



City of Seattle
Edward B. Murray, Mayor

Department of Construction and Inspections
Nathan Torgelson, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

Application Number: 3018644
Applicant Name: Dylan Fuller of Caron Architecture
Address of Proposal: 5221 Ravenna Avenue Northeast

SUMMARY OF PROPOSAL

Land Use Application to allow a 3-story structure containing 35 small efficiency dwelling units. Storage for 28 bicycles to be provided within the structure. Existing structure to be demolished.

The following approval is required:

SEPA – Environmental Determination – Seattle Municipal Code (SMC) Chapter 25.05

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 AND VICINITY

Site Zone: Lowrise-Two (LR2)
Nearby Zones: (North) Lowrise Three (LR3)
(South) LR2
(East) LR3 and Lowrise One (LR1)
(West) LR3
Lot Area: 6,810 square feet

Public Comment

Public comment was received during the comment period that ended September 7, 2015 after an extension request. Comments included: concerns about the increase in density in the neighborhood; anticipated increases in trash and traffic; suggested on-site parking and loading/unloading area for residents; concerned about excessive trash littering the sidewalk and street; recommended the preservation of three Exceptional trees on site; recommended shielding exterior lighting to avoid glare impacts; recommended limited construction hours and days; and recommended reducing the number of units.



ANALYSIS – SEPA (WAC 97-11 and SMC 25.05)

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 June 29, 2015. The Seattle Department of Construction and Inspections (SDCI) 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 D) 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 an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations.

Under such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

SHORT TERM IMPACTS

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: 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 the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes air quality, greenhouse gas, construction-related noise, and construction traffic and parking impacts, as well as mitigation.

Air Quality/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. Therefore no further mitigation is warranted pursuant to SMC 25.05.675.A.

Construction Impacts: Noise

The project is expected to generate loud noise during demolition, grading and construction. The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development 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 and legal holidays in Lowrise, Midrise, Highrise, Residential-Commercial and Neighborhood Commercial zones. If extended construction hours are desired, the applicant may seek approval from SDCI through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated. While these impacts are adverse, they are not expected to be significant. Therefore no further mitigation is warranted pursuant to SMC 25.05.675.A.

Construction Impacts: Parking, and Traffic

The area includes limited and timed or metered on-street parking. Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking. It is the City's policy to minimize temporary adverse impacts associated with construction activities. While these impacts are adverse, they are not expected to be significant. Therefore no further mitigation is warranted pursuant to SMC 25.05.675.A.

Site preparation would involve the removal of the existing on-site buildings and asphalt pavement, and excavation for the foundation of the proposed building. Approximately 1,480 cubic yards of material would be excavated and removed from the site. Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. Traffic impacts resulting from the truck traffic associated with the removal of the existing building and excavation for the foundation of the proposed building will be of short duration and mitigated in by enforcement of SMC 11.62. Pursuant to SMC 25.05.675.B. and SMC 25.05.675.R. additional mitigation is not warranted.

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; 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, air quality, greenhouse gas, historic resources, and parking warrant further analysis.

Air Quality/Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction 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, therefore, no further mitigation is warranted pursuant to SMC 25.05.675.A.

Height, Bulk & Scale

The project went through the City's Design Review process which addressed the issue of height, bulk and scale; see the above Design Review Analysis for details of the process and design changes. "The Citywide Design Guidelines (and any Council-approved, neighborhood Design Guidelines) are intended to mitigate the same adverse height, bulk and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review process is presumed to comply with the height, bulk and scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk and scale policies that have undergone design review shall comply with the design guidelines applicable to the project" (SMC 25.05.675.G). No further SEPA mitigation is warranted.

Historic Preservation

The existing structure on site is more than 50 years old. This structure was reviewed for potential to meet historic landmark status. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and indicated the structure on site are unlikely to qualify for historic landmark status (*Landmarks Preservation Board Memo*, LPB 294/16). Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and no further conditioning is warranted per SMC 25.05.675.H.

Parking and Traffic

The proposed development includes 35 residential units with no off-street vehicular parking spaces. The subject site is within the University District Parking Impact area and within 1,320 feet of a street with frequent transit service. Furthermore, due to the site's location no SEPA authority is provided for the decision maker to mitigate the impact of development on parking availability for residential. No mitigation is warranted or permitted pursuant to SEPA Policy SMC 25.05.675.M. and SMC 25.05.675.R.

Plants and Animals

The subject site contains three Exceptional trees: a 34.8-inch Western Red Cedar; 38.4-inch Western Red Cedar; and a 37.9-inch Lawson Cypress. The two Western Red Cedars are proposed to remain and a tree protection plan (*Tree Protection Plan*. Ringe, Ryan. 21 March 2016) was submitted by the applicant.

In order to mitigate impacts to the Exceptional trees under SMC 25.05.675.N, a condition for a tree preservation plan is warranted. The tree preservation plan shown in the arborist report (*Tree Protection Plan*. Ringe, Ryan. 21 March 2016) will be required on any demolition, excavation, shoring, and construction permit plans.

The third Exceptional tree, the Lawson Cypress, is proposed for removal. The removal of this tree was reviewed during the Streamlined Design Review pursuant to SMC 25.11.070.A. The Director may permit the removal of an Exceptional tree if the total floor area that could be achieved within the maximum permitted floor area ratio (FAR) and height limits cannot be achieved while avoiding the tree protection area through development standard adjustments. An analysis was included in the Streamlined Design Review packet (12 May 2015) demonstrating that the total permitted FAR could not be achieved while protecting all three Exceptional trees, even with adjustments. Based upon recommendations contained in the arborist report, it was determined the Lawson Cypress should be removed. The Seattle DCI Environmental Specialist reviewed the submitted materials, and agreed with the arborist report (Ringe, Ryan. Received June 29, 2015) concluding this to be the most appropriate tree to be removed.

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 (Revised Code of Washington (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 Environmental Impact Statement (EIS) is not required under RCW 43.21.030(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).

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

Prior to issuance of the first construction permit:

1. The tree preservation plan shown in the arborist report (*Tree Protection Plan*. Ringe, Ryan. 21 March 2016) shall be included on any demolition, excavation, shoring, and construction permit plans.

Carly Guillory, Land Use Planner Date: August 25, 2016
Seattle Department of Construction and Inspections

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Guillory/3018644

IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by Seattle DCI within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.