



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: 3019090
Applicant Name: Kevin O’Leary, of KO Architecture
Address of Proposal: 5253 15th Avenue NE

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 4-story structure containing 28 small efficiency dwelling units. No parking proposed. Existing single family residence to be demolished.

The following approval is required:

SEPA Environmental Threshold Determination - (SMC Chapter 25.05)

SEPA DETERMINATION:

Determination of Non-Significance

X 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 DATA

Site and area description

The subject proposal is located on 15th Avenue NE between NE 55th Street and NE 52nd Street in the University District Northwest Urban Center Village. The approximately 4,118 square foot site, zoned Lowrise 3 (LR3), is rectangular in shape. An alley bisects this block in the north/south direction. Surrounding development consists of a mix of two and three-story multifamily structures. There are no environmentally critical areas (ECA) mapped at this site.



The applicant proposes to provide a multifamily dwelling project of 28 small efficiency dwelling units. Rooftop decks are proposed. No parking is proposed or required. The application includes landscaped entries and site landscaping.

The project is subject to Streamlined Design Review, a design process described in SMC 23.41.018. The applicant received design guidance from the Seattle DCI planner based on the Seattle Design Guidelines, neighborhood guidelines if applicable, the underlying zone, site analysis, opportunities and constraints of the location and neighborhood characteristics. The applicant may request certain development standard adjustments per SMC 23.41.018 and they may be granted if the resulting design helps the project better meet design guidance. The design guidance and supporting documentation is located in the electronic project file under project number 3019090.

Public Comments

Comment letters received during the official public comment period focused on lack of parking and too much density. Commenters also noted that some trees on neighboring properties are slated to be removed. (Planner note: This permit does not allow removal of trees on neighboring property.)

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 submitted by the applicant. The Department of Construction and Inspections 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 or limited effects, the impacts are not expected to be significant.

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 an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation”* subject to some limitations.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for short and/or long term impacts. Applicable codes may include 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.

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. 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.

Plants – Operational activities, primarily site clearing, site preparation, tree removal, and construction associated with the project are expected to result in increases in soil disturbance which may have lasting deleterious effects on trees on and off the site. While these impacts are adverse, they are not expected to be significant. No further conditioning is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

Historic Preservation - Due to the age of the existing structure on the subject site a review of the proposal was requested of the Department of Neighborhoods (DON), to consider SEPA policies found in SMC 25.05.675H. DON staff determined that it is unlikely that the existing house would meet the standards for designation as an individual landmark and that additional mitigation to minimize impacts to the structure is not warranted. (letter dated February 4, 2016.)

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

None.

Holly J. Godard, Senior Land Use Planner
Seattle Department of Construction and Inspections

Date: April 14, 2016

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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.