



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: 2402811
Applicant Name: Anne Van Dyne for Cobb Construction & Associates, LLC
Address of Proposal: 9400 35th Avenue Southwest

SUMMARY OF PROPOSED ACTION

Master Use Permit for construction of two structures containing one 3-unit and one 4-unit ground related dwelling unit each for a total of seven (townhouse) units. Parking will be provided within each unit. The existing personal service (hair salon) use will be demolished.

The following approval is required:

SEPA – Environmental Determination- Chapter 23.05 Seattle Municipal Code

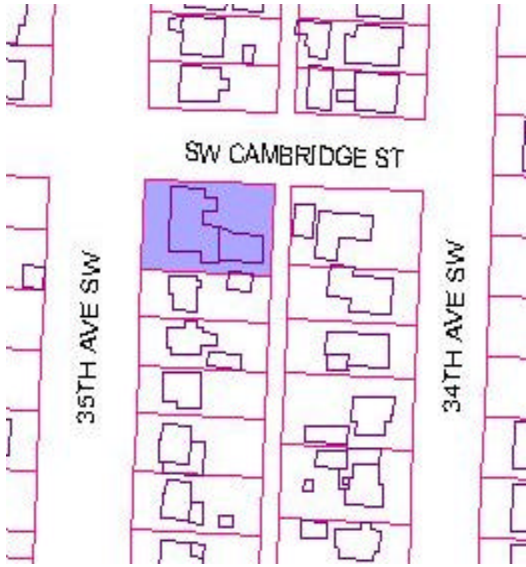
SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction

BACKGROUND DATA

Site & Area Description

The subject site is a corner lot, located on the southeast corner at the intersection of 35th Avenue Southwest and Southwest Cambridge Street, in the Roxhill Park neighborhood of West Seattle. The development site encompasses a land area of approximately 8,916 square feet, located in a Multifamily Lowrise Two, Residential-Commercial zone (L-2 RC), with a minimum density limit of one unit per 1,200 square feet of lot area. The site is nearly rectangular in shape that has a slight downward evaluation change of approximately six feet over a distance of 120 feet. The

lot is relatively level on its east half then slopes more dramatically downward to its northwest corner. Currently the subject site contains one existing commercial two-story structure located on the west half of the site, with frontage along the 35th Avenue Southwest. There is one distinguishable characteristic associated with the two-story structure and that is a large deck, approximately 10 feet above grade, attached in the rear. Vegetation is limited at the site with a large sized coniferous tree and shrubbery spread throughout the development site. The east half of the subject site features a six foot tall fence that visually obscures the open space area in the rear.



Vehicle access to the development site is currently obtained off a partially improved alley to the east. A zoning boundary line, separating L-2 RC from Single family 5000, bisects the partially improved dirt and crushed rock alley along its center line. Fronting the subject property along its west property line is 35th Avenue Southwest, a fully development street with curbs, sidewalk, etc. 35th Avenue Southwest is a primary arterial that serves as a main corridor connecting this West Seattle community to Downtown to the north and Burien to the south. Metro bus transit routes 21 & 54 provide bus service within the 35th Avenue Southwest right-of-way. Southwest Cambridge Street fronting the subject site to the north is a fully improved street running east and west.

The surrounding structures along the west side of 35th Avenue Southwest block front are modest one and two-story residential structures built after World War II. A mix of residential uses and limited number of commercial uses are present along 35th Avenue Southwest, including single family, apartments, townhouse structures, offices, and general retail services. The streetscape is open and airy due to the limited number of mature trees in this area and width of the right-of-way. Along the alley frontage, running parallel to 35th Avenue Southwest the area appears to be under utilized. Vegetation dominates the visual field off the Southwest Cambridge Street frontage.

Zoning in the area is predominately residential. Outside the narrow Multifamily L-2 zoning band that envelops 35th Avenue Southwest, to the east and west, is the less dense Single Family 5000 zone (SF 5000). The area has a distinctive residential look with the number and styles of residential structures. To the south, modest sized Neighborhood Commercial Two and Three zones with a height limit of forty feet (NC2-40 & NC-40) serve the immediate neighborhood with a limited number of uses including retail and religious institutions.

Proposal

The owner proposes to demolish the existing structure to make room to construct two structures containing a total of seven ground related residential units (townhouses). One structure will contain four townhouse units with a front orientation off 35th Avenue Southwest. The second

structure will contain three units and will be located immediately behind the first structure with approximately 22 feet separating each structure at ground level. Vehicle access shall be obtained off Southwest Cambridge Street through a 10 wide driveway centered in the middle, between the two structures. Parking will be provided within a garage for each ground related residential unit. An application for unit lot subdivision that would create seven separate unit lots for each townhouse unit on the one parent lot (or development site) is being reviewed under Project No. 2405846.

Public Comment:

Date of Notice of Application:	August 19, 2004
Date End of Comment Period:	September 15, 2004
# Letters	0

Issues: Public notice of the proposal was published on August 19, 2004 and extended by request to September 15, 2004. No letters were received during the comment period.

- Original comment period ended on September 1, 2004

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated July 7, 2004) and annotated by the Land Use Planner. The information in the checklist, the supplemental information 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 (SMC 25.05.665) mitigation can be considered.

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, and a small increase in traffic and parking impacts due to construction workers' vehicles. Existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code, would mitigate several construction-related impacts. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) would be adequately controlled with a street use permit through the Transportation Department, and no further SEPA conditioning would be needed.

