



City of Seattle

Greg Nickels, Mayor
Department of Planning and Development
Diane Sugimura, Director

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

Application Number: 2504441
Applicant Name: Dan Duffus for Seattle City Homes, LLC
Address of Proposal: 927 18th Av.

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for construction of two townhouse structures. One, two-unit and one, three-unit structure with parking for five vehicles to be provided within the structures. Project includes demolition of existing duplex and attached parking structure.

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 another agency with jurisdiction.

BACKGROUND DATA

Site and Area Description

This proposal site is approximately 7,214.46 sq. ft. and located in the Capitol Hill neighborhood of Seattle. The subject property is located on the west side of 18th Avenue between E. Spring St. and E. Marion St. There is an existing duplex with an attached parking structure on site. Access to parking is from a 16-foot wide concrete alley. The site is not located within any identified or designated environmentally critical area.

This site is a rectangular lot that measures approximately 60.03-feet in width and approximately 120.18-feet deep with a total lot area of approximately 7,214.46 sq. feet. The project site is zoned Lowrise One (L-1) and is located in a predominately single-family and multi-family neighborhood. To the north of the site is Lowrise Three (L-3) zoning and to the east of the site is Single family (SF5000) zoning. The site is surrounded by Lowrise One (L-1) zoning. The density for Lowrise One zone is one dwelling unit per each 1600 sq. ft. of lot area. The project site has a lot area of 7,214.46 sq. ft., therefore, has a potential for five units. The property site has an existing duplex structure located on the property along with a parking structure. Both structures are to be demolished. The site is a two-lane paved street with sidewalks, curbs and gutters on both sides.

Proposal Description

The applicant proposes to construct two townhouse structures, one 2-unit and one 3-unit with parking for five vehicles to be provided within the structures. The project includes demolition of the existing duplex and attached parking structure.

Public Comments

No written comment letters were received during the public comment period which ended on October 12th, 2005.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated June 22nd, 2005. The information in the checklist, project plans, and the experience of the lead agency with 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, 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 certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The short-term, construction related impacts anticipated from the proposal are as summarized in the following table:

Environmental Element	Discussion of Impact
1. Air Quality	<ul style="list-style-type: none"> • Increased dust and particulate matter due to construction activities.
2. Environmental Health	<ul style="list-style-type: none"> • Increased noise levels as a result of construction activities.
3. Transportation	<ul style="list-style-type: none"> • An increase in vehicular traffic adjacent to the site due to construction vehicles. • Reduction of on-street parking due to construction vehicles. • Maintenance of pedestrian right-of-way on public streets.

These impacts are limited in scope and are temporary in nature. Pursuant to SMC 25.05.794, they are not significant. However, these impacts are adverse and, therefore, merit further discussion.

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. Pursuant to SEPA authority under SMC 25.05.675, the project is conditioned to require compliance with all applicable PSCAA regulations. This will assure proper handling and disposal of asbestos, if it is encountered on the proposal site. However, there is no permit process to ensure that PSCAA will be notified of the proposed development. A copy of applicable PSCAA permits should be submitted to DPD before issuance of the Building and Construction Permits.

SMC Chapter 11.74 provides that material hauled in trucks not be spilled during transport. 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. This requirement minimizes the amount of spilled material and dust from the truck bed en route to or from a project site. Because this regulation provides for adequate mitigation of air quality impacts, no further conditioning is warranted pursuant to SEPA policies.

Construction Noise:

There will be excavation required for demolition of the duplex and attached garage structures and for preparation of the site and foundation(s). Additionally, as development proceeds, noise associated with construction of the two structures could adversely affect the surrounding residential area. Due to the proximity of other 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), further mitigation is warranted. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:30 a.m. and 6:00 p.m.

This condition may be modified by DPD to allow work of an emergency nature or allow low-noise interior work after the exterior of each structure is enclosed. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.

Construction Vehicle Traffic:

The Street Use Ordinance requires sweeping or watering streets for dust suppression, washing of truck tires on-site, removing debris, and maintaining the pedestrian right-of-way. This ordinance provides adequate mitigation for transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Long-term Impacts

Long-term or use-related impacts associated with the approval of this proposal include increased bulk and scale on the site; increased ambient noise due to increased human activity; increased demand on public services and utilities; increased light and glare; increased energy consumption, increased on-street parking demand, and increased vehicle traffic. Identified long-term impacts are not considered significant because they are within the scope of those impacts anticipated by the zoning and/or are relatively the minor in scope. Bulk and scale of the two structures is within the allowed maximum building height, width, depth and setbacks of the Seattle Land Use and Zoning Code. Compliance with all applicable codes and ordinances is adequate to achieve sufficient mitigation of long term impacts and no further conditioning is warranted by SEPA policies.

Transportation

a. Traffic:

Public comments expressed concern over increased traffic and adverse impacts on street capacity on 18th Avenue. Areas designated as Multi-Family Residential in the City's Comprehensive Plan and Land Use Code have been so designated because of their proximity to major streets and neighborhood services. Therefore, streets in these areas generally have higher traffic volumes. There is no indication that the expected increase in traffic from this five-unit residential development will cause significant adverse impacts on the surrounding streets. Therefore, no conditioning is warranted.

b. Parking:

The parking requirements of SMC 23.54 require a minimum of one parking space per unit of ground-related multi-family housing when the number of units is less than 10. One parking space is also required per single-family unit. Therefore, the code requires a total of five parking spaces for the proposed development. The applicant has proposed five parking spaces.

Based on a visit made to the site and surrounding streets, there is no indication that this development would cause nearby on-street parking concerns or that on-street parking is at capacity as defined by Seattle Department of Transportation. Therefore, no conditioning for this issue 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 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.

SEPA CONDITIONS

Prior to Issuance

1. The owner or responsible party shall resolve outstanding correction notices.

Conditions of Approval during Construction

The following condition 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 the street right-of-way. If more than one street (alley included) 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(s) and/or responsible parties shall adhere to the following condition:

1. The hours of construction activity shall be limited to non-holiday weekdays between the hours of 7:30 a.m. and 6:00 p.m. This condition may be modified by DPD to allow work of an emergency nature or allow low noise interior work after the exterior of the structure is enclosed. This condition may also be modified to permit low-noise exterior work (e.g., installation of landscaping) after approval from DPD.

Signature: _____ (signature on file) Date: January 26, 2006
Joan S. Carson, Land Use Planner II
Department of Planning and Development
Land Use Services