



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:	3007709
Applicant Name:	John Hunt
Address of Proposal:	925 M L King Jr. Way S

SUMMARY OF PROPOSED ACTION

Land Use Application to allow two, 2-unit townhouse structures (totaling four units) in an environmentally critical area. Parking for four vehicles will be provided (two located within the structure and two located on the site). Project includes 150 cubic yards of grading. Environmental review includes future unit lot subdivision.

The following approval is required:

SEPA – Environmental Determination- Chapter 23.05 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 & Area Description

The subject site is located on the western side of the 900 block of Martin Luther King Junior Way South, just a short distance to the south of the junction with South Dearborn Street in the Central Area of Seattle, King County. The property is bounded to the north by an existing paved parking lot and beyond this by a multi-story commercial/residential structure. To the south and west the site is bounded by existing well established single-family residential development. Similar well established residential development also exists across the street to the east. The subject site is zoned L3 and is surrounded by L2 and L3 zones all around.

The site is mostly flat and level in surface, but there is gentle sloping from east to west at about mid-site. There is also a relatively short slope extending along the roughly southeastern end of the site and around the southeastern corner and back up part of the driveway alignment.

Proposal

The proposal includes a development of two, 2-unit town house structures (totaling four units) in an environmentally critical area (designated as steep slope). Excavation work is estimated to extend to a minimum depth of about two feet to install building foundations and possibly up to ten feet for daylight basement and utility installation.

Parking for four vehicles will be provided

Public Comment:

Date of Notice of Application:	March 27, 2008.
Date End of Comment Period:	April 09, 2008.
# Letters	0
Issues:	No comment letters where received for this project.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated March 12, 2008) and annotated by the Land Use Planner. The information in the checklist, the supplemental information 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 SEPA Overview Policy (SMC 25.05.665) 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) mitigation can be considered.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers’ vehicles. Existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Storm-water Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code, would mitigate several construction-related impacts. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) would be adequately controlled with a street use permit through the Transportation Department, and no further SEPA conditioning would be needed.

Construction of the project is proposed to last for several months. Parking utilization along streets in the vicinity is moderate and the demand for parking by construction workers during construction is not anticipated to reduce the supply of parking in the vicinity. Therefore, no further mitigation will be required.

The development site is located adjacent to a residential area where construction of this scale would impact the noise levels. The SEPA Noise Policy (Section 25.05.675B SMC) lists mitigation measures for construction noise impacts. It is the department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance is necessary to mitigate impacts that would result from the proposal on surrounding properties, because existing City ordinances do not adequately mitigate such impacts. This is due to the density of residential units in the area and the proximity of these structures to the subject site. The proposal is, therefore, conditioned to limit construction activity to non-holiday weekday hours between 7:00 A.M. and 6:00 P.M. After the structure is enclosed, interior construction may be done in compliance with the noise ordinance. The department may modify this condition to allow work of an emergency nature or which cannot otherwise be accomplished during these hours by prior written approval of the Land Use Planner.

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). No unusual circumstances exist, which warrant additional mitigation, per the SEPA Overview Policy.

There are no short term impacts identified with the creation of the future (unit lot) full subdivisions. Short term impacts are associated with the construction of the structures and have been analyzed and discussed with no further conditioning is warranted.

Long-term Impacts

The long-term impacts are typical of multifamily structures and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Storm-water, Grading and Drainage Control Code (storm-water runoff from additional site coverage by impervious surface); Land Use Code (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption). Additional land use impacts which may result in the long-term are discussed below.

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.

