



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: 3009257
Applicant Name: Andrea Ermoli
Address of Proposal: 3939 NE Surber Drive

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a new, two story, 7,003 sq. ft. single family residence in an environmentally critical area. Parking for three vehicles will be provided in a detached garage. Environmental review includes 1,300 cu. yds. of grading (331 cu. yds. of cut, 969 cu. yds. of fill). Existing accessory structure to remain.

The following approval is required:

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

BACKGROUND DATA

Site Description

The subject Lake Washington waterfront site is located just to the east of University of Washington Property in the general vicinity south of University Village. It is a deep and relatively wide lot, former the site of a single family residence that has been legally demolished. The site is zoned Single Family 9600, and it has UR (dry land) and CR (water) shoreline environment overlays. Additional mapping designations include new landfill (1000' methane buffer), liquefaction, peat settlement prone, wetlands, and shoreline habitat buffer. The wetland designation has been determined to be in error; there is not a wetland on the site or affecting the proposed development. There is a bulkhead at the ordinary high water mark, and an existing pier. These will be altered and improved pursuant to Building Permit No. 6187132. A good deal of landscaping work is also being reviewed in the shoreline area under the building permit; these developments are not being reviewed under this MUP.

Adjacent properties are similarly zoned, but developed with existing single family residences. Access to all the immediate properties, including the subject one, are taken from the addressed street (Surber). The adjacent property to the east is also developed with a pier. The adjacent property to the west has a bridge over the lake to a small island.

Description of Proposal

The applicant proposes to develop a new two-story single family residence with daylight basement and a detached 3-car garage. A pool and landscaped pool area is also proposed. Only the pool and surrounding landscaping would be located within the shoreline district. Total coverage of the structures would be approximately 5,720 square feet.

Public Comment

None.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. The information in the checklist 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 such limitations/circumstances (SMC 225.05.665 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/demolition-related impacts are expected: minor decreased air quality due to suspended particulate from building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; conflict with normal pedestrian movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. Additionally, these impacts are minor in scope and are not expected to have significant adverse impacts. However, due to the density and close proximity of residential uses, further analysis of noise and construction-related water quality impacts is warranted.

Air

Greenhouse gas emissions associated with development come from multiple sources; the extraction, processing, transportation, construction and disposal of materials and landscape disturbance (Embodied Emissions); energy demands created by the development after it is completed (Energy Emissions); and transportation demands created by the development after it is completed (Transportation Emissions). Short term impacts generated from the embodied emissions results in increases in carbon dioxide and other green house gases thereby impacting air quality and contributing to climate change and global warming. While these impacts are adverse they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this specific project. The other types of emissions are considered under the use-related impacts discussed later in this document. No SEPA conditioning is necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675A.

Noise

Noise associated with construction could adversely affect the surrounding residential uses, thus the limitations of the Noise Ordinance are found to be inadequate. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), additional mitigation is warranted. Thus, the hours of construction shall be limited to non-City-holiday weekday hours between 7:00 a.m. and 6:00 p.m. pursuant to SEPA authority to mitigate construction impacts (SMC 25.05.675.B). This should not impact project construction, which the SEPA checklist states will transpire during the hours between 7:30 a.m. and 4:30 p.m.

Long Term Impacts

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).

Greenhouse Gas Emissions and other Impacts

Emissions from the generation of greenhouse gases due to the increased energy and transportation demands may be adverse but are not expected to be significant due to the relatively minor contribution of emissions from this specific project. The other impacts such as but not limited to, increased ambient noise, and increased demand on public services and utilities are mitigated by codes and are not sufficiently adverse to warrant further mitigation by condition.

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 43.21.C*), including the requirement to inform the public of 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(2)(C).
- 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(2)(C).

CONDITIONS - SEPA

During construction

The following condition to be enforced during construction shall be posted at 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. If more than one street abuts the site, conditions shall be posted at each street. The conditions will 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.

1. In order to further mitigate the noise impacts during demolition and construction, the owner(s) and/or responsible party(s) shall limit the hours of demolition and construction to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. There shall be no noise-generating work on Saturday's between 8:00 a.m. and 5:00 p.m. This condition may be modified by the Department to permit work of an emergency nature or to allow low noise interior work after the shells of the structure are enclosed. This condition may also be codified to permit low noise exterior work after approval from the Land Use Planner.

Signature: _____ (signature on file) Date: November 13, 2008
Paul Janos, Land Use Planner
Department of Planning and Development

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