Construction of the project is proposed to last for several months. Parking utilization along streets in the vicinity is moderate and the demand for parking by construction workers during construction is not anticipated to reduce the supply of parking in the vicinity. Parking demand for construction personal can be accommodated at the development site and any spillover can be managed within the 35th Avenue Southwest or Southwest Cambridge Street rights-of-way. Therefore, no further mitigation will be required.

The development site is located adjacent to a residential area where construction of this scale would impact the noise levels. The SEPA Noise Policy (Section 25.05.675B SMC) lists mitigation measures for construction noise impacts. It is the department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance is necessary to mitigate impacts that would result from the proposal on surrounding properties, because existing City ordinances do not adequately mitigate such impacts. This is due to the density of residential units in the area and the proximity of these structures to the subject site. The proposal is, therefore, conditioned to limit construction activity to non-holiday weekday hours between 7:30 A.M. and 6:00 P.M. After the structure is enclosed, interior construction may be done in compliance with the noise ordinance. The department may modify this condition to allow work of an emergency nature or which cannot otherwise be accomplished during these hours by prior written approval of the Land Use Planner.

Construction is 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.

There are no short term impacts identified with the creation of (unit lot) short subdivisions. Short term impacts are associated with the construction of the structures and have been analyzed and discussed with no further conditioning is warranted.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of multifamily structures and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and

Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); Land Use Code (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption). Additional land use impacts which may result in the long-term are discussed below.

Height, Bulk, and Scale

The design of each of the two buildings (containing a total of seven units) is similar in footprint and proportion that reduces the appearance of bulk through use of gabled roofs schemes and modulation as typically found in the surrounding area. Each of the two buildings will feature a modulated front and rear façade to minimize the appearance of bulk along its over 58 foot length. The new buildings will be arranged along the north/south axis; centered in the middle of the subject site. With a setback of approximately sixteen (16) feet from the 35th Avenue Southwest frontage, 10 foot side setback off Southwest Cambridge Street, and a 17 foot setback from the rear alley, each structure has lessened its appearance upon neighboring properties. The impact of bulk is further reduced on the surrounding properties by the spatial arrangement of landscaping and use of open spaces. The net impact will be in scale to the existing residential stock in the immediate area. The addition of two ground related structures containing a total of seven (7) units on the block are in scale and is anticipated to pose no adverse impacts.

As viewed from the 35th Avenue Southwest and Southwest Cambridge Street orientation, the two proposed three-story structures will have minimal impact upon pedestrian activity along the sidewalk. The structures will be sited approximately 16 feet away from the 35th Avenue Southwest frontage. Each of the proposed buildings will have a pitched roof, double-hung windows with trim, and will be modulated. These design elements break up the appearance of bulk of the facades and will mitigate the height, bulk, and scale impacts of the structures. Therefore, no additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

Traffic and Transportation

The Institute of Transportation Engineers (ITE) Trip Generation Manual estimates that ground related units generate approximately 6.1 vehicle trips per day. The availability and proximity of transit to downtown and on Interstate 5 to the south end employment centers will make it likely that there will be fewer vehicle trips than from developments in outlying areas on which the ITE generation equation is based. The site has ready access to the 35th Avenue Southwest and Delridge Way Southwest. As indicated earlier Metro bus transit routes 21 and #54 serves this community within the 35th Avenue Southwest right-of-way. The amount of traffic expected to be generated by the proposed project is within the capacity of the streets in the immediate area, so no SEPA mitigation of traffic impacts is warranted.

Parking

The parking policy in Section 25.05.675M of the Seattle SEPA Ordinance states that parking impact mitigation may be required only where on-street parking is at capacity as defined by the Seattle Transportation Department or where the development itself would cause on-street

parking to reach capacity. Parking utilization in the vicinity appears to be below capacity and on-street parking can be found during the daytime or evening hours. Seven (7) off-street parking spaces will be provided at the development site, one within each new unit for a parking ratio of 1 space per unit, which meets code requirements and is expected to accommodate parking demand generated by the seven dwelling units most of the day. Parking is unrestricted in the 35th Avenue Southwest and Southwest Cambridge Street rights-of-way. On-street parking capacity in the surrounding area is sufficient to meet any additional spill-over parking which may exist. Therefore, no mitigation of parking impacts is necessary pursuant to SEPA.

There are no long term impacts identified with the creation of (unit lot) short subdivisions. Long term impacts have been analyzed and discussed above with no further conditioning warranted.

CONCLUSION - SEPA

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the 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.

- [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 with respect to transportation, circulation, parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030(2)(C).

SEPA CONDITIONS

The owner(s) and/or responsible party(s) shall:

During Construction

The following condition(s) 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 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 weatherproofing material and shall remain in place for the duration of construction.

1. In order to further mitigate the noise impacts during construction, the owner(s) and/or responsible party(s) shall limit the hours of construction to non-holiday weekdays between 7:30 AM and 6:00 PM and Saturdays between 9:00 AM and 6:00 PM. This condition may be modified by the Department to permit work of an emergency nature of to allow low noise exterior work (e.g., installation of landscaping) after approval from the Land Use Planner. After the structures are enclosed, interior work may proceed at any time in compliance with the Noise Ordinance. The department may modify this condition to allow work which cannot otherwise be accomplished during these hours by prior written approval of the Land Use Planner.

Signature: _____ (signature on file) Date: March 31, 2005
Bradley Wilburn, Land Use Planner
Department of Planning and Development
Land Use Services

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