



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: 3006032
Applicant Name: Brittani Ard
Address of Proposal: 12529 26th Ave NE

SUMMARY OF PROPOSED ACTIONS

Land Use Application to establish use and construct two townhouses and one single-family residence for a total of five units. One existing duplex is to be demolished. A future unit lot subdivision is anticipated for the future sale of the residential units.

The following approval is required:

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

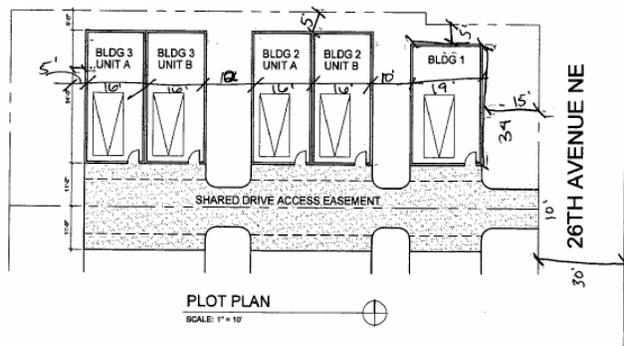
- SEPA DETERMINATION:** Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

BACKGROUND DATA

Zoning: Lowrise One (L1) Multi-family.
Proposed Use: 12529 26th Ave NE – Four Townhomes and One Single Family Home

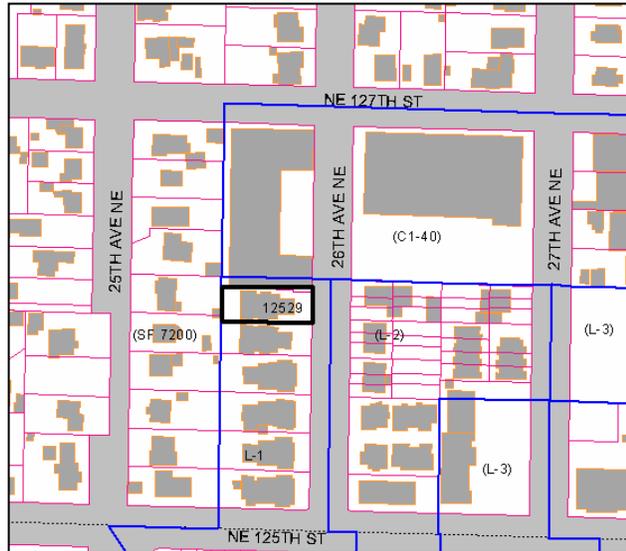
Site and Area Description:

The site is 7,212 s.f. and contains an existing duplex, which is proposed to be demolished. The site is fairly level and contains no critical areas. Grading of about 175 cubic yards is proposed for driveway and foundation cuts. The site is proposed to contain three buildings - two duplexes and a single family residence; the



single family residence is proposed to be located adjacent to 26th Ave NE, with the duplex structures to the west. All units are proposed to be accessed off a shared driveway, with garages at grade. The site to the south (12525 26th Ave NE) is also being redeveloped. While five units were initially proposed for that site, and SEPA notice was issued under Project No. 3005958, the project size has been reduced to four units and no longer requires a SEPA review. The street currently does not contain sidewalks; curb, gutter and sidewalk are proposed as part of the project. Storm water detention for the project is shown on site, beneath the shared driveway.

The site is zoned Lowrise 1, which allows multi-family development at a density of 1 unit for each 1,600 s.f. of lot area. The area is bordered on the west by Single Family zoning (SF 7200), on the north by property zoned Commercial 1-40, and across 26th Ave NE by Lowrise 2 zoning. The property to the south of the subject site is zoned the same as the subject site -- Lowrise 1. Most of the block is developed with a mixture of single family and multi-family housing. However, the commercial use to the immediate north is a gymnastics center, and northeast across 26th Ave NE is a Qwest Communications center.



Public Comment:

The comment period for this proposal ended on May 23rd, 2007. DPD received one comment letter related to the project. Concerns were expressed regarding parking and potential conflicts with children arriving to the gymnastics academy.

ANALYSIS - SEPA

Since the proposed project exceeds the exempt level of four units in an L1 zone, environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05). The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated March 20, 2007. The information in the checklist, supplemental information provided by the applicant, project plans and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The checklist analyzes potential adverse impacts to the environment. Impacts are not expected to be significant due to their temporary nature or limited effects, and because of construction standards and regulations already in place that are intended to mitigate potential impacts. Some impacts may require additional conditions to be placed on the project to ensure impacts are minimized. A further discussion of certain impacts follows.

Short - Term Impacts

Construction activities for the project could result in the following adverse impacts: construction dust, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and an increase in traffic and parking impacts due to construction workers' vehicles. Several construction related impacts are mitigated by existing City codes and ordinances applicable to the project, such as the Noise Ordinance, the Street Use Ordinance and the Building Code. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

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

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Seattle's Department of Transportation.

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC).

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

The proposed residential development would contribute little to an existing situation, no policy authority is warranted for additional mitigation.

