



CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS

Record Number: 3029995-LU

Applicant Name: Scott Heuman

Address of Proposal: 7141 Fauntleroy Way SW

SUMMARY OF PROPOSAL

Land Use Application to allow 5 rowhouse units in 2 buildings. Parking for 5 vehicles is proposed. Review includes demolition of 6 units (3, 2-unit buildings) (The Kenney).

The following approval is required:

SEPA - Environmental Determination (Seattle Municipal Code Chapter 25.05)

SEPA DETERMINATION:

Determination of Non-Significance

- ☒ No mitigating conditions of approval are imposed.
- ☐ Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal has been conditioned to mitigate environmental impacts.

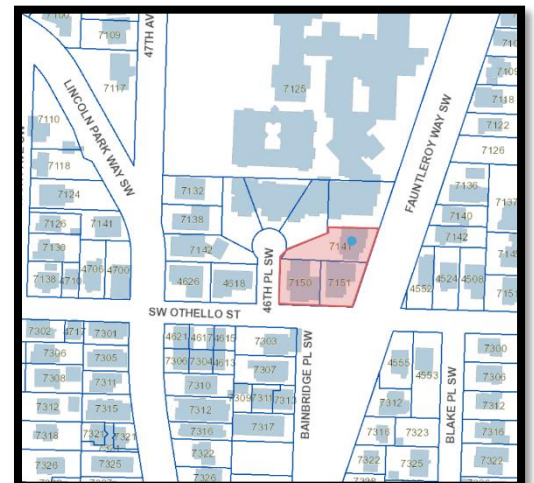
SITE AND VICINITY

Site Zone: Multifamily Lowrise 1 (LR1)

Vicinity Zoning Pattern: The adjacent zoning is LR1 to the north, south, and west of the site. The zoning transitions to Single-Family (SF5000) across Fauntleroy Way SW to the east.

Environmental Critical Areas: None

Site Description: The development site consists of three existing parcels in the Gatewood neighborhood in West Seattle at the northwest corner of SW Othello St. and



Fauntleroy Way SW. The irregularly shaped lot slopes downward from Fauntleroy Way SW, and measures approximately 18,030 square feet in area.

Vicinity Description: The surrounding neighborhood context is primarily residential and consists of a mix of multifamily and single-family developments, averaging two stories in height. The development site is part of a larger existing retirement community known as The Kenney. Fauntleroy Way SW is a minor arterial extending diagonally through much of West Seattle. The site is anchored by Solstice and Lincoln Parks to the south and Puget Sound to the west.

PUBLIC COMMENT:

The public comment period ended on May 9, 2018. Comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to landscaping and traffic.

I. ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 1/22/2018. The Seattle Department of Construction and Inspections (SDCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, 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 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and 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, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

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, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: The Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes construction-related greenhouse gas emissions and air quality, parking and traffic, noise, and environmental health impacts, as well as mitigation.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A.

Parking and Traffic

The proposed construction activities are expected to result in additional vehicular (construction worker) and truck trips, as well as additional parking demand during construction hours. It is the City's policy to minimize temporary adverse impacts associated with construction activities. Due to the project scale and anticipated construction duration period, construction activities are expected to result in a small and temporary increase in truck trips and demand for on-street parking. Any closures of the public right-of-way—while unlikely—will require review and permitting by Seattle Department of Transportation. Additional mitigation is not warranted per SMC 25.05.675.B.

Noise

The project is expected to generate loud noise during demolition, grading and construction. The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends and legal holidays in Lowrise, Midrise, Highrise, Residential-Commercial and Neighborhood Commercial zones.

If extended construction hours are needed due to emergency reasons, the applicant may seek approval from SDCI through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated. The limitations stipulated in the Noise Ordinance are sufficient to mitigate noise impacts and no additional SEPA conditioning is necessary to mitigation noise impacts per SMC 25.05.675.B.

Environmental Health

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition.

The City acknowledges PSCAA's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination. No further mitigation under SEPA Policies 25.05.675.F is warranted for asbestos impacts.

Should lead be identified on the site, there is a potential for impacts to environmental health. Lead is a pollutant regulated by laws administered by the U.S. Environmental Protection Agency (EPA), including the Toxic Substances Control Act (TSCA), Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X), Clean Air Act (CAA), Clean Water Act (CWA), Safe Drinking Water Act (SDWA), Resource Conservation and Recovery Act (RCRA), and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) among others. The EPA further authorized the Washington State Department of Commerce to administer two regulatory programs in Washington State: The Renovation, Repair and Painting Program (RRP) and the Lead-Based Paint Activities Program (Abatement). These regulations protect the public from hazards of improperly conducted lead-based paint activities and renovations. No further mitigation under SEPA Policies 25.05.675.F is warranted for lead impacts.

Long Term Impacts

The proposed development would likely result in long-term or use-related impacts; however, compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA. The following areas warrant further discussion and are included below: greenhouse gas emissions; height, bulk, and scale; historic preservation; parking; and traffic.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A.

Height, Bulk, and Scale

Section 25.05.675.G describes SEPA policies for height, bulk, and scale. The proposed development is not subject to design review. All proposed structures comply with applicable SMC Chapter 23 height and density requirements, and the height limit of the LR1 zone (30 feet) is compatible with the existing and anticipated development in the neighborhood, consisting of a mix of single-family and multifamily developments generally two-to-three stories in height.

Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to height bulk and scale are presumed to be sufficient, and additional mitigation is not warranted under SMC 25.05.675.G.

Historic Preservation

The existing structures on the subject site were constructed in 1955 and were thus reviewed for potential to meet historic landmark status. The Department of Neighborhoods (DON) reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and indicated that these 64-year-old structures are unlikely to qualify for historic landmark status (Landmarks Preservation Board letter, reference number LPB 479/18). Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and no further conditioning is warranted per SMC 25.05.675.H.

Parking

The proposed development consists of five residential units and six off-street vehicular parking spaces. Off-street parking provided as part of this development complies with parking requirements as shown in SMC Table 23.45.015. According to American Community Survey (ACS) 2016 estimates, there was an average of 1.39 vehicles per household in Seattle, resulting in a parking demand of approximately 7 vehicles. This estimate does not take into consideration the availability of frequent transit service near the site, which is likely to result in lower vehicle ownership rates. While the number of proposed off-street parking spaces does not accommodate all of the anticipated parking demand, the potential spillover parking demand for one vehicle not accommodated on-site would have a minimal impact on on-street parking availability near the project site. No mitigation is warranted per SMC 25.05.675.M.

Traffic

The proposed development of five residential units would result in a negligible amount of additional vehicle trips and would have minimal impact on nearby intersections. No further mitigation is warranted per SMC 25.05.675.R.

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 requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of 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 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required

under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

CONDITIONS – SEPA

None.

Wayne Farrens, Land Use Planner _____ Date: March 4, 2019
Seattle Department of Construction and Inspections

WF:bg

Farrens/3029995-LU Decision

IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by SDCI within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.