



**City of Seattle**  
Edward B. Murray, 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:** 3014966  
**Applicant Name:** Hugh Schaeffer, for Waverly B, LLC.  
**Address of Proposal:** 2429 8<sup>th</sup> Avenue North

**SUMMARY OF PROPOSAL**

Land Use Application to allow four, three-story, two-unit townhouse structures (for a total of eight units) in an environmentally critical area. Surface parking for eight vehicles to be provided in rear adjacent to alley. Review will include future Unit Lot Subdivision. The existing structures will be demolished under separate permit.

The following approval is required:

**SEPA Environmental Threshold Determination (SMC Chapter 25.05)**

**SEPA DETERMINATION:**

Determination of Non-significance

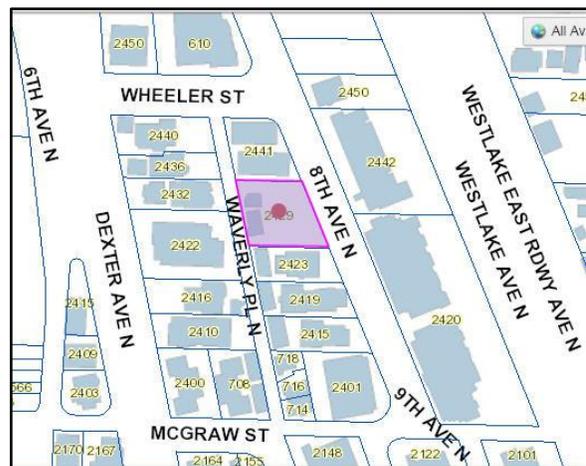
- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts

**BACKGROUND**

The project has gone through the Streamline Design Review (SDR) process which is required when more than two townhouse units are being proposed for development. The SDR report was finished on October 20, 2013. A copy of the report is located on DPD’s website at: <http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/SearchPastReviews/default.asp>.

**Site Description**

The development site is an interior lot, totaling approximately 9,968 square feet of land area, in the Queen Anne Hill neighborhood. The site is irregular in shaped with street frontage along 8<sup>th</sup> Avenue North to the east, and alley frontage along the west property line. The development site is zoned Multifamily Lowrise Two (LR2).



The site is currently features a one-story single family structure, with detached carport adjacent to a named alley (Waverly Pl N) along the west property line. The east half of the development site is vegetated with a number of trees and ground cover. The site slopes significantly downward from west to east approximately 35 feet over a distance of 115 feet. Vehicle access is provided through an alley with connection Wheeler Street to the north and McGraw Street to the south.

### Area Development

The immediate area features a predominant mix of multifamily residential apartment and townhome developments ranging in height between two and four stories. The area is located on the east slope of Queen Anne that terraces downward towards South Lake Union. Eighth Avenue North is one block east of Dexter Avenue North a primary arterial connecting Downtown to the Fremont District. This area is predominately a residential corridor supporting a varied assortment of residential uses with pockets of small neighborhood commercial uses.

The neighborhood character includes an eclectic combination of older and contemporary architecture styles ranging in height between one to four stories. This area steps down in benches towards the east and is noted for its territorial views to South Lake Union and Gasworks Park.

### ECA:

The site is mapped as 40% Steep Slope. A Limited Steep Slope exemption was granted under #3006267. Based on the submitted information and review of GIS, the steep slope areas on the property have been previously developed and were likely created by legal grading activities. No ECA Steep Slope Variance will be required. With the exception of the development coverage restriction in the Environmentally Critical Areas Regulations, SMC 25.09.180 B1, the remainder of the ECA Regulations applicable to a project within Geologic Hazard Areas and Steep Slope Areas applies to this project.

### Project Description:

The proposed project is for the design and construction of 4 residential duplex townhouse buildings (total of 8 residential units). Surface parking for 8 vehicles to be provided in the rear accessed from the alley. The existing structure will be demolished under separate permit.

### Public Comment:

The public comment period ended on December 25, 2013. Two public comment letters were received for SEPA review.

- Requested answers to relationship of proposed building height impacts on the 8<sup>th</sup> Avenue street frontage.
- Wanted clarification of construction impacts on neighborhood as it relates to start and end dates and hours of construction activity.
- Would like to see increased parking on the development site to reduce the demand for congested on-street parking.

A number of public comment letters were received as part of the SDR process.

- Concerned with the proposed development that will bring additional demand for on-street parking in the neighborhood. Opposed to a design that would add more than one curb cut along 8th Avenue.

