



City of Seattle

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: 3009986

Applicant Name: Matt Sullivan, Mithun Architects, for Skalak Administration, LLC

Address of Proposal: 10035 55th Avenue South

SUMMARY OF PROPOSED ACTIONS

Land Use Application to allow a clustered housing development of 30 residential units two to three stories in height which will include 10 detached single family residences, 4 three-unit and 2 two-unit townhouse structures, and 4 carriage house units in an environmentally critical area. Parking for 55 vehicles will be provided both within some structures and as surface parking. Project also includes environmental review for a future unit lot full subdivision.

The following approvals are required:

Streamlined Administrative Design Review (SDR) - SMC Chapter 23.41. 018

Administrative Conditional Use – to establish use for the future construction of 10 detached single family residences, 16 townhouse residential units, and 4 carriage house units as a clustered housing development in a single family zone - SMC Chapter 25.09.260

SEPA - Environmental Determination - SMC Chapter 25.05

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND DATA

The subject property is a slightly more than 5 acre site located within an irregularly shaped block that is bounded on the north by S. Pilgrim Street and on the east by 55th Avenue S., and lying between these contiguous boundaries and S. Ryan Street on the south and 51st Avenue S. to the west.

The site is accessed off 55th Avenue S. The site is irregular in shape, roughly in the form of a high-topped boot or reversed “L.” The property consists of most of the westerly approximately 2/3 of tract 26, the westerly half of tract 27, most of the westerly half of tract 28, all of tract 33, and the eastern and southern portions of tract 34 of the First Addition to Rainier Beach (see plans).

The central portion of the site, a substantial portion of tract 26 and the subject portion of tract 27 are designated environmentally critical due to the presence of a riparian corridor (Mapes Creek) and attendant wetlands. The wetlands on site have been delineated at approximately 17,101 square feet.

The subject site is located in a single-family (SF 7200) zone. The areas immediately surrounding the site are likewise zoned SF 7200. Immediately to the north of the site is a substantial lot occupied by buildings and parking space belonging to the Pentecostal Covenant Church. Directly across 55th Avenue S. is a ten acre site developed with St. Paul’s Catholic Church, school, playground and parking areas. North and northwest of the subject site is the Kubota Japanese Garden, a City-owned public park. Directly to the south of the site is land also under the control of the City of Seattle Parks and Recreation Department. While not bordering the actual subject site, there are several developed tracts of single family houses within the general vicinity of the proposed development. Although considerable vegetation within the development area will be removed, areas within the riparian corridor, abutting wetlands and buffer will be left undisturbed. Trees outside the development area will be retained. A large grove of trees towards the center of the development area will also be retained.

As indicated, access to the site will be taken from 55th Avenue S. A permit from Seattle Department of Transportation will be required for the improvements required in the right-of-way of 55th Avenue S.

Project History

The Master Use Permit application for Project No. 3009986 was made on June 23, 2010. It included SEPA and Administrative Conditional Use to reduce lot sizes and yards in a single-family zone (SMC 23.44.024) and to establish use for future construction of 13 single family residences and 17 townhouse units as a clustered housing planned development. Modifications to the proposal have evolved into a plan for 10 detached single-family structures and 16 residential units in six attached townhouse structures and with an additional 4 units in “carriage houses.”



Notice of the project was published on July 14, 2010, with public comment solicited through August 15, 2010. A Streamlined Design Review component was added to the project and a revised notice to that effect was published on March 8, 2012, with a new public comment period running through March 21, 2012.

Proposal

The current proposal is to develop this large undeveloped site with 10 single family houses, six townhouse clusters, two with 2-units, four with 3-units, and 4 “carriage house” units. Each of the proposed units would be built well away from Mapes Creek, its wetlands and buffers. The creek and wetland portion of the site to the west and northwest of the overall site would remain undeveloped and subject to a conservation easement. Vehicle parking would be located both within the proposed structures and in surface parking spaces. Both vehicular and pedestrian access would be from 55th Avenue S. A paved public sidewalk would be part of the improvements to be made along 55th Avenue S.