Construction Traffic and Parking

- It is possible that construction worker parking and construction traffic could cause potential conflicts. To reduce safety conflicts, a construction safety plan should be developed to address potential conflicts between pedestrians and construction traffic, with particular attention to the Seattle Gymnastics Academy. The academy runs daily classes, resulting in pick-up and drop-off rushes between classes during the following weekday times: mornings 9:15-9:30; 10:15-10:30; and 11:30-11:45 AM (busiest time on rainy days), and afternoons 3:45-4:00 and 5:00 – 5:15 PM. Classes also occur on

Saturdays, when there is also increased daytime residential traffic. Based on this, deliveries that involve maneuvering of large vehicles should be scheduled during the off-peak traffic times--weekdays before 9:00 AM or between Noon and 3:30 PM.

Long - Term Impacts

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

Height, Bulk and Scale

The project abuts a single family zone on the west. There is a 20 foot rear yard setback adjacent to the zone, and the project height has similar limits to what is allowed in a single family zone. However, the bulk allowed in the Lowrise 1 zone for townhouses is 50% lot coverage, as compared to 35% in the single family zone. While landscaping and open space will be provided within the new development, it takes several years for trees to attain a size that is in scale with the new development. Retaining some existing mature trees can greatly contribute to privacy, and reduce the bulk of the new structures. A 6" blue spruce is located within the rear yard setback area, near the property line and within the open space are which appears feasible to retain and would create a buffer from the bulk of the new development. The project has been conditioned to retain the 6" blue spruce near the west property line.

Long Term Parking Impacts

Once completed, the proposed development is anticipated to result in a small increase in the number of cars parking on the street. Parking demands of the proposed units can be evaluated by using standard estimates from the Institute of Transportation Engineers (ITE) manual (3rd Edition, 2004). The average peak parking demand aligns closely with the census data on vehicles owned per household. The average peak parking demand is measured during the late evening or early morning.

For an urban area, residential condominium/townhouses are estimated at 1.22 spaces per townhouse. One parking space per unit is being provided, thus new on street demand could be anticipated to be .22 x 4 or .88 spaces.

For an average single family house, the ITE estimates the average peak parking demand at 1.83 spaces per house. Even though the proposed single detached unit in this development is more like a townhouse than single family due its limited lot size and shared access, using the ITE number, the spillover parking calculates to .83 spillover parking spaces.

Totalling the .88 and .83, the cumulative 1.71 new cars on the street is not considered to be an adverse impact. The street frontage of the lot is 50 lineal feet. Subtracting the driveway area, this would allow adequate space for the demand to be met on the street frontage of the project.

The Seattle Gymnastics academy, located directly to the north of the project, hosts 300 to 400 children a day. It appears there is limited on-site parking for the academy, and many parents park on the nearby streets and walk with their children to the academy building. Potential

conflicts between the commercial and residential uses with respect to parking could be lessened by the designation of short-term or drop-off parking for the academy within the right-of-way – an arrangement that would need to be pursued by the owner of the gymnastics academy. The owner was given appropriate SDOT contacts.

Traffic and Transportation

The surrounding area is served by transit on 125th Ave NE and Lake City Way, both of which are arterials. The amount of traffic expected to be generated by this proposal once completed is within the capacity of the streets in the immediate area and therefore, no SEPA mitigation is warranted for long-term traffic impacts.

Summary

In conclusion, codes and development regulations applicable to this proposed project provide sufficient mitigation for most impacts discussed.

For certain impacts, the conditions found at the end of this document are deemed to be justified based on the specific environmental policies and SEPA Overview Policy and will mitigate any potential adverse impacts of the development.

DECISION - SEPA

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

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

CONDITIONS – SEPA

Prior to Issuance of Master Use Permit

1. The plans shall be modified to retain the 6” blue spruce near the east property line, unless an arborist determines it is not feasible to retain this tree.

Prior to Issuance of the Building Permit

2. Construction Safety Plan. A construction safety plan shall be developed to address potential conflicts between pedestrians and construction traffic, with particular attention to the Seattle Gymnastics Academy. The construction safety plan shall include such items as:
 - a. Scheduling heavy deliveries to avoid peak drop off and pick up times;

- b. Having a flagger present for activities that would prevent normal circulation in the right-of-way for vehicles and pedestrians.

The construction safety plan shall be submitted to DPD for coordinated review and approval from SDOT prior to issuance of the building permit.

Prior to Issuance of any Demolition Permit (Non-Appealable)

3. The owner(s) and/or responsible party(s) shall provide documentation to the DPD Planner (Holly Anderson (206.233.7909) or Land Use Supervisor Cheryl Waldman (206.233.3861) that Puget Sound Clear Air Agency (PSCAA) has received all information necessary to assess and mitigate likely air impacts at least 10 days in advance of the demolition of any structures greater than 120 sq. ft. on the site.

During Construction

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

4. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. 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.

5. The Construction Safety Plan discussed under Item #1 shall be reviewed at the pre-construction meeting, so all contractors and inspectors are aware of the plan. The plan shall be posted on the job site.

Signature: _____ (signature on file) Date: December 6, 2007

Holly Anderson, Land Use Planner
Department of Planning Development

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