



**City of Seattle**  
Edward B. Murray, Mayor

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**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:** 3019368  
**Applicant Name:** Steve Zang  
**Address of Proposal:** 5001 NE 50<sup>th</sup> Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow 5,100 cu. yds. of grading in an environmentally critical area. Project includes removal and replacement of the existing grass field with synthetic surface field and install retaining walls with other site improvements. (Villa Academy School)

The following approvals are required:

**SEPA – Environmental Determination – (SMC 25.05)**

**SEPA DETERMINATION** : [ ] Exempt [ X ] DNS [ ] MDNS [ ] EIS  
[ ] DNS with conditions  
[ ] DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

**Proposal Description**

The applicant, Villa Academy, proposes to construct a new athletic field (120 feet by 240 feet) with synthetic turf at the northern portion of its property to replace an existing grass field. The new field will be reoriented to run east-west and site grading for the new field will include a cut ranging up to approximately 18 feet in height with a fill ranging up to 22 feet in height with retaining walls to achieve a level field with the proposed reorientation. The project includes the removal of nine mature trees and the planting of nine trees to ultimately replace the lost tree canopy.

**Public Comment**

The public comment period for this proposal ended on October 18, 2015. One public comment was received.

## **SEPA ANALYSIS**

Environmental review resulting in a Threshold Determination is required pursuant to the 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 August 28, 2015. The information in the checklist and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

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. As indicated in the annotated checklist, this action will result in adverse impacts to the environment. A discussion of likely adverse impacts and how they may be appropriately mitigated follows below.

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, 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 (SMC 25.05.665D.1) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate

### **Short - Term Impacts**

Anticipated short-term impacts that could occur during demolition excavation and construction include; increased noise from construction/demolition activities and equipment; decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by construction activities; potential soil erosion and potential disturbance to subsurface soils during grading, excavation, and general site work; increased traffic and demand for parking from construction equipment and personnel; conflicts with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794).

Many of these impacts are mitigated or partially mitigated by compliance to existing codes and ordinances; specifically these are: Stormwater, Grading and Drainage Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of the pedestrian right-of-way); the Building Code (construction measures in general); and the Noise Ordinance (construction noise). The Department finds, however, that certain construction-related impacts may not be adequately mitigated by existing ordinances. Further discussion is set forth below.

### Earth

The subject property is designated as Steep Slope area in the City's Environmentally Critical Areas (ECA) maps. The ECA Ordinance requires submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with landslide potential and/or a history of unstable soil conditions. The applicant has submitted "Subsurface Exploration, Geologic Hazards, and Geotechnical Engineering Report, Villa Academy Athletic Field" prepared by Associated Earth Sciences (2014), which has been reviewed by a geotechnical engineer at Seattle DCI.

The construction plans, including shoring of excavations as needed and erosion control techniques will be reviewed by Seattle DCI. Any additional information showing conformance with applicable ordinances and codes (ECA ordinance, The Stormwater, Grading and Drainage Control Code) will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning 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: increased carbon dioxide and other greenhouse gas emissions primarily from increased vehicle trips but also the projects energy consumption, increased demand for public services and utilities; increased height, bulk, and scale on the site; and increased area traffic and demand for parking. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Grading Code, Stormwater Code, Drainage Code, ECA Ordinance, and the Land Use Code that controls site coverage, setbacks, building height and use, parking requirements, shielding of light and glare reduction, and contains other development and use regulations to assure compatible development.

The proposal includes the removal of nine exceptional trees (as detailed on Sheet F 0.2) with a tree canopy of 5,892 square feet. In order to mitigate for the ecological/wildlife impacts of this removal and loss of canopy, the applicant proposes to plant nine trees that are expected to result in a mature tree canopy of 10,426 square feet. The applicant has submitted an Arborist's Report that includes measures that will be taken for proper planting and to protect existing trees during development. The submitted plans includes the tree planting plan and existing tree protection measures on Sheets F 0.1 and F 0.2. This proposal and these tree protection measures have been reviewed for consistency with applicable regulations in the ECA and Tree Ordinance and has been found to comply and no further conditioning is necessary.

### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project 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.

## **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 requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] 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 43.21C.030 2c.
- [ ] 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 2c.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment and complies with ECA regulations. 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.

## **CONDITIONS**

### *During Construction*

- 1) The owner(s), builder(s), and all responsible party(s) shall follow the best management practices, including those outlined in the Geotechnical Report and Arborist's Report, measures as carried over to the approved construction set of plans.

### *Prior to Building Permit Final*

- 2) The nine trees proposed to be planted for mitigation, as described and shown on Sheets F 0.1 and F 0.2, shall be planted consistent with the approved plans and best management practices.

### *For life of project*

- 3) The nine trees to be planted for mitigation shall be maintained. Removal of any of these trees shall be done only with proper authorization by Seattle DCI.

Ben Perkowski, Land Use Planner  
Seattle Department of Construction and Inspections

Date: June 27, 2016

BP:drm

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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](mailto:prc@seattle.gov) or to our message line at 206-684-8467.