



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 Numbers: 3020284 & 3021803

Applicant Name: Steve Bull

Addresses of Proposal: 3004 5th Avenue W (3020284)
418 W Barrett St. (3021803)

SUMMARY OF PROPOSAL

3020284: Land Use Application to allow two single family residences and one 2 unit townhouse structure for a total of four residential units. To be considered with Project #3021803 for shared parking. Parking for four vehicles provided in a below grade parking garage shared with 418 W Barrett Street.

3021803: Land Use Application to allow a seven-unit row house structure. To be considered with Project #3020284. Parking for seven vehicles provided in below grade parking garage shared with 3004 5th Ave W. 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

- 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: Lowrise 1 (LR1)

Nearby Zones: West: Major Institutional Overlay, Low Rise Two (MIO-65-LR2), Single-Family (SF 5000)
North: LR1
South: LR1
East: LR1



Existing Use: Single family residence (418 Barrett)

Lot Area: 13,550 SF

Project Description:

The two projects with a total of 11 dwelling units comprise two single family residences, one duplex structure, and seven-unit row house structure located on two contiguous parcels. Shared parking for 11 vehicles is accessed from the alley and is provided below grade on the 5th Avenue site. The alley dead-ends at the border between the two project sites. An existing single family residence will be demolished with this request.

Site and Vicinity Description:

The site located at the northeast corner of 5th Avenue W. and W. Barrett Street slopes upward approximately 28' from east to west. In general, the neighborhood is predominantly multi-family structures with pockets of single-family residential. Seattle Pacific University is located to the northwest and the Queen Anne Bowl Playfield is located to the southeast. Structures to the east are three-story multi-family buildings with parking accessed from the alley. Single-family residences are located to north. To the south across Barrett are more multi-family structures. Finally, to the west is a cemetery and a Seattle University residence hall.

Public Comment:

The public comment period ended on December 8, 2015. Correspondence from members of the neighborhood included the following concerns:

- Alley obstruction during construction
- Alley surfacing
- Drainage
- Possible damage to an existing retaining wall and the alley
- Presence of underground springs
- Proximity of power lines

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 (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 September 29, 2015. The Department of Construction and Inspection (Seattle DCI) 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 construction-related noise, air quality, environmental health, grading, and greenhouse gas emissions, as well as mitigation.

Construction Noise

As remediation proceeds, noise associated with construction activities at the site is anticipated to be minimal on the surrounding residential, commercial, and industrial uses. The Noise Ordinance is found to adequately mitigate the potential noise impacts, pursuant to the SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B)

Air Quality

Excavation activities are expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). No unusual circumstances exist, which warrant additional mitigation, per the SEPA Overview Policy.

Environmental Health

Asbestos building materials and lead based paint may be present due to the age of the building. WAC 296-155-775 (9) states, "It shall be determined whether asbestos, hazardous materials, hazardous chemicals, gases, explosives, flammable materials, or similarly dangerous substances are present at the work site. When the presence of any such substance is apparent or suspected, testing and removal or purging shall be performed and the hazard eliminated before demolition is started. Removal of such substances shall be in accordance with the requirements of chapters 296-62 and 296-65 WAC."

Grading

The SEPA checklist states the maximum amount of excavation is 4,300 Cubic Yards (CY) with 3,390 CY of cut and 910 CY of fill. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport.

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 grading will be of short duration and mitigated in part by enforcement of SMC 11.62. This immediate area is subject to traffic congestion during the PM peak hours, and large trucks turning onto arterial streets would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675 B (Construction Impacts Policy) and SMC 25.05.675 R (Traffic and Transportation) additional mitigation is warranted.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport of construction materials. Approximately 3,390 cubic yards of soil are expected to be excavated from the project site with possible fills of 910 cubic yards. Excavation and fill activity could require approximately 430 round trips with 10-yard hauling trucks or 215 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cease truck trips related to the hauling of soil during the hours between 4 PM and 6 PM on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC 11.62.

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 to or from the site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

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.

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; potential blockage of designated sites from the Scenic Routes nearby; 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, traffic and parking; historic resources; and greenhouse gas emissions warrant further analysis.

Traffic and Parking

According to the Institute of Traffic Engineers 8th Edition, the project generates 5.44 vehicle trips during the PM peak hour. The project's contribution of neighborhood vehicle trips will be minimal. These transportation impacts are adverse, they are not expected to be significant; therefore, no further mitigation is warranted per SMC 25.05.675.R.

Parking provided by the project complies with the zoning ordinance and takes into account the project's proximity to transit options. No additional mitigation is warranted per SMC 25.05.675.M.

Historic Resources

The proposed development includes the demolition of a single-family residence. The structure is over 50 years old. The Department of Neighborhoods reviewed the proposal for potential impacts to historic resources, and indicated that the existing structure on site is unlikely to qualify for historic landmark status (LPB 779/15). Therefore, no mitigation is warranted for historic preservation.

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.

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

During Construction

1. Large trucks (greater than two-axle) hauling soil shall be prohibited from entering or exiting the site between 4:00 and 6:00 p.m.

Josh Johnson, AICP Land Use Planner
Seattle Department of Construction and Inspections

Date: March 24, 2016

JJ:drm

K:\Decisions-Signed\3020284 & 3021803.docx

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.