



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: 3007529
Applicant Name: Gabrielle Muller
Address of Proposal: 3926 S Brandon Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow one 3-unit townhouse and two 2-unit townhouses in an environmentally critical area. Parking for seven vehicles to be provided within the structures.

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: Residential Multifamily Lowrise 1 (L-1)

Date of Site Visit: September 27, 2007

Uses on Site: Vacant lot

Substantive Site Characteristics:

This 11,314 square foot subject site is a rectangular lot that fronts on S Brandon Street to the south. The site is located within an area zoned Residential Multifamily Lowrise 1 (L-1) which extends to the east. The area adjacent to the north is zoned Neighborhood Commercial 2 with a

height limit of 40 feet (NC2-40). The area one-half block to the south and west is zoned Residential Single-Family 5000 (SF5000). The uses in the area include a combination of single-family and multiple-family residences.

The majority of the site is relatively flat, with a steep slope on the southern portion of the lot. There is an approximate fourteen foot elevation change from the southern boundary down to the northern boundary. The site is located in a mapped environmentally critical area due to the presence of a steep slope. The existing vegetation includes brambles and small plum trees throughout the lot.

Proposal Description:

The applicant proposes to construct one 3-unit townhouse and two 2-unit townhouses for a total of 7 housing units. The 3-unit townhouse will be located with street frontage on S Brandon Street, and the two 2-unit townhouses will be located on the northern portion of the lot. Vehicular access to all units will be provided via an easement which runs north off of S Brandon Street to an area between the proposed buildings. There will 7 parking spaces provided within the proposed structures. This project may include a future unit lot subdivision.

Public Comment:

The comment period for this proposal ended on September 19, 2007. During this period, no written comment letters related to this project 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 checklist submitted by the applicant dated August 10, 2007. The applicant submitted also submitted as part of this application a geotechnical evaluation prepared by GeoGroup Northwest, Inc dated August 9, 2007. The information in the checklist, geotechnical report, project plans, and the experience of the lead agency with 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 certain limitations or circumstances (SMC 25.05.665 D 1-7), mitigation can be considered. A more detailed discussion of some of the potential impacts from this short plat follows.

Short-Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Construction Activity

Construction activities, including demolition of the existing structure will create noise impacts. Excavation will be required to prepare site. 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. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted. The hours of construction activity shall be limited to non-holiday weekdays, as conditioned below.

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. Activities that generate minimal noise, 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.

Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project, such as: the Noise Ordinance, the Critical Areas Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. In addition to these applicable codes, further mitigation has been imposed for construction activity in order to lessen the impact of construction noise upon the neighboring residential area through a condition of this land use decision.

Long-Term Impacts

Long-term or use-related impacts include increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of multifamily structures and will be mitigated by the City's adopted codes and/or ordinances. Specifically these include: the Stormwater, Grading, and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); the Land Use Code (minimum lot area, vehicle access to parking); and the Seattle Energy Code (long-term energy consumption. An analysis of impacts associated with specific SEPA policies follows.

Earth

This site is mostly level, with an embankment of 10-12 feet on the southern portion of the lot, adjacent to S Brandon. There is an approximate 14 feet elevation change from the southern boundary down to the northern boundary. A geotechnical evaluation prepared by GEO Group Northwest, Inc dated August 9, 2007 was submitted with this application. The southern area of the lot has a mapped steep slope of 40% or greater. The Environmentally Critical Area slide review was waived for this Master Use Permit application and it will be reviewed as part of the construction application.

The applicant stated in the environmental checklist that there will be approximately 540 cubic yards of grading and approximately 140 cubic yards of fill. Regarding erosion control, the applicant stated in the environmental checklist that erosion control measures will be utilized to minimize possible erosion during construction.

Plants and Animals

The site currently is very overgrown with blackberry brambles and numerous plum trees. There are no trees greater than 6" diameter at breast height (dbh) on this site. Most of this vegetation is to be removed with the proposed construction of the three buildings and access driveway. The applicant indicated that there are no known endangered plant species on the site. The applicant has indicated that no birds or animals have been observed on or near the site or are known to be on or near the site. During the staff site visit, no birds or animals were observed; however, it is assumed that songbirds occasionally visit the site or nearby sites.

The applicant will be planting new vegetation per an approved landscaping plan.

Traffic and Parking

The Land Use Code requires each housing unit to have at least one off-street parking space. The proposed buildings will have parking within each townhouse unit, providing seven parking spaces for the seven units. The parking utilization along S Brandon Street is below capacity, therefore, any spillover parking from the proposed new units will be able to be accommodated.

The Institute of Transportation Engineers (ITE) Manual (7th edition) estimates that Townhouse units generate approximately 5.9 vehicle trips per day. The ITE figure is based more upon developments in outlying areas. Therefore, the amount of traffic to be generated by this proposed project is within the capacity of the streets in the immediate area, so no SEPA mitigation of traffic impacts is warranted.

Summary

In conclusion, several adverse effects on the environment are anticipated as a direct impact of the proposed construction. However, specific impacts identified in the foregoing analysis have been mitigated by existing codes and ordinances, per adopted City policies.

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.

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 owner(s) and/or responsible party(s) shall ensure that:
Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) are 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. Activities that generate minimal noise, such as site security, monitoring, weather protection shall not be limited by this condition.

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Signature: _____ (signature on file) Date: December 27, 2007
Janet L. Wright, Land Use Planner
Department of Planning and Development

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