



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: 2408519
Applicant Name: Dan Duffus, Soleil LLC
Address of Proposal: 7108 California Ave SW

SUMMARY OF PROPOSED ACTION

Master Use Permit for to establish and construct three (3) two story single family dwelling units and three (3) three-story, two unit townhouses in an Environmentally Critical Area. Surface parking will be located on site. Project includes the demolition of the existing single family residence.

The following approval is required:

SEPA – Environmental Determination- Chapter 23.05 Seattle Municipal Code

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

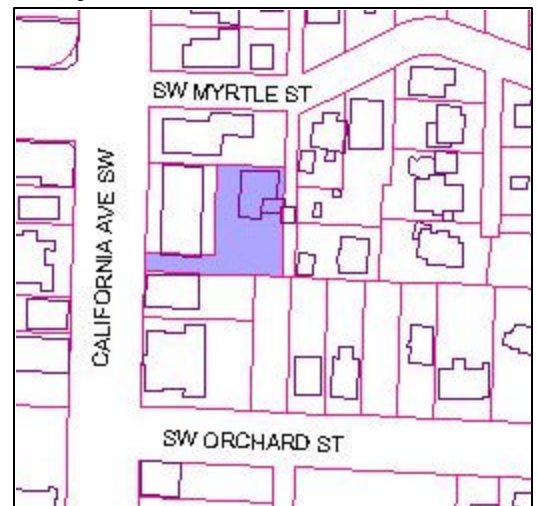
DNS involving non-exempt grading or demolition or involving another agency with jurisdiction

**Early Notice DNS published January 13, 2005.

BACKGROUND DATA

Site & Area Description

The subject site is located in the middle of the block, on the east side of California Avenue Southwest between Southwest Myrtle Street to the north and Southwest Orchard Street to the south, in West Seattle. The existing site is rectangular with a 20 foot wide pan handle connecting to California Ave SW. The site is made up of a portion of two parcels of land



to encompass a land area of approximately 10,600 square feet, located in a Multifamily Lowrise Two zone (L-2) with a minimum density limit of one unit per 1,200 square feet of lot area. An identified steep slope environmentally critical area is located at the northwestern corner of the subject site. The subject site slopes up towards the east and contains a single family residential structure. Several trees, shrubbery and grass currently cover the site. A 16 foot wide concrete alley abuts the development site to the east. California Avenue SW is a fully improved right-of-way with curbs, sidewalk, and gutters.

The surrounding structures along 60th Avenue Southwest block front are multi-story multi-family residential structures. A mix of residential uses is present along California Avenue SW, including single family and multi-family structures. Located approximately three blocks to the west is Fauntleroy Avenue SW and several blocks southwest of the site is Lincoln Park. The subject lot is located in a narrow vertical band on either side of California Ave SW zoned Lowrise 2. Across the alley to the east, the zone changes to the less intensive Single Family 5000 (SF 5000).

Proposal

The development site currently contains a single family house to be demolished. Three (3) two story single family dwelling units and three (3) three-story, two unit townhouses are proposed for a total of nine units. The six structures are configured in two rows of three buildings each, facing each other across a shared open space. All of the parking is provided along the alley. An arbor feature will mark the pedestrian frontage onto California Ave SW.

The project received a limited steep slope exemption (Project # 2408978).

Master Use Permit Application

The applicant applied for a Master Use Permit on December 20, 2004.

Public Comment

No comment letters were received during the official public comment period which ended January 26, 2005.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated December 9, 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 personnel can be accommodated and managed within the California Avenue SW right-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.

Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. Notice of the demolition of the existing residential structure is required by the PSCAA and the proposed demolition is subject to all applicable regulations and practices required by the PSCAA.

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 six buildings (containing a total of nine units) is similar in proportion and materials, but reduces the appearance of bulk through use of gabled roofs schemes and modulation. The six buildings will be arranged along the north/south axis; to the east of and behind an existing two story rectangular apartment building. As viewed from California Avenue SW, only a corner of the development, set approximately 70 back from the street right-of-way feet will be visible from the 20-foot wide pan handle portion of the site. The addition of the proposed structures on the block will be well screened by the existing multifamily structure and therefore poses no adverse impacts.

As viewed from the east, the buildings will have pitched roofs, windows with trim, horizontal banding distinguishing and emphasizing the top story from the lower stories, clearly identifiable covered entrances, and modulation. 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 townhouse units generate approximately five 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 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. Nine off-street parking spaces will be provided at the development site designated for each of the nine units for a parking ratio of 1 space per unit, which meets code requirements and is expected to accommodate parking demand generated by the nine dwelling units most of the day. Parking is unrestricted in the area and California Avenue SW is expected to handle the small amount of spill-over parking. 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: April 25, 2005
Lisa Rutzick, Land Use Planner
Department of Planning and Development
Land Use Services