



**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:** 3022990  
**Applicant Name:** David Neiman  
**Address of Proposal:** 220 16<sup>th</sup> Avenue East

**SUMMARY OF PROPOSAL**

Land Use Application to allow the addition of five residential units to an existing 17-unit apartment building (for a total of 22 residential units). Project includes removal of one parking space.

The following approvals are required:

**SEPA - Environmental Determination** (Seattle Municipal Code 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.

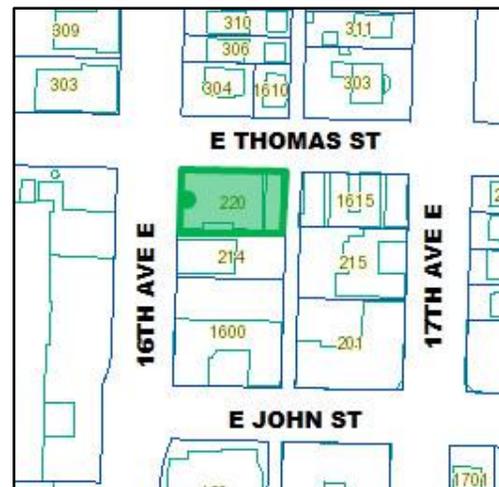
SITE AND VICINITY

Site Zone: Lowrise (LR3)

Nearby Zones: North: SF 5000  
South: MIO-50- LR3  
West: MIO- 105-LR3  
East: LR3

ECAs: No mapped ECAs.

Site Size: 8,640 sq. ft.



BACKGROUND INFORMATION:

The applicant is proposing to add five units to the existing 17 unit apartment building for a total of 22 units. As such, the subject property is exceeding the SEPA threshold for the first time and is subject to SEPA review. Scope of work is limited to an interior remodel.

PUBLIC COMMENT:

The public comment period ended on February 1, 2016. One comment was received by a tenant of the existing building related to where the remodel construction would be occurring and what the impacts would be to existing tenants.

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 12/23/2015. The Seattle Department of Construction and Inspections (SDCI) 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 greenhouse gas, as well as mitigation.

#### *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. Therefore no further mitigation is warranted pursuant to SMC 25.05.675.A.

### 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, greenhouse gas, historic resources, height bulk and scale, parking, public views, and traffic] warrant further analysis.

#### *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 pursuant to SMC 25.05.675.A.

### Parking

The proposed development includes 22 residential units with 6 off-street vehicular parking spaces. The ITE transportation manual indicates a peak demand for approximately 26.4 vehicles from the proposed development. Peak residential demand typically occurs overnight.

The traffic and parking analysis noted that the peak parking demand for this development is 26.4 vehicles. However, the proposed 5 units would add only a peak parking demand of 6. The ITE parking manual is based on suburban assumptions with higher rates of automobile usage than urban neighborhoods. The site is located within a dense Urban Center in close proximity to frequent transit options, bicycle routes, and services that can be accessed on foot. Therefore, the anticipated parking demand will likely be much lower than estimates of parking demand based on the ITE manual. Additionally, the net new parking demand of 6 spaces would not be expected to create a significant adverse impact on the existing nearby on-street parking.

SMC 25.05.675.M notes that there is no SEPA authority provided for mitigation of parking impacts in the Capitol Hill Urban Center. This site is located in that Urban Center. Regardless of the parking demand impacts, no SEPA authority is provided to mitigate impacts of parking demand from this proposal per SMC 25.05.675.M.

### Transportation

The ITE trip manual indicated that the 22 apartments are expected to generate a net total of 643 daily vehicle trips, with 29 net new PM Peak Hour trips and 38 AM Peak hour trips. The daily trips uses a suburban estimate, which are greater than expected urban daily trips as expected with this proposal.

The additional trips would have minimal impact on levels of service at nearby intersections and on the overall transportation system. It is not anticipated that the additional 5 units would create a significant impact on existing conditions. The Seattle DCI Transportation Planner reviewed the information and determined that while these impacts are adverse, they are not expected to be significant; therefore, no further mitigation is warranted per SMC 25.05.675.R.

## **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.

Crystal Torres, Land Use Planner Date: August 8, 2016  
Seattle Department of Construction and Inspections

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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)