Public Comment

The initial Notice of Application was published on July 19, 2010, with an extended comment period that ended on August 15, 2012. On March 8, 2012, the Department published a revised notice of application with a comment period that ended on March 21, 2012. Comments during both comment periods raised general concerns regarding the impact the project might have on surrounding properties. These included issues of drainage, soil erosion and runoff from clearing the site of trees and vegetation, and impacts on the wetlands and wildlife habitat on site. Most of the comments were directed at traffic issues and the inability of 55th Avenue S. in its present condition safely to absorb the increased volume of vehicles that would result from the development. It was noted that the prevailing pattern along the nearby major arterial, Renton Avenue S., was of vehicles moving at excessive speeds and generally disregarding posted speed limits. Of special concern were children traveling to and from St. Paul’s and Emerson School and seniors traveling to and from Kubota Gardens.

Environmentally Critical Area Exception

ECA review will be required for subsequent building permit applications due the presence of ECA Steep Slope Areas and their buffers on the portion of the subject parcel due for development. The submitted plan set included a record of a survey by Tri-County Land Surveying Company as well as an Architectural Site Plan. These were accompanied by an Environmentally Critical Areas Report by GeoEngineers, dated June 30, 2008. That study presented a description and evaluation of ECAs at and near the subject site. Based on a review of the submitted information and the City GIS system, DPD concluded that the project appears to qualify for the criteria established in the Critical Areas Regulations, SMC 25.09.180.B2b. Specifically, steep slopes at the subject site appeared to have been created by previous grading activities associated with site development and street improvements. For this reason, DPD will waive the required ECA Steep Slope Variance associated with DPD Application No. 3009986.

The western portion of the subject property has been designated as a Conservation Easement area and shall remain undeveloped in perpetuity and was therefore not included in the ECA

exemption decision. Plans to be submitted for construction on site shall contain an approved delineation of those Steep Slope areas that exist within the eastern portion of the property. The ECA Steep Slope exemption shall be conditioned upon submittal and approval of building permits so that a design is provided that demonstrates that the proposed development project will be completely stabilized in accordance with provisions of the ECA code.

Streamlined Administrative Design Review (SDR)

Streamlined Design Review (SDR) is a type of design review specifically for townhouse developments and is required for applications for development of three or more townhouse units in any zone (SMC 23.23.41.018). Townhouse development refers to units attached along one or more side walls, with housing units that occupy the space from the ground to the sky and where no units are located above or below other units. A determination was made by DPD that this development proposal was subject to SDR and the Streamlined Design Review component was added to the project and a revised notice to that effect was posted on site, published on March 8, 2012, with a new public comment period running through March 21, 2012.

In accordance with the review process, the DPD planner prepared a Design Guidance Report once the 14-day comment period had been concluded, identifying priority design guidelines for the development (see “Streamlined Design Review: 10035 55th Av S/ Preliminary Guidance and Site Reconnaissance Checklist,” as well as the design proposal packet that includes colored renderings prepared by the applicant which are parts of the project file for MUP # 3009986). These responses to the priority guidelines were submitted to DPD for review, possible corrections, and approval. Final approval will be part of the construction permit submittal process, at which time the applicant will submit plans in conformity with the approved design, together with documentation explaining the responses to the Design Guidance Report. This decision will be conditioned to require that the colored elevations contained in the Streamlined Design Review packets be embedded in the MUP plan sets prior to MUP issuance.

