



City of Seattle

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**Department of Planning and Development**  
Diane M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3014611  
**Applicant Name:** Hugh Schaeffer, S & H Works LLC  
**Address of Proposal:** 8727 Phinney Ave N.

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a four-story, six unit apartment building in an environmentally critical area. No parking is proposed. Review includes grading of 900 cu. yds.

The following approval is required:

**SEPA - Environmental Determination** - Chapter 25.05, 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 and Vicinity Description

The site is zoned Lowrise 3 (LR-3) and abuts Neighborhood Commercial 2 with a 40-foot base height limit (NC2P-40) zoning on the south and west. It is currently occupied by a small building formerly in commercial use located at the eastern end of the lot. The site is located within the Greenwood-Phinney Ridge Residential Urban Village.

The mid-block parcel fronts onto Phinney Avenue N., between N. 87<sup>th</sup> Street on the south and N. 90<sup>th</sup> Street on the north. Parcels to the north and across Phinney Avenue N. west are similarly zoned. There is a large swatch of Single Family (SF 5000) zoning a half block to the east and the development there is generally single family homes. A neighborhood park lies two blocks to the east.

Directly to the south and extending from Phinney Avenue N. to Greenwood Avenue N. on the west is a large grocery store (Safeway). The grocery store has both rooftop parking and at-grade parking which is located directly to the west (and below) the subject development site.

In general, development in the vicinity is a mix of commercial and residential and consists of single family structures and some multi-family structures, with a concentration of commercial and mixed use development primarily adjacent to Greenwood Avenue N. and N. 85<sup>th</sup> Street, which is located a single block south of N. 87<sup>th</sup> Street at this juncture.

The site lies within the following mapped Environmentally Critical Area: 40% Steep Slope and potential landslide area (ECA-1). A mapped Peat Settlement Prone Area (ECA 11) abuts the site on both the west and the south, but terminates at the property lines of the subject development site.

Landscaping will be provided on site per plan and street improvements, including curb, sidewalk and street trees will be required. The selection and placement of the street trees must meet the requirements of the City Landscape Architects Office, Seattle Department of Transportation.

#### Proposal Description

The applicant proposes to construct a 4-story residential apartment building, containing six units, with a total of forty sleeping rooms, on a 5,720 square foot lot. The total gross floor area of the units will be 8,828 square feet. Approximately 52 percent of the site will be covered with impervious surfaces after project construction is completed. One of the residential units will be constructed partially below grade. Approximately 900 cubic yards of earth will be removed from the site to accommodate the structure. No parking is required and none is provided. Pedestrian access to the residential units will be provided from Phinney Avenue N.

#### Public Comments

No comment letters were received during the public comment period which ended on April 17, 2013.

#### ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist dated February 5, 2013, and supplemental information in the project file submitted by the applicant. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

Seattle Municipal Code (SMC) Section 25.05.665(D), the SEPA Overview Policy, clarifies the relationship among 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. Per SMC 25.05.665 D 1-7, mitigation can be considered for specified limitations and/or circumstances. Therefore, a more detailed discussion of some of the anticipated impacts is appropriate.

### 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 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.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards in general); and Noise Ordinance (construction noise that is permitted in the city). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of potential adverse impacts. Thus, mitigation pursuant to SEPA is not necessary for these impacts.

### Greenhouse Gas Emissions

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.

### Long - Term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased bulk and scale on the site; minor increase in ambient noise due to increased human activity; increased demand on public services and utilities; and increased energy consumption. Compliance with existing codes and ordinances will be adequate to achieve sufficient mitigation of potential adverse impacts. Thus, mitigation pursuant to SEPA is not necessary for these impacts.

### Greenhouse Gas

Operational activities, primarily vehicular trips associated with the project and the projects' 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. It is estimated that lifespan emissions for the subject project will be 6.970 MTCO<sub>2e</sub>. While these impacts are adverse, they are not expected to be significant.

The long-term impacts identified above are typical of neighborhood multifamily development and are not considered significant because they are within the scope of those impacts anticipated by the zoning and/or relatively minor in scope. The use is consistent with the current zoning and compatible with the surrounding residential and commercial uses. Codes and development regulations applicable to this proposed project will provide sufficient mitigation of long term impacts and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.030).

### **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency and was based on 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.

- [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**

None.

Signature: (signature on file) Date: October 10, 2013  
Michael Dorcy,  
Senior Land Use Planner