- Aware of the desire for new development in the neighborhood, but this proposal would adversely impact private views; the adverse impacts of view blockage on existing structures should be taken into consideration as the project moves forward.
- Encouraged developer to increase its on-site parking to lessen the demand for on-street parking. It's impractical to think one vehicle per unit is the norm; realistically this area would become over burdened with an increased demand for on-street parking.
- Against more construction in Queen Anne; the adverse impacts of construction related activities including; noise, debris, work hours, undermining hill stability, construction traffic, etc.
- Concerned with the operational logistics during the construction period. Would like to see alley access maintained to allow vehicles to pass through, the alley is the primary means to parking for a number of properties. Because of the noise related to pouring concrete it would be prudent to limit the hours of pouring to standard working hours (9 am – 6 pm). [Staff note: Standard construction hours are established in the noise ordinance.]

### **ANALYSIS – SEPA**

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist prepared by the Hugh Schaeffer, S+H Works, LLC on November 20, 2013. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file and any pertinent comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and Regulations for Environmentally Critical Areas (SMC 25.09).

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, and 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 and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*” subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

### **Short Term Impacts**

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; increased noise and vibration

from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

*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 due to the relatively minor contribution of greenhouse gas emissions from this project.

*Construction Parking and Traffic*

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during construction. The construction activities will require excavation, removal of material from site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

During construction, existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. This immediate area is subject to traffic congestion during the PM peak hour, and large construction trucks would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675(B) (Construction Impacts Policy) and SMC 25.05.675(R) (Traffic and Transportation), additional mitigation is warranted.

It is expected that most of the material to be removed from the site will be due in part to excavation for a building on a sloping lot will have impacts on surrounding properties. During excavation, it is anticipated a single-loaded truck will be used which holds approximately 10 cubic yards of material. This will require approximately 24 truckloads to remove approximately 240 cubic yards of material, and may require additional number of trucks loads of fill material for regarding purposes. The site fronts one street and a named alley, with ready access to Dexter Avenue North, and is anticipated to have minor impacts on the neighboring thoroughfares. In order to limit this negative impact as much as possible, a Construction Haul Route will be required and approved by SDOT prior to issuance of a building permit. The Construction Haul Route plan shall delineate the routes of trucks carrying project-related materials.

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site.

To mitigate construction parking impacts and other haul truck trip impacts, the applicant shall submit a Construction Haul Route for approval by Seattle Department of Transportation and Construction Parking Plan for approval by DPD. These plans may include a restriction in the

hours of truck trips to mitigate traffic impacts on nearby arterials and intersections. Evidence of these approved plans shall be provided to DPD prior to the issuance of demolition, grading, and building permits.

### Earth / Soils

The ECA Ordinance and Director's Rule ([DR 18-2011](#)) require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in landslide prone areas. Pursuant to this requirement the applicant submitted a geotechnical engineering study by Robert M. Pride, LLC, on July 22, 2013. The study has been reviewed and approved by DPD's geotechnical experts, who will require what is needed for the proposed work to proceed without undue risk to the property or to adjacent properties.

### Historic Preservation

The Department of Neighborhoods indicated the structures on site that are proposed to be demolished are unlikely to qualify for historic landmark status (Landmarks Preservation Board letter, reference number LPB 167/14). Therefore, no mitigation is warranted for historic preservation.

### Noise

Due in part to the close proximity of residential uses surrounding the development site construction related activities would generate significant noise outside what would be typically expected in residential zones. The project is anticipated to generate noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends. The limitations stipulated in the Noise Ordinance are sufficient to mitigate noise impacts; therefore, no further conditioning is warranted.

### Plants

The Tree Protection Ordinance and Director's Rule (DR) [16-2008](#) require submission of a tree assessment report to evaluate the value of "rare, uncommon, unique or exceptional" trees on site undergoing environmental review, in order to establish appropriate tree protection mitigating measures. Pursuant to this requirement the applicant submitted a tree assessment study by Shoffner Consulting, dated July 19, 2013. The study has been reviewed and approved by DPD's experts, out of the 11 trees no exceptional trees were discovered on the property.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

### Long Term Impacts

Long term or use-related impacts are also anticipated as a result of this proposal, including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

Greenhouse gas emissions

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. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

**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.

- 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 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW [43.21C.030](#) (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC [197-11-355](#) and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

**CONDITIONS – SEPA**

**SEPA - CONDITIONS OF APPROVAL**

Prior to Issuance of a Demolition, Grading, or Building Permit

1. The applicant shall provide to the DPD Land Use Planner for approval a Construction Haul Route for approval by Seattle Department of Transportation and Construction Parking Plan which identifies anticipated number of daily construction workers, location of construction workers parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.

Signature: (signature on file) Date: May 22, 2014  
Bradley Wilburn, Land Use Planner  
Department of Planning and Development