Development Standard Adjustments

Development standard adjustments are unique to the SDR process and allow a project to achieve flexibility in the application of a specific set of land use code standards or requirements. These adjustments are only available for a designated set of land use code development standards, as listed in SMC 23.41.018 D 4. The applicant is seeking an adjustment to SMC 23.45.527A, one of the allowable adjustments found in SMC 23.41.018 D4, which would allow the width of a townhouse to exceed 60 feet in width. The proposed structure in question would be 64 feet in width. Streamlined Design Review provides for a structure to exceed the allowable width of 60 feet by 10 percent (SMC 23.41.018 D4). The proposed adjustment appears to be reasonably compatible with citywide design guidelines A-6, A-7, D-5, D-6 and D-7, cited to be of priority in the design of this proposal in “Streamlined Design Review: 10035 55th Av S/ Preliminary Guidance and Site Reconnaissance Checklist” dated August 12, 2011. The adjustment is preliminarily approved and would therefore qualify to be approved at the time of construction permit issuance without further modification.

ANALYSIS - ECA ADMINISTRATIVE CONDITIONAL USE

Mapes Creek, a riparian corridor, and a related wetland, both regulated under SMC 25.09, Environmentally Critical Areas (ECA), are located in the western and northwestern portions of the site. The creek, wetland areas and their required buffers cover some three-fifths of the site. The proposal is for development on that eastern portion of the site that lies totally outside the wetlands buffer. The overall parcel size is approximately 5.16 acres in extent. The area of the site containing the environmental critical areas of creek, wetlands and the required wetlands buffer, is currently under a conservation easement. With the ECA area taken out of the development potential, the site is left with a development area of approximately two acres. The applicant is requesting and administrative conditional use (per SMC 25.09.260) to develop the unencumbered portion of the site to densities that would be allowed for the total parcel, but clustered outside the ECA with lot sizes and yards smaller than would be required in the SF 7200 zone.

SMC 25.09.260 B states that the Director may approve an administrative conditional use for smaller than required lot sizes and yards when a proposal meets the following standards:

1. *Environmental impacts on critical areas.*
 - a. *No development is in a riparian corridor, shoreline habitat, shoreline habitat buffer, wetland, or wetland buffer.*

The proposed development would place the 10 proposed single-family homes and the townhouse and carriage house structures totally outside of the riparian corridor, wetland area and its required buffer. The proposal is not within the shoreline environment.

- b. *No riparian management area, shoreline habitat buffer, or wetland buffer is reduced.*

No riparian management area or wetland buffer will be reduced. The site is not located within the shoreline environment.

- c. *No development is on a steep slope area or its buffer unless the property being divided is predominantly characterized by steep slope areas, or unless approved by the Director under Section 25.09.180.B.2.a, b, or c.*

The Director, after review of the steep slope areas on the site and the review criteria, has granted an environmentally critical are exception for development on mapped steep slope areas per SMC 25.09.180.B.2.b.

- d. *The proposal protects Washington State Department of Fish and Wildlife priority species and maintains wildlife habitat.*

Three-fifths of the site, that containing the riparian corridor, wetlands and wetlands buffer will remain undisturbed and subject to a conservation easement and will thereby maintain existing wildlife habitat. No priority species have been identified on the site. A substantial grove of trees on the development portion of the site will be preserved. There will be no removal of trees or other plants within the wetland area or within its required buffers. Removal, clearing or any action detrimental to trees or vegetation within the wetlands and wetlands buffers is prohibited. Any future

disturbance of this site, outside of this particular review, will require an application for a vegetation and tree-removal permit as well as SEPA review for removing vegetation in an Environmentally Critical Area (SMC 25.09.320). A required Landscape Plan will indicate the retention and planting of trees on site.

- e. The open water area of a shoreline habitat, wetland or riparian corridor shall not be counted in determining the permitted number of lots.*

The proposal is for development of 30 individual lots, which would be an allowance of 216,000 square feet of development credit on the 224, 901 square-foot parcel and provide an additional 8901 square feet for any open water of the riparian corridor or wetland on the overall site.

