



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: 3017680
Applicant Name: Julian Weber
Address of Proposal: 1415 19th Ave

SUMMARY OF PROPOSAL

Land Use Application to allow four, 3-story structures (five residential units total) in an environmentally critical area. Surface parking for five vehicles to be provided. Existing structures to be demolished. Environmental Review includes future unit lot subdivision.

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

Site Description:

The subject site is located on the west side of 19th Avenue between E Pike Street and E Union Street. The site consists of one parcel containing an existing duplex structure. The site was previously graded and contains two flat sections and two sloped sections including a slope along the 19th Avenue frontage.

The property is zoned Lowrise One (LR1) multifamily, as are the properties to the north, south, and east. The properties to the west are zoned Lowrise Three (LR3).



Environmentally Critical Areas (ECA):

A portion of the site is mapped Environmentally Critical Area – Steep Slope Area. The applicant applied for and received a Limited Steep Slope Exemption under permit #6405572, as follows:

"ECA review is required. Based on a review of the submitted limited project and site information and the City GIS system, DPD concluded that steep slope areas exist at the site and the project appears to qualify for the criteria established in the Critical Areas Regulations, SMC 25.09.180.B2c. Specifically, the City GIS system and the submitted information for the steep slope developmental allowance application demonstrated that steep slope areas at the site appear to be less than 20 feet in height and are 30 feet or more from other steep slope areas. Further, the geotechnical report by AGES, LLC, dated February 21, 2014, inferred that granting a steep slope exemption will not result in adverse impacts on this site and adjacent properties. For these reasons, DPD will waive the required ECA Steep Slope Variance associated with DPD Application No. 6405572. This approval is conditioned upon the approval of building permits for a design that demonstrates that the proposed development will be completely stabilized in accordance with provisions of the ECA code. All other ECA Submittal, General, and Landslide-Hazard, and development standards still apply for this development."

Access:

The site is bordered by 19th Avenue to the east and an improved alley to the west. Vehicular access for the site is from the abutting alley.

Public Comment:

The Notice of Application comment period ended on August 10, 2014. Several written comments were received during the comment period.

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 (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 3/25/2014. The Department of Planning and Development (DPD) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered. 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.

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 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.

Codes and development regulation applicable to this proposed project will provide sufficient mitigation from short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC22.800-808), the Grading Code (SMC22.170), the Street Use Ordinance (SMC Title 15), the Building Code, and Noise Control Ordinance (SMC 25.08).

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. The following warrant further discussion:

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.

Earth / Soils

The ECA Ordinance and Directors 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 report (AGES, LLC, dated February 21, 2014, addendum dated October 15, 2014). The geotechnical report has been reviewed by DPD’s geotechnical experts who determined that the impacts to soils can be sufficiently mitigated through the Grading Code and Stormwater Code review by the Geotechnical Engineer during the Building Permit phase of review. The applicant will be required to submit geotechnical studies and any other information to determine compliance with those Codes during Building Permit review. No additional mitigation is warranted pursuant to

Construction Noise

The project is expected to generate loud 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 Control Ordinance (SMC 25.08) 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. If extended construction hours are desired, the applicant may seek approval from DPD through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated.

The site is located near the Northwest Language and Learning Services ("NWLLS"). Due to the nature of the business and services conducted at the NWLLS, it has been determined that noise generated during demolition, grading, and construction may have a potentially significant adverse impact on this nearby use.

To mitigate construction noise impacts, noise mitigation is required including ambient sensitive "broadband backup alarms" required for all hauling trucks and onsite mobile equipment that requires a backup alarm. These devices use a motion sensor to activate the volume of the back-up alarm which will reduce construction noise impacts to nearby properties.

Long -term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; parking; and possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, Greenhouse Gas Emissions and Historic Preservation require further analysis.

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.

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

Historic Preservation

The existing structure on site is more than 50 years old. Seattle Department of Neighborhoods reviewed the existing structure and determined that it is not likely to be eligible for historic landmark designation (Landmarks Preservation Board letter, reference number LPB 724/14). No further mitigation is warranted for historic preservation impacts to the existing structures on 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.

- 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.

SEPA - CONDITIONS OF APPROVAL

Prior to Issuance of a Demolition, Excavation, or Construction Permit

1. The applicant shall demonstrate by providing a written signed statement that ambient sensitive “broadband backup alarms” will be used for all hauling trucks and onsite mobile equipment that requires a backup alarm to the Land Use Planner (breanne.mcconkie@seattle.gov).

Signature: _____ (signature on file) Date: December 8, 2014
BreAnne McConkie, Land Use Planner
Department of Planning and Development

BM:drm

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