



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: 3004812
Applicant Name: Brittani Ard
Address of Proposal: 2127 8th Avenue W

SUMMARY OF PROPOSED ACTION

Land Use Application to allow one, 3-unit townhouse and two single family residences. Parking for five vehicles will be located within the structures. The existing single family residence is to be demolished. This environmental review includes the future unit lot subdivision.

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

Site visit: June 5, 2007
Zoning: Residential, Multifamily Lowrise 1 (L-1)
Uses on Site: Single family residence and detached garage
Substantive Site Characteristics:

This 7203.9 square foot subject site is a rectangular lot that fronts on 8th Avenue W to the east and an alley to the west. Its general location is just south of W McGraw Street. The site is located within an area zoned Residential, Multifamily Lowrise 1 (L-1) which continues in all directions. The site is relatively level, with a slight slope up to the west, with an elevation change of 6ft over the 120 feet length of the lot.

There is a Copper Beech tree with a 40 inch diameter at breast height (dbh) which has the trunk on the adjacent property to the north. Its crown overhangs the subject property, with its roots also on the subject property. This tree is designated as a Heritage tree and also is an exceptional per Director's Rule 6-2001.

Proposal Description:

The applicant proposes to construct one 3-unit townhouse and two single family residences structure on a 7,203.9 square foot lot. The two single family residences will be located on the eastern or street frontage of the lot, and the 3-unit townhouse will be located adjacent to the alley on the western portion of the lot. Pedestrian access for the proposed units will be provided by their street frontage on 8th Avenue W or by a pedestrian easement along the southern boundary of the parent lot. There will be a total of five parking spaces provided by attached garages within the proposed townhouses, with access from the alley to the west. This project may include a future unit lot subdivision.

Public Comment:

The comment period for this proposal ended on April 25, 2007. During this period, two public comment letters 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 SEPA checklist submitted by the applicant and dated February 15, 2007 and was subsequently annotated by the Land Use Planner. There was additional documentation submitted which included a tree protection plan, (the final approved plan dated May 5, 2008) and a packet of information regarding the existing single family structure for the historic landmark review by the Department of Neighborhood. The information in the SEPA checklist, the additional materials 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 Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in this analysis, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

In order for this project to comply with the regulations for tree protection (SMC 25.11.050), there is conditioning noted at the end of this 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, 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 and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*” subject to some limitations. Short-term adverse impacts are anticipated from the proposal.

Short-term Impacts

The following temporary or construction-related impacts are expected: 1) temporary soil erosion; 2) increased vibration from construction operations and equipment; and 3.) greenhouse gas emissions. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: 1) Street Use; 2) Building Code (construction measures in general); 3) Regulations for Environmentally Critical Areas, and 4) Stormwater, Drainage and Grading Code (temporary soil erosion). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts.

Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Air

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Plants

There is a Copper Beech tree with a 40 inch diameter at breast height (dbh) which has the trunk on the adjacent property to the north, and has both its roots and significant overhang of its crown onto the subject property. The tree is approximately 80 feet tall with a crown spread of approximately 62 feet, and it is designated as a Heritage tree and it also meets the criteria as an exceptional tree per Director's Rule 6-2001. The applicant submitted a tree protection plan dated April 21, 2008 prepared by the applicant's arborist, Renaissance Tree Care. The forester for the Seattle Department of Transportation reviewed this plan and requested some revisions, then approved the final tree protection plan dated May 5, 2008. This plan calls for removal of one 4inch diameter branch to facilitate construction of the single family residence on the northeastern portion of the site; this pruning was determined to be unlikely to have a significant adverse impact upon the tree. The plan also outlines measures for tree protection during construction and monitoring tree health post-construction.

Historic and Cultural Preservation

The single family structure on the proposal site is more than 50 years old, and therefore, the structure was reviewed for possible historic building status by the Historic Preservation Officer of the Department of Neighborhoods per SMC 25.05.675H. The review concluded that the building would be unlikely to meet the standards for designation as an individual landmark due to the loss of integrity of the building.

Long-term Impacts

Potential long-term impacts that may occur as a result of this project include: 1) increased surface water runoff from greater site coverage by impervious surfaces, 2) increased demand on public services and utilities; and 3.) operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to result in increases in carbon dioxide. These long-term impacts are not considered significant because the contributing impacts from this project are minor in scope.

The long-term impacts are typical of multifamily development and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (storm water runoff from additional site coverage by impervious surface); and the Regulations for Environmentally Critical Areas.

DECISION

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

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

CONDITIONS

Prior to Issuance of Building Permit

- 1.) Fencing around the tree protection zone (per SMC 25.11.050) will be put in place before any demolition and land clearing begins. The fencing will consist of 6 foot tall rigid cyclone fencing with posts every 8 feet. There will be signs spaced every 20 feet around the protective fencing which list prohibited activities within the fenced area. All roots will be cut clean and the cut end kept moist until proper backfill is in place. All pruning requires two day notification to SDOT Forester. At the time of inspection for landscaping approval and signoff, the tree will be assessed for any signs of stress. Irrigation standards will be followed for one year post construction on a monthly schedule. See tree protection plan prepared by Renaissance Tree Care report dated May 5, 2008 for further specifics of this tree protection plan.

Signature: _____ (signature on file) Date: May 26, 2008
Janet L. Wright, Land Use Planner
Department of Planning and Development

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