- f. The proposal does not result in unmitigated negative environmental impacts, including drainage and water quality, erosion, and slope stability on the identified environmentally critical area[s] and buffer[s].*

The proposal will be in compliance with the drainage code and will implement Green Stormwater Infrastructure to the maximum extent possible. A grove of trees on site, identified and designated as “Area One” in the arborist report dated October 12, 2009, and meeting the definition of an “exceptional tree” according to Director’s Rule 16-2008, will be established as a Tree Protection Zone. No construction activity of any kind shall be allowed within the Tree Protection Zone, and all invasive plant material within the zone will be removed by hand and no machinery or chemicals of any kind shall be allowed in the removal process. Although a steep slope exemption (see above) has been issued by the Department for the steep slope areas within the overall development area, all construction applications shall require ECA documentation and receive ECA review. During its review of the proposal the City of Seattle Parks and Recreation Department raised concerns regarding possible effects the development might have on Kubota Gardens. The proposal will be conditioned to require that the project proponent shall complete a hydrogeologic analysis of the project area including pre- and post- construction stormwater and groundwater flow impacts and potential mitigation for review by the Seattle Parks Department and the Department of Planning and Development during the building permit process, specifically during the DPD engineering drainage review in coordination with Seattle Parks.

- g. The proposal promotes expansion, restoration or enhancement of the identified environmentally critical area[s] and buffer[s]*

There will be no disturbance of the creek, wetlands and wetlands buffer which remain under the protection of a conservancy easement. Additionally, due to the development proposal’s proximity to Kubota Gardens, the project proponent shall complete a hydrogeologic analysis of the project area including pre- and post-construction stormwater and groundwater flow impacts and potential mitigation, if any, for review by the Seattle Parks Department and the Department of Planning and Development prior to building permit applications.

2. General environmental impacts and site characteristic

- a. The proposal keeps potential negative effects of the development on the undeveloped portion of the site to a minimum and preserves topographic features*

There will be no development in the environmentally critical area encompassing the riparian corridor wetlands or their associated buffers. There will be no reduction to the stream or wetlands buffers. The grove of trees noted as Area One and regarded as “exceptional” per DR 16-2008 will be maintained, the root zones of the grove protected during development activities on site, with invasive undergrowth removed by hand for the health of the trees. The development of structures has been planned well away from the stream, wetlands and buffers. The Department has made a determination that the steep slopes within the development area were made by previous grading activity and grading for the new development will restore the earth contours on site to a configuration closer to what existed prior to the earlier grading activities.

- b. The proposal retains and protects vegetation on designated non-disturbance areas, protects stands of mature trees, keeps tree removal to a minimum, removes noxious weeds and protects the visual continuity of vegetated areas and tree canopy.*

As noted earlier, three fifths of the site will remain under a conservation easement and not be disturbed. A significant grove of trees will remain within the center of the development area and be hand cleared of noxious and invasive undergrowth.

3. *Neighborhood compatibility*

- a. The total number of lots permitted on-site shall not be increased beyond that permitted by the underlying single-family zone.*

The proposal calls for 30 residential units to be constructed on a site comprised by 224,901 square feet in a single-family 7200 zone.

- b. Where dwelling units are proposed to be attached, they do not exceed the height, bulk and other applicable development standards of the Lowrise 1 (LR1) zone.*

The attached structures within the development have been designed to be compatible with the LR1 development standards.

- c. The development is reasonably compatible with and keeps the negative impact on the surrounding neighborhood to a minimum. This includes, but is not limited to, concerns such as neighborhood character, land use, design, height, bulk, scale, yards, pedestrian environment, and the preservation of tree canopy and other vegetation.*

The dwelling units proposed to be attached on site have been subjected to the Streamlined Design Review process which addresses concerns related to neighborhood character, height, bulk, scale and pedestrian environment. The grove of trees known as Area One will be preserved in the center of the development and integrated within the overall landscape plan proposed for the development.

Conditions

SMC 25.09.260 .C.1 states that in authorizing an administrative conditional use, the Director may mitigate negative impacts by imposing requirements and conditions necessary to protect riparian corridors, wetlands and their buffers, shoreline habitats and their buffers, and steep slope areas and their buffers, and to protect other properties in the zone or vicinity in which the property is located. See below, under “Conditions—Administrative Conditional Use” for those conditions imposed under subsection C.1.

