



City of Seattle

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

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

Application Number: 2408466
Applicant Name : Andrew Novian
Address of Proposal: 1814 27th Avenue

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for construction of 2, three story single family residences with attached garages for one vehicle each and 2, two-unit townhouses with parking for four vehicles provided within the structures. Existing single family residence to be removed under separate permit.

The following approval is required:

SEPA - Environmental Determination – To construct more than four units in a Lowrise 1 (L-1) zone. Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: DNS MDNS EIS

DNS with conditions

DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Site & Area Description

The approximately 9,597 square foot property is located on the east side of 27th Avenue between East Denny and East Howell Streets. The site currently contains a duplex structure that will be demolished to allow the proposed project.

The site slopes moderately from 27th Avenue to the east with a steeper section along the east property boundary.

The site and surrounding lots on both sides of 27th Avenue are zoned Lowrise 1 (L 1). To the east and facing Martin Luther King Jr Way the zoning is Single Family 5000 (SF 5000). The neighborhood consists of a variety of ages and styles of single and multi-family houses.

Proposal

The applicant proposes to construct 2, two-unit townhouses and 2 single family structures for a total of six units. One parking space for each unit will be provided within each unit with access provided through a central auto-court extending from 27th Avenue. The existing duplex dwelling will be demolished.

Public Comments

The public comment period for this project ended on March 30, 2005. Two comment letters were received: one letter requested a two-week extension of the comment period, the other raised issues about local flooding purportedly due to new development in the area, the loss of trees and other “plantings”, a concern about retaining a large cedar tree thought to be on the site and increased density due to this new development.

Response to Public Comments

The two-week comment period was extended.

DPD can not respond to the comment about flooding as no details were provided. Landscaping, on-site trees and street trees are required as a part of this development. The cedar tree mentioned is on the property to the north and its removal is not proposed by this development.

ANALYSIS - SEPA

Environmental review resulting in a Threshold Determination is required for the construction of more than 4 units in an L-1 zone pursuant to the Seattle 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 dated February 5, 2005. The information in the checklist submitted by the applicant 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) 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 (SMC25.05.665) mitigation can be considered. Thus a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: increased traffic and demand for parking from construction equipment and personnel; increased noise during construction, and temporary erosion from grading and excavation in the sloped areas of the site.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Street Use Ordinance regulates street use by construction equipment and for the delivery of materials. The City parking and traffic Codes regulate parking and blocking of the right of way (ROW) and includes regulations for maintaining circulation in the public ROW. The Noise Ordinance regulates the time and amount of construction noise that is permitted in the city. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. Most of these impacts are minor in scope and are not expected to have significant adverse impacts (SMC 25.05.794). However, due to the residential density, further analysis of construction impacts is warranted. The following is an analysis of the short-term impacts to the environment as well as mitigation.

Noise

Excavation will be required to prepare the building sites and foundations for the new buildings. Additionally, as development proceeds, noise associated with construction of the buildings could adversely affect the surrounding residential uses. Due to the proximity of neighboring residential uses, the limitations of the Noise Ordinance are found to be inadequate to 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), mitigation is warranted. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:00 a.m. and 6:00 p.m., Saturdays from 9:00 A.M. to 6:00 P.M. This condition may be modified by the DPD planner to allow work of an emergency nature. This condition may also be modified to permit low-noise exterior work (e.g., installation of landscaping) after approval from DPD (3 days advance notice required).

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area; increased demand for parking; and increased demand for public services and utilities.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled release to an approved outlet and may require additional design elements to prevent isolated flooding and the Land Use Code which controls site

coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies.

Summary

The Department of Planning and Development has reviewed the environmental checklist submitted by the project applicant; and reviewed the project plans and any additional information in the file. As indicated in the checklist, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

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.

- 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.

CONDITIONS – SEPA

Conditions of approval during construction

1. The hours of construction shall be limited to non-holiday weekday hours between 7:00 a.m. and 6:00 p.m., Saturdays from 9:00 a.m. to 6:00 p.m.

Signature: _____ (signature on file) Date: January 30, 2006
Art Pederson, Land Use Planner

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