



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**

<b>Application Number:</b>	3008689
<b>Applicant Name:</b>	Brittani Ard
<b>Address of Proposal:</b>	915 M L King Jr Way S

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow one-triplex and one-duplex (five units), in an environmentally critical area, with parking for five vehicles located within structures. Environmental review includes future unit lot subdivision.

The following approval is required:

**SEPA – Environmental Determination-** Chapter 23.05 Seattle Municipal Code

**SEPA DETERMINATION:** [ ] Exempt [X] 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 between 27<sup>th</sup> Avenue and M L King Jr Way South, and north of Marion St. The site is in 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. The subject site is zoned in an L3 zone. Zoning to the direct east, south, and north of the site is Lowrise 3 (L3). To the direct west, zoning is also Lowrise 2. The subject site occupies

approximately 50.61 feet of frontage on M L King Jr. Way South. The site is located in environmentally critical area with steep slopes which are located towards the eastern portion of the subject site. There is a partially concrete paved access driveway along the southern end of the sit which provides vehicular access to the residence immediately to the south.

### Proposal

The site is approximately 6,828 square feet. The proposal includes a new multi-story, multi-unit, town-home project located on the property. One-triplex (3,841 square feet), and one duplex (2,718 square feet), totaling five unites, are being proposed, along with parking for five vehicles.

### 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 December 12, 2007) 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.

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 this proposal. 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.

#### CONCLUSION - SEPA

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. No further mitigation is warranted.

**DECISION - SEPA**

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the 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 43.21C.030(2)(C).
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment with respect to transportation, circulation, parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030(2)(C).

**CONDITIONS – SEPA**

None.

Signature: (signature on file)  
Laura Kim, Land Use Planner  
Department of Planning and Development  
Land Use Services

Date: July 24, 2008