SMC 25.09.260.C.2 also contains conditions applicable to all administrative conditional uses approved under this subsection. Those conditions are likewise listed under “Conditions—Administrative Conditional Use” below.

The subject proposal also includes improvements to 55th Avenue S. and approval of the proposal will be conditioned to mitigate any impacts that are likely to result from those improvements as well.

In conformance with the requirements of the ECA steep slope exemption, any plans submitted for demolition, grading, or construction shall include a site plan that indicates the approved delineation of the steep slope and buffer areas.

Findings of Fact and Conclusions: SMC 25.09.260 D

- the proposal has been designed to protect Mapes Creek and its associated wetlands by keeping development away the wetlands buffer;
- the conservancy easement guarantees that there will be disturbance to the creek and wetlands areas in perpetuity;
- as conditioned, the project will minimize disturbance of the environment;
- the proposal will preserve the stand of mature trees at the center of the development area;
- the proposal maintains the visual continuity of natural greenery, tree canopy and wildlife habitat;
- the design has undergone Streamlined Design Review and has been adjusted so as not to have an adverse impact on the character, design and scale of the surrounding neighborhood; there will be no grading activities within the wetland and required buffers;
- a required Landscape Plan will indicate the retention and/or planting of trees on site;
- access driveways and any impervious surfaces shall be minimized and not exceed the minimal needs of the development and emergency vehicle access considerations;
- pedestrian walkways, including a public sidewalk along the portion of the 55th Avenue S. right-of-way, will be provided as part of the development.

CONCLUSION AND DECISION – ECA ADMINISTRATIVE CONDITIONAL USE

Based on the foregoing analysis and review, the proposal, as conditioned below, satisfies all the relevant requirements of SMC 25.09.260 which governs environmentally critical areas administrative conditional use to permit smaller than required lot sizes and yards in single-family zones. The proposal, as conditioned, is not expected to be materially detrimental to the public welfare nor injurious to property in the zone or vicinity in which the property is located, and is **CONDITIONALLY GRANTED**. The conditional use application is approved with conditions as indicated at the end of this document.

ANALYSIS - SEPA

The disclosure of the potential impacts from this project was made in the environmental checklist dated June 9, 2010 and other, supplemental information in the project file. This information along with the experience of the lead agency in similar situations, form the basis for this analysis and decision. Short and long-term adverse impacts are anticipated from the proposal.

The SEPA Overview Policy (SMC 25.05.665.D) states "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 limitations. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Ordinance (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the pedestrian right-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of identified adverse impacts. Thus, mitigation pursuant to SEPA is not necessary for these impacts. Other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g., increased traffic during construction, additional parking demand generated by construction personnel and equipment, increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation.

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; potential soil erosion during grading, excavation and general site work; increased runoff; tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section 25.05.794). Although not significant, these impacts are adverse.

Air Quality

Construction activities, including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of 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. No SEPA conditioning of air quality impacts is necessary.

Two construction impacts would be adverse enough to warrant mitigation: construction noise and construction worker parking impacts. With respect to the former, the site and construction work associated with 30 dwelling units and access improvements could extend over an exceptional duration relative to normal construction in the zone. Given these circumstances the Noise Ordinance may be limited in its ability adequately to mitigate potential noise impacts on both residential and institutional neighbors. Pursuant to SEPA policies in SMC Section 25.05.675.B, the hours of excavation, foundation installation, framing activity and enclosure of the buildings shall be limited to between 7:00 A.M. and 6:00 P.M. on non-holiday weekdays to mitigate noise impacts. Some extraordinary activities and/or emergency conditions may require occasional weekend and evening work. If such work is to be performed, approval of the DPD planner should be requested at least one week prior to each occurrence.

