



City of Seattle
Edward B. Murray, Mayor

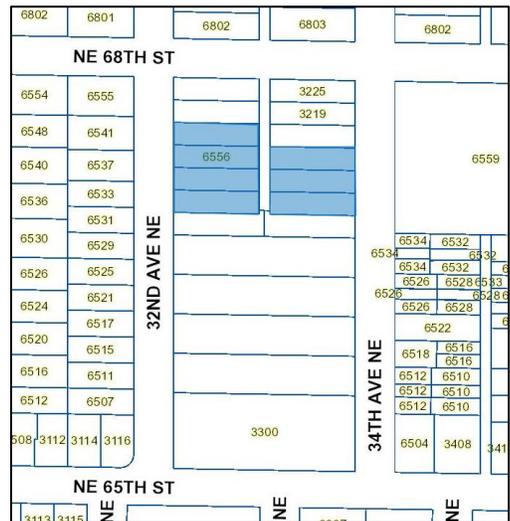
Department of Planning and Development
D. M. Sugimura, Director

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

Application Numbers: 3019540, 3019304, 3019305, 3019299
Applicant Name: Alexander Fraser
Addresses of Proposal: 6572 32nd Ave NE (3019540)
 6563 34th Ave NE (3019304)
 6559 34th Ave NE (3019305)
 6567 34th Ave NE (3019299)

SUMMARY OF PROPOSAL

- 3019540: Land Use Application to demolish a one story, 4,526 sq. ft. structure. Review includes 1,011 cu. yds. of grading to remove contaminated soil under projects 3019304, 3019305 and 3019299.
- 3019304: Land Use Application to grade 324 cu. yds. of contaminated soil and replace with clean fill; to be considered with projects 3019299 and 3019305 for environmental review of 1,011 cu. yds. of grading. Environmental review conducted under 3019540.
- 3019305: Land Use Application to grade 193 cu. yds. of contaminated soil and replace with clean fill to be considered with projects 3019299 and 3019304 for environmental review of 1,011 cu. yds. of grading. Environmental review conducted under 3019540.
- 3019299: Land Use Application to grade 494 cu. yds. of contaminated soil and replace with clean fill to be considered with projects 3019304 and 3019305 for environmental review of 1,011 cu. yds. of grading. Environmental review conducted under 3019540.



The following approval is required:

SEPA Environmental Threshold Determination (SMC Chapter 25.05)

DPD 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:

Site Zone: Single Family Residential 5000 (SF5000)

Nearby Zones: SF5000 (North)
Low Rise 2 (LR2) (South)
LR2 (East)
SF5000 (West)

Site Characteristics and Background:

The site is comprised of seven parcels totaling 19,250 square feet (sq. ft.) and is located between NE 65th Street and NE 68th Street. Four of the parcels front 32nd Ave NE. The remaining three parcels front 34th Ave NE. Future vehicle access to all seven parcels is proposed from an adjacent alley, accessed from NE 68th St. The adjacent parcels to the north and south are private properties controlled by the same ownership.

The four properties located on 32nd Ave NE (6572, 6568, 6564, and 6560 32nd Ave NE) contain the Children's Home Society Building which is proposed for demolition. The properties located at 6563 34th Ave NE, 6559 34th Ave NE, 6567 34th Ave NE have been altered as a result of previous grading activities associated with the removal of underground tanks and soil remediation. Each of these three parcels had grading activities that, in total, accounted for 1,011 cubic yards of soil modification. While the amounts of cubic yards modified at each site were under the SEPA threshold, the grading was done so as one overall action that exceeded 500 cubic yards, therefore requiring SEPA compliance.

The area possesses a number of large trees including several exceptional trees on and near the site. This is discussed in more detail below. The site has no mapped environmentally critical areas (ECA).

Public Comment:

The Notice of Application comment period ended on February 22, 2015. No 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 Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated January 8, 2015. An excavation of petroleum impacted soils report (Earth Solutions NW, LLC) dated November 12, 2014, was also submitted by the applicant. As part of the building permit application, the applicant submitted arborist reports (Urban Forestry Services, Inc.) for each of the parcels under the related building permit numbers 6424487, 6424498, 6424511, 6439791, 6439793, 6439794, and 6439789. Review for compliance with applicable tree protection regulations (SMC 25.11) was conducted for each parcel as part of the building permitting process. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the excavation report, project plans and any additional information in the file, and pertinent comments which may have been received regarding this proposed action have been considered.

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. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following warrants 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.

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

Grading

Excavation of approximately 1,011 cubic yards of material has already taken place on the three parcels located at 6559 34th Ave NE, 6563 34th Ave NE, and 6567 34th Ave NE. For future grading, the soil removed will not be reused on the site and will need to be disposed off-site by trucks. City 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 enroute to or from a site.

Grading related to the project is required to meet the Grading Code (SMC22.170). No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

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; traffic, increased surface water runoff due to greater site coverage by impervious surfaces; and loss of plant and animal habitat. 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 Plants and Animals warrant 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.

Plants and Animals

The site contains a number of large trees including several exceptional trees according to the applicant's consultant (Urban Forestry Services, Inc.) based on DPD's Director's Rule 16-2008. The arborist also identified two groves on or overlapping onto the site. An exceptional tree cannot be removed unless it is in poor condition or prevents the applicant from reaching the zone's maximum floor area ratio (FAR) (based on Seattle Municipal Code 25.11.070A.2).

The applicant is proposing to remove four trees including one exceptional Western Hemlock (labeled #626). The applicant has determined that retention of the exceptional tree is not feasible due to the anticipated impacts to the critical root zone related to adjacent alley construction, alley utility installation, and grading. The Western Hemlock is proposed to be replaced by a 2.5" Scarlet Oak.

Additionally, review for compliance with applicable tree protection regulations (SMC 25.11) has been conducted for each parcel under the associated building permit numbers 6424487, 6424498, 6424511, 6439791, 6439793, 6439794, and 6439789.

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 required.

Signature: retagonzales-currenautabby for Date: March 23, 2015
BreAnne McConkie, Land Use Planner
Department of Planning and Development

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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 DPD 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.