



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: 3006786
Applicant Name: Jeff Wegener
Address of Proposal: 2939 South Mount Baker Boulevard

SUMMARY OF PROPOSED ACTION

Land Use Application to allow two, four-unit townhouse structures with parking for eight vehicles located within offstreet parking.

The following approval is required:

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

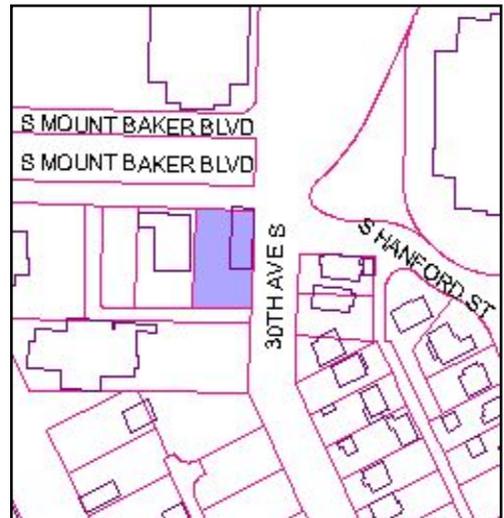
- SEPA DETERMINATION:** Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Site & Area Description

The 9575 square foot property is located at the southwest corner of the intersection of South Mount Baker Boulevard and 30th Avenue West. Both streets are improved with concrete curbs, gutters, planting strips and sidewalks. The site is occupied by a 6-unit two story apartment building.

The subject property is located in a Multi-family Lowrise 2 Residential Commercial zone (L2-RC) which can be 2-3 story townhouses. Density Limit is 1/1200 or 8 units per



9,600 square foot lots which is the proposal. The threshold for number of units exempt from Environmental Review is 6. The zone L2-RC continues south on the east side of 30th Avenue South while to the west and continuing south on the west side of 30th Avenue South is L-2. Single Family Residential zoning (SF 5000) is located further to the south and west. Surrounding uses consist of single family, multi-family, and commercial development.

Proposal

The applicant proposes to construct two four-unit duplex townhouses, the northern four, Building A, of which would be accessed from an interior sidewalk connecting the parking lot to the sidewalk of Mount Baker Boulevard and the other four, Building B, will be accessed from the parking spaces and an interior sidewalk.

The proposal is located on an original designed boulevard by the Olmsted Bros. Inc. but has no abutting property line to the parkland of the boulevard (DO22004 Parks Department ROW on Boulevard). In the May 4, 2007 Memorandum from Seattle Parks and Recreation Parks has jurisdiction over the center strip only of South Mt. Baker Boulevard. All construction activity is adjacent to boulevard property under the jurisdiction of Seattle Department of Transportation (SDOT) this parcel is adjacent to a SFD station. Institutions of proximity include the historic landmark Franklin High School and the headquarters for BSA.

The alleyway is dedicated to SDOT.

Public Comments

Public notice of the proposal was issued on April 18th, 2007. No public comments were received by May 2, 2007.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist (dated March 13, 2006), and supplemental information in the project file submitted by the applicant's agent. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 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 such limitations/circumstances (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction; increased noise and vibration from construction operations and equipment; and increased traffic and parking demand from construction personnel. These impacts are not considered significant because they are temporary and/or minor in scope.

Compliance with existing ordinances, such as the Street Use Ordinance and the Noise Ordinance will provide sufficient mitigation. The other impacts not noted here as mitigated by codes or conditions (e.g., increased traffic and parking demand from construction personnel) are not sufficiently adverse to warrant further mitigation by conditioning. These impacts are not considered significant; however some of the impacts warrant further discussion and review.

Air Quality

Demolition and transport will create dust, leading to an increase in the level of suspended particulates in the air, which could be carried by winds out of the construction area. The Street Use Ordinance (SMC 15.22) requires watering the site, as necessary, to reduce dust. In addition, the Puget Sound Clean Air Agency (PSCAA regulation 9.15) requires that reasonable precautions be taken to avoid dust emissions. Demolition could require the use of heavy trucks and smaller equipment such as generators and compressors. These engines would emit air pollutants that would contribute slightly to the degradation of local air quality. Since the demolition activity would be of short duration, the associated impact is anticipated to be minor, and does not warrant mitigation under SEPA.

Noise

Excavation will be required to prepare the building sites and foundations for the new buildings. Additionally, as development proceeds, noise associated with construction of the buildings could adversely affect the surrounding residential uses. Due to the proximity of neighboring residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts

Long-term Impacts

SMC 25.05.675 Environmental Policies and Procedures (Section H) Historic Preservation requires reviewing whether this 1911 building meets the criteria for historic landmark status (2.c) and whether its adjacency to the Historic Landmark of Franklin High School (2.d.) warrants mitigation. The Landmarks Board Coordinator in the Landmarks Preservation Board LPB 223/07 memorandum of July 6, 2007 “determined that due to loss of integrity it is unlikely that the buildings located at the address above (2939 South Mount Baker Boulevard) would meet the standards for designation as an individual landmark. In accordance to SMC 25.05.675 H2d the adjacency to Franklin High School did not require additional mitigation in the architectural design of the project.

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces;

increased bulk and scale on the site; increased traffic in the area; increased demand for parking; and increased demand for public services and utilities.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tight line release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies.

Summary

The Department of Planning and Development has reviewed 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 the checklist, this action will result in probable adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

DECISION - SEPA

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

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

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

CONDITIONS – SEPA

During Construction:

1. The following condition(s) to be enforced during construction shall be posted at the site in a location visible and accessible to the public and to construction personnel from the street right-of-way. Since two streets abut the site, conditions shall be posted at each street.

The conditions shall be printed legibly on placards available from DPD, shall be laminated with clear plastic or other weatherproofing material, and shall remain in place for the duration of the construction.

a. The applicant shall limit excavation, foundation and external construction work for this project to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. The Department reserves the right to allow weekday construction from 6:00 p.m. to 8:00 p.m., and Saturday construction from 9:00 a.m. to 6:00 p.m.

b. Extended weekday hours or Saturday work must be approved by the Planner (Carreen N. Rubenkonig 206-684-5821) on a case-by-case basis prior to such work if required for critical construction activities of an emergency nature.

Signature: _____ (signature on file) Date: August 30, 2007
Carreen N. Rubenkonig, Land Use Planner
Department of Planning and Development

CNR:bg

H://DOC/Rubenkonig/doc/DECISION/3006786 S Mount Baker Boulevard SEPA Threshold