Despite the fact that some parking for construction workers may be available off site, the number of people needed to park during work hours, the location in relation to adjacent residential and institutional uses and the need for placement and parking of construction vehicles during the prolonged construction period may cause adverse impacts to street, traffic and nearby uses. Construction worker parking along the right-of-way for the extended duration of construction could prove a nuisance to neighbors. These adverse impacts require adequate mitigation. Accordingly, project approval shall be conditioned upon the proponent's providing and implementing a plan, satisfactory to the DPD's Land Use Division, for preventing or adequately mitigating these impacts by providing all construction parking on site within a reasonable period of time. Such a plan must be submitted and approved by the DPD Land Use Division prior to issuance of any permits to demolish, grade or construct.

Long - Term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased bulk and scale on the site; increase in airborne emissions resulting from additional traffic; increases in ambient noise due to increased human activity; increased demand on public services and utilities; increased light and glare; and increased energy consumption. No unusual circumstances exist which would warrant additional mitigation of these impacts pursuant to SEPA policies.

The remaining impacts relating to greenhouse gas emissions increased traffic and parking demand due to residents and visitors and increased surface water runoff from greater site coverage by increased impervious surfaces, warrant further analysis and disclosure of impacts.

Air Quality

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to 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.

Traffic

Traffic generation was estimated by consulting the ITE Trip General Manual (8th edition) for the category "single family detached housing." The average trip generation for each single family residence is approximately 9.5 trips per dwelling unit per day. This generation factor, when applied to a total of 30 residences would result in a total of 285 weekday trips into and out of the proposed project via 55th Avenue S. with an AM peak hour total of 23 vehicles and a PM peak hour of 33 vehicles.

The increase in traffic generated by the proposal is not expected to change the existing Level of Service (LOS) on the streets and intersections within the study area affected by the proposal. It is predicted that there may be a minor increase in accidents in proportion to increases in traffic generated by this proposal, but, because of the comparatively low percentage of increase in traffic volumes, the overall accident rate would be expected to remain the same. The characterization of existing traffic traveling along Renton Avenue S. at excessive speeds may put traffic entering or exiting 55th Avenue S. at some risk but the speed of traffic along Renton Avenue S. is not an impact due to the proposal. The additional traffic generated by the project must be acknowledged as generating adverse impacts related to noise, light, air quality and safety, but the impacts identified are anticipated to be levels consistent with typical residential development and none of these impacts rise to the level which would require mitigation pursuant to SEPA policies.

Parking

Parking will be available to each unit in accord with requirements of the land use code. In addition, the project will provide 25 parking spaces in excess of code requirements. A total of 55 parking spaces will be provided [see plans]. With these provisions adequate parking will be available for the new residences and no additional mitigation is warranted pursuant to SEPA policies.

Drainage

Site development will inevitably increase the volumes and rates of storm water runoff. Authority provided through the Grading and Drainage Control Ordinance and Environmentally Critical Areas Ordinance is intended to achieve mitigation of drainage impacts in most cases, although these ordinances may not anticipate or eliminate all impacts.

Specific impacts to the Kubota Gardens park area if any would be mitigated by compliance with conditions set forth in accordance with the ECA Ordinance (conditional use and exception) analyses and conditions imposed above. Non-typical impacts associated with the clustering configuration have been adequately mitigated pursuant to the ECA conditional use authority.

Because extreme fluctuations in hydroperiods may adversely impact the vegetation and wildlife habitat within the wetlands area, and because retention water level is a function of controlling both the outfall and the quantity of storm water directed toward the wetlands, on-site, pre-wetland detention of storm water runoff may be required if the hydrogeologic analysis calls for it. The applicant shall be required to supply a revised hydrologic analysis which directly assesses the need or lack of need to provide pre-wetland detention mechanisms to prevent the water level of the wetland from exceeding an elevation deemed harmful to the wetlands and down creek habitat. This information, and implementation plan if necessary, will be a part of the requirement of the hydrogeologic study as conditioned under the Environmentally Critical Areas Administrative Conditional Use authority. See the conditions below.

