



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: 3020050
Applicant Name: John Trieger
Address of Proposal: 4525 Rainier Avenue South

SUMMARY OF PROPOSAL

Land Use Application to allow a four-story structure containing 27 small efficiency dwelling units and 1,002 sq. ft. of commercial space at ground level. Existing structures to be demolished.

The following approval is required:

SEPA – Environmental Determination – Chapter 25.05, Seattle Municipal Code.

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

Site and Vicinity

Site Zone: Neighborhood Commercial 2 – 40-Foot Height Limit (NC2-40)

Nearby Zones: (North) NC2-40
(South) NC2-40
(East) NC2-40
(West) Single-Family 5000 sf Minimum Lot Size (SF5000)

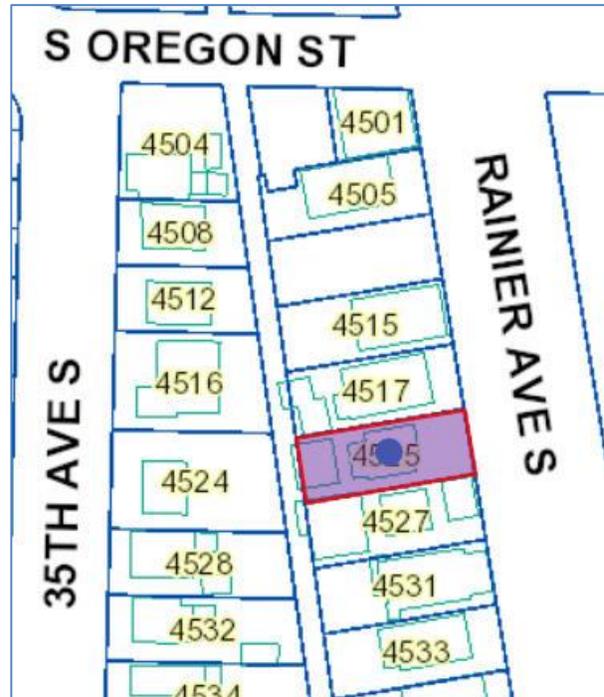
Lot Area: 4,401 square feet

Site Development

The subject site is currently occupied by one single-family structure with a detached garage. The site slopes approximately 10-feet from the alley to the street.

Surrounding Development and Neighborhood Character

Surrounding development consists of residential and commercial uses housed within a variety of architectural types and conditions. A number of nearby structures on Rainier Ave S are commercial uses in converted single-family structures. Numerous public parks are found in proximity to the site, including Rainier Park, Columbia Park, and Cheasty Greenspace. The Link Light Rail station is approximately 1,400-foot southwest of the site.



Project Description

Streamlined design review for a four story structure containing 27 small efficiency dwelling units (SEDUs) and ground floor retail. Existing structure to be demolished.

PUBLIC COMMENT:

The SEPA public comment period ended September 2, 2015. No public comment was received.

I. ANALYSIS - SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), Washington Administrative Code (WAC) 197-11, and the Seattle SEPA Ordinance (SMC 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. The Seattle Department of Construction and Inspections (Seattle DCI) has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans, any additional information in the file, and considered any pertinent comments which may have been received regarding this proposed action. 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 *SEPA 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 (SMC 25.05.665). Under such limitations, mitigation may be considered; a detailed discussion of some of the impacts is appropriate.

Codes and development regulations applicable to this proposed project that will provide mitigation for short and/or long term impacts 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. Additional discussion of short- and long-term impacts, and conditions to sufficiently mitigate impacts where necessary, is found below.

A. SHORT-TERM IMPACTS

Temporary or construction-related impacts are anticipated to result in some adverse impacts. Examples of impacts may include 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/or 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, and/or an increase in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

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 due to the relatively minor contribution of greenhouse gas emissions from this project.

Earth

The site is located within 1,000-feet of a closed landfill and is a mapped liquefaction zone. The Geotechnical Engineering Report (PanGEO, March 20, 2014), sets forth specific considerations and recommendations for sound construction. The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the Seattle DCI Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and/or bonds, as necessary, to assure safe grading and excavation. The Stormwater, Grading and Drainage Control Codes provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to *SEPA Policy* SMC 25.05.675.E.

Noise

Noise associated with construction of the mixed use building could adversely affect surrounding uses in the area, which include commercial and residential uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. The limitations of the *Noise Ordinance* are found to be adequate to mitigate the potential noise impacts. Pursuant to *SEPA Overview Policy* (SMC 25.05.665) and *SEPA Construction Impacts Policy* 23.05.675.B, mitigation is not warranted.

B. LONG –TERM IMPACTS

Long term or use-related impacts are also anticipated as a result of this proposal. Examples of such impacts may include an increased surface water runoff due to greater site coverage by impervious surfaces, increased traffic in the area, an increase in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming, and increased demand for public services and utilities. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment; however, height, bulk and scale, energy, and parking and traffic warrant further analysis.

Air Quality/Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with 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.

The site is in a location that could potentially experience methane emissions from an abandoned landfill. The City of Seattle requires all development occurring within 1,000-feet of a known previous landfill to include methane mitigation measures or to complete a monitoring study showing that methane migration is not occurring at the site. According to submitted plans, the applicant intends to follow the methane mitigation measures recommended the Geotechnical Report (Earth Solutions NW, May 28, 2015). These measures will include a below slab vapor barrier and below slab piping for collecting and venting any possible trapped methane directly to rooftop vents. SEPA conditioning is not warranted to mitigate air quality impacts pursuant to *SEPA Policy* SMC 25.05.675.A.

Historic Preservation

The subject site contains one existing single-family structure, more than 50 years old. Seattle DCI referred the proposal to the Department of Neighborhoods (DON) for review per SMC 25.05.675.H.2.c. Based on the review of the referral, as well as information from the City's Historic Resources Survey database, DON has determined that it is unlikely that the subject building would meet the standards for designation as an individual landmark, due in part to loss of historic materials and integrity (LPB 157/16). SEPA conditioning is not warranted to mitigate impacts pursuant to *SEPA Policy* SMC 25.05.675.H.

DECISION - STATE ENVIRONMENTAL POLICY ACT (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.

Carly Guillory, Land Use Planner
Seattle Department of Construction and Inspections

Date: May 5, 2016

CG:dm

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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.