



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
Diane M. Sugimura, Director

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

Application Number: 2407910
Applicant Name: Bill Walker
Address of Proposal: 12545 Roosevelt Way NE

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of two 5-unit and one 3-unit townhouse structures for a total of 13 units. Surface parking for 20 vehicles will be provided on site. Project includes demolition of the existing structures.

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.

* Early Notice DNS published April 27, 2005.

BACKGROUND INFORMATION

Site Description

The 22,867 square foot flag-shaped site is located on the west-side of Roosevelt Way NE approximately 432 feet from the intersection of Roosevelt Way NE and NE 125th Street. The site has approximately 42 feet of frontage on Roosevelt Way NE. There is no alley but access via

approximately 129 feet long and 24-foot wide flag leg-shaped driveway linking Roosevelt Way NE to the rest of site to the west. The existing street at the project location is developed with concrete sidewalk, curbs and gutter. The subject site is fairly flat but slopes slightly to the east along the front property line. The site was developed with two duplex structures. These buildings were demolished and removed from site under a separate permit. The subject site is located in Lowrise 2 (L-2) zone. The surrounding zoning to the north, south and west is Single Family 7200 and to the east is NC2-40. Parcel size, configuration, and streetscape character vary considerably in the immediate zone and vicinity. Development in the immediate zone and vicinity is predominantly a mixture of single family and multifamily residences, with commercial uses around the three way intersection of NE 125th Street, Roosevelt Way NE and 10th Ave NE.

Proposal Description

The applicant proposes to construct three 2-story townhouse buildings to contain a total of thirteen (13) units on a 22,687-sq. ft. site. Surface parking for twenty (20) vehicles will be provided on the site. The project included the permit application for demolition of the existing two duplex buildings. The projects is proposing a total of 14, 101 square feet of landscaping to consist of large to medium sized trees, shrubs, perennials, ornamental grasses, vines, and groundcover to screen the entire site from abutting development in the vicinity.

Public Comment

The comment period began on May 5, 2005 and ended on May 18, 2005. One public comment letter was received. The respondent raised several concerns including; the impact of high density development, impact of parking and start up engines during cold period of the year, car backing or parked close to a fence located 5-feet from bedrooms areas of adjacent building to the east, and the impact of garbage containers on the right-of-way resulting in empty cans and trash on the roadway.

ANALYSIS - SEPA

The initial disclosure of the potential environmental impacts on this project was made in the threshold determination and environmental checklist prepared by Bill Walker on February 18, 2005. The information in the checklist, the supplemental information submitted by the application, field inspection, public comments and the experience of the lead agency with 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, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, that "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 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Several adopted City codes and/or ordinances provide mitigation for identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Ordinance (grading, site excavation and soil erosion); Building Codes (construction standards); and ECA Ordinance. Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of identified impacts. Thus mitigation pursuant to SEPA is not necessary for these impacts. However, more discussion of some of these impacts is appropriate.

Short-term Impacts

The following temporary demolition and construction related impacts are expected; temporary soil erosion; decreased air quality due to dust and other suspended air particulates; increased noise from construction operations and equipment; increased traffic and parking demand from construction personnel; tracking of mud onto adjacent streets by construction vehicles; conflict with normal pedestrian movement adjacent to the site; and consumption of renewable and non-renewable resource. Due to the temporary nature and limited scope of these impacts, they are not considered significant. Although not significant, these impacts are adverse, and in some cases, mitigation is warranted.

Construction Impacts

Some short-term noise impact from demolition and construction is anticipated. Construction noise could result in periodic increases in speech interference and annoyance in surrounding residential buildings. The restriction in the Noise Ordinance will not adequately mitigate construction-related noise on adjacent residential uses. Therefore, in addition to compliance with the Noise Ordinance (SMC 25.05), the applicant will be required to limit construction activity to non-holiday weekdays between the hours of 7:30 a.m. and 6:00 p.m. This condition shall be required pursuant to the SEPA authority to mitigate noise impacts during construction (SMC 25.05.675).

Erosion

Erosion is anticipated during site excavation and grading. Compliance with the Stormwater, Grading and Drainage Control Ordinance, which requires compliance with standard excavation and shoring practice and containment of stormwater runoff from exposed soils, provide adequate mitigation of erosion impacts (SMC 23.05.675 B. and F).