Except as discussed above, most of the expected long-term impacts are typical of a medium scale single family residential development and are expected to be mitigated by the City's adopted codes and/or ordinances (together with fulfillment of other City Department requirements). Specifically these are: the Stormwater, Grading and Drainage Control Ordinance (storm water runoff from additional site coverage by impervious surface); the Land Use Code (height, setbacks, parking); and the Seattle Energy Code (long-term energy consumption). Other impacts not noted here as mitigated by codes or conditions (earth/soils, increased ambient noise, increased traffic, increased demand on public services and utilities, increased airborne emissions, increased light and glare, loss of vegetation) are not sufficiently adverse to warrant further mitigation by conditioning.

The above analysis is applicable to any future platting action to create a unit lot full subdivision on the site.

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 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. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS - SEPA

Prior to Issuance of any Permit to Demolish, Grade or Construct

1. The owner(s) and/or responsible party(s) shall provide a plan, satisfactory to the DPD Land Use Division, for preventing or adequately mitigating construction worker parking impacts. The plan shall include, to the degree feasible, development of roadway improvements adjacent to and within the site, and establishment of an on-site parking area as soon as possible, with construction workers and construction vehicles parking there instead of in the rights-of-way outside the site.

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. 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 weatherproofing material and shall remain in place for the duration of construction.

2. The hours of exterior construction shall be limited to non-holiday weekdays between the hours of 7:00 A.M. and 6:00 P.M. Limited work after hours on weekdays and on Saturdays between 9:00 A.M. and 6:00 P.M. may be allowed if prior approval is obtained from the Land Use Planner at DPD. Such after-hours work could include emergency construction necessitated by safety or street use concerns, or landscaping work not using motorized vehicles or tools, or low-noise producing interior work after individual buildings have been enclosed. Application for approval for such work shall be made at least one week prior to the date of the activity.

For the Life of the Project

3. Pedestrian paths, driveways, all yards, landscaping, garage & parking, and other improvements shall be maintained per plan.
4. Acceptable provisions guaranteeing the maintenance of these elements shall be incorporated into the Articles of Incorporation and By-laws of any Homeowners' Non-profit Maintenance Corporation required for any future unit-lot subdivision of the site.

CONDITIONS - ENVIRONMENTALLY CRITICAL AREA EXCEPTION

Prior to MUP Issuance

5. The applicant shall embed color elevations of the townhouse units as preliminarily approved into the MUP plan sets.
6. The applicant shall submit a revised comprehensive landscape plan, showing among other details conformance with the tree preservation/planting options of SMC 23.44.008 I.

Prior to Issuance of any Permit for Demolition, Grading or Construction

7. The project proponent shall complete a hydrogeologic analysis of the project area including pre- and post- construction stormwater and groundwater flow impacts and potential mitigation, if any, for review by the Seattle Parks Department and the Department of Planning and Development during the building permit process, specifically during the DPD engineering drainage review in coordination with Seattle Parks.
8. In complying with the City of Seattle Street Improvement process and consistent with the requirement that the applicant obtaining approval of the 60% street improvement plans for required improvements in the right of way prior to submittal of the DPD construction permit application, the development of the street improvement plans will be undertaken in concert with the hydrogeologic analysis referenced in the condition above.
9. Plans to be submitted for any demolition, grading or construction on site shall contain an approved delineation of those Steep Slope areas that exist within the eastern portion of the property.
10. The owner and/or responsible party shall record any required ECA covenants.

Compliance with all conditions must be verified and approved by the Land Use Planner assigned to this project, or by his Supervisor, Jerry Suder, at the specified development stage, as required in the Director's decision. You must make an appointment with the assigned Land Use Planner, or, in his absence, with his Supervisor, at least one week in advance of a field inspection. The Land Use Planner will determine whether the condition requires submission of additional documentation or a field verification to ensure that compliance has been achieved.

Signature: _____ (signature on file) Date: June 14, 2012
Michael Dorcy, Senior Land Use Planner
Department of Planning and Development

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