SEPA conditioning is needed or warranted related to the amount of parking spaces for the project. Parking demand will not create a significant adverse impact.

Greenhouse Gas Emissions and other Impacts

Emissions from the generation of greenhouse gases due to the increased energy and transportation demands may be adverse but are not expected to be significant due to the relatively minor contribution of emissions from this specific project. The other impacts such as but not limited to, increased ambient noise, and increased demand on public services and utilities are mitigated by codes and are not sufficiently adverse to warrant further mitigation by conditioning.

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 43.21C.030 (2) ©.

CONDITIONS – SEPA

During Construction

1. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays¹ from 7am to 6pm. Interior work using equipment within a completely enclosed structure, such as but not limited to compressors, portable-powered and pneumatic powered equipment may be allowed on Saturdays between 9am and 6pm, provided windows and doors remain closed. Non-noisy activities, 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.

2. During grading activities, watering of the site and uncovered materials in trucks shall be required to reduce construction dust.
3. Construction vehicles leaving the construction site shall make provisions to wash vehicle tires, wheels and exteriors in order to prevent spillover of particulates into the adjacent rights-of-way.

For the life of the project

4. A stop sign shall be installed for the eastbound vehicle traffic and the intersection of Wayne Pl N (the private road, Tract C) and Meridian Ave. N.

DECISION – ACU

Approved with the following conditions:

¹ New Year's Day, Martin Luther King Junior's Birthday, President's Day, Memorial Day, July 4th, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day.

CONDITIONS – ACU

At the time of demolition/grading/building application

5. The trees shown on the preliminary plan within and abutting the proposal shall be planted and maintained by a covenant with the Homeowners Association for the life of the project. Additionally, a tree protection plan prepared by a certified arborist's shall be provided for review. The plan should retain all existing landscaping to the greatest extent possible. Actual tree location may vary depending on individual lot design. If the trees are not proposed to be provided as shown in the plat, the application shall reasons why it is not feasible or desirable. The reviewer of each permit application shall have discretion over this matter.
6. The applicant shall be required to submit lot coverage calculations for the each lot in relation to the parent CHPD land prior to each single-family application submittal.

Prior to issuance of the final Single-family building permit

7. The applicant shall submit a "final lot coverage plan" to DPD for microfilming that documents and clearly labels the permitted lot coverage square footages for each lot in the CHPD.

Signature: _____ (signature on file) Date: March 5, 2009
Colin R. Vasquez, Senior Land Use Planner
Department of Planning and Development

CRV:bg

Vasquez/3004747 and 3005091 Decision 090210.doc