Street and Sidewalks

It is the City's policy to minimize or prevent adverse traffic impacts that would undermine the stability or safety of the surrounding area (25.05.675R). An excavation permit controls the proposed on-site excavation. The Street Use Ordinance includes regulations, which mitigate dust, mud, and circulation. Temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through Seattle Department of Transportation (SDOT). In this case,

adequate mitigation is provided by the Street Use Ordinance, which regulates and provides for accommodating pedestrian access. Therefore, additional mitigation under SEPA is not warranted.

Construction Parking

During construction, parking demand will increase due to additional demand created by construction personnel and equipment. Off-site parking does not exist along Roosevelt Way NE. Since the nearby streets such as NE 125th Street and 8th Avenue NE are not at capacity and can accommodate increased parking demand during construction, no additional mitigation is warranted under SEPA.

Long-term Impacts

Potential long-term or use impacts anticipated by the proposal include: increased height, bulk and scale impacts; increased ambient noise associated with increased human activity and vehicular movement; minor increase in light and glare from exterior lighting, light from windows and from vehicle traffic (headlights); increased traffic and parking demand; increased airborne emissions resulting from additional traffic; increased demand on public services and utilities; and increased energy consumption. These long-term impacts are not considered significant because they are minor in scope. Although not significant, these impacts are adverse and in some cases, mitigation is warranted.

Light and Glare

The proposed project will have exterior lighting, which could affect nearby residents. However, the Land Use Code requirement for shielding and reorienting exterior lighting to minimize impacts on surrounding properties is sufficient mitigation of this impact (SMC 23.45.045). No further mitigation under SEPA is warranted.

Bulk and Scale

The new townhouse structures will have a maximum height of approximately 28 feet to the top of the roof ridge. The building height will be comparable with single-family buildings in the area. The west and south property lines separate the site from the single-family residences west and south of the site. The proposed buildings 1 & 2 are setback 5 to 6-feet from the side property line that abuts single family residences to the north, south and west of the site. The proposed building 3 has a 10-foot rear setback to the south and 5-foot side set back to the east. Although the new buildings may affect local views, neither Seattle's Land Use Code nor Seattle's SEPA Ordinance provides for the protection of private views. The anticipated aesthetic or bulk and scale impacts are adequately mitigated by the requirements of the Land Use Code, including landscaping. There are no unusual conditions and, therefore, no further mitigation is necessary under SEPA.

Parking

The site plan indicates that twenty surface parking spaces would be provided on site. The applicant is proposing to build two 5-unit and one 3-unit townhouse structures for a total of 13-units. The parking demand for the proposed 13 unit townhouses is estimated to be 1.5 parking spaces. According to information provided on the site plan, enough parking is provided on site to meet the anticipated parking demand. Therefore, no mitigation under SEPA warrants additional parking mitigation.

Traffic

According to information on the SEPA checklist submitted by the applicant, the proposed 13 townhouses are expected to generate 40 peak volumes occurring daily between 7 to 9 a.m. and 4 to 6 p.m. This is not expected to have a significant adverse impact on traffic conditions or reduce the level of service at nearby intersections. Therefore, no mitigation under SEPA is warranted for this project.

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 of 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(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).

CONDITIONS SEPA

During Construction

The following conditions to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from street right-of-way. If more than one street abuts the site conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

The owner and/or responsible party(s) shall

1. Limit the hours of construction of any activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7.30 a.m. and 6.00 p.m. Limited work on weekdays between 6:30 a.m. and 7:30 a.m. and 6:00 p.m. and 8:00 p.m. and on Saturdays between 9:00 a.m. and 5:00 p.m. may be allowed if prior written approval is secured from the Land Use Review section. Such after hours work shall be limited to emergency construction necessitated by safety or street use (traffic) concerns, work of low noise impacts; activities that do require heavy equipment, or work which would substantially shorten the overall construction timetable. Such limited after hours work will be strictly conditioned upon the owner(s) and/or responsible party(s) providing prior written notice sufficient in DPD's view to allow DPD to evaluate the request.

Signature: (signature on file)
Christopher A. Ndifon, Land Use Planner
Department of Planning and Development

Date: September 22, 2005