

FINDINGS AND DECISION

OF THE HEARING EXAMINER FOR THE CITY OF SEATTLE

In the Matter of the Appeal of

NORTH QUEEN ANNE COMMUNITY COUNCIL

FILE NO. W-78-014

from an environmental determination
of Superintendent of Buildings

The appeal is DENIED and the determination
of the Superintendent is affirmed.

Introduction

The appellant organization, the North Queen Anne Community Council, filed an appeal from the declaration of non-significance (DNS), prepared by the Superintendent of Buildings, (Superintendent) with regard to the proposed action by Seattle Pacific University to demolish 2 existing structures at 514-24 West Cremona and to establish parking lots.

The appellant organization exercised it's right to appeal pursuant to Section 20, Ordinance 105735.

Parties to the proceeding were: the appellant represented by Stephen Tangen, Seattle Pacific University, represented by Diane Kenny, and the Superintendent, represented by Ellen Peterson.

This matter was heard before the Hearing Examiner on August 17, 1978.

After due consideration of the evidence elicited during the public hearing, the following findings of fact and conclusions shall constitute the decision of the Hearing Examiner on this appeal.

Findings of Fact

1. The DNS prepared by the Superintendent was filed with the SEPA Public Information Center on June 15, 1978. The Superintendent found that the subject proposal was determined not to have a significant adverse impact upon the environment and that an environmental impact statement was not required.

2. In a letter received on June 30, 1978 the North Queen Anne Community Council filed an appeal. The appellant raised concern about the addition of parking lots and their impact on the area. A clarification of the appeal was filed on July 26, 1978 and alleged: inadequate consideration of the location, description and compaction, future expansion, air emissions, noise, light and glare, transportation and circulation, and aesthetics.

3. Seattle Pacific University is proposing to demolish Adelaide Hall, containing 5,324 square feet and the Science Building containing 4,700 square feet. The site would then be converted to a parking area. The lots would provide 37 off-street parking spaces, access would be from 5th Avenue West.

4. Seattle Pacific University has an enrollment of 2,100 to 2,200 students which includes part-time students. 1,170 vehicles are registered and 459 parking spaces are available. The University charges students \$7.50 a quarter to park but no charge is made for faculty or staff. About 1200 students live on campus with the balance being commuters. The enrollment of the University is anticipated to decline by 3% for the coming school year. A similar decline was experienced last year.

5. The site is located within the campus of the University and although there are nearby residences, all are owned by the University and rented to students with families except for one privately owned residence to the east.

Conclusions

1. An Environmental Impact Statement is required by the State Environmental Policy Act (SEPA, RCW 43.21c) only when there is a major action significantly affecting the quality of the environment. The Supreme Court, in establishing a guideline as to what is "significant" has held that "the procedural requirements of SEPA...should be invoked whenever more than a moderate effect on the quality of the environment is a reasonable probability." Norway Hill vs. King County, 87 Wn.2d 267, 522 P.2d 674 (1976).

2. The purpose of SEPA is to provide full disclosure of environmental impacts so the governmental bodies will have adequate environmental information to consider in making decisions. However, a detailed environmental analysis (impact statement) is not required in every case.

3. After reviewing the evidence in this case, it is concluded that the construction of the proposed parking lots and demolition of the existing structures will have less than a moderate effect on the quality of the environment. The appellant has failed to sustain its burden of proof.

4. With regard to the location of the proposal, the record shows that the Superintendent had full knowledge of the nature of the setting and its relationship to surrounding uses. It would have been helpful to conclude a statement that the University use was adjacent to low density residential properties.

5. The Superintendent acknowledged that there would be some increase in noise but no reasonable probability of any violation of noise standards. The appellant failed to present any substantial evidence to support the allegation of possible future noise violations.


6. The allegation of the appellant that traffic will be increased is not supported by evidence in the record. The proposed parking lots will decrease somewhat on-street parking congestion and should not increase traffic in the area due to the projected declines in enrollment.

7. The appellant offered no substantial evidence as to the alleged inadequate emissions, light and glare and aesthetics. Therefore, these issues are dismissed for lack of proof.

Decision

The appeal is DENIED and the determination of the Superintendent is affirmed.

Entered this 14 day of September 1978.



William N. Snell
Hearing Examiner

Notice of Right to Appeal

The decision of the Hearing Examiner in this case is the final administrative determination and any further appeal must be made to the courts.