



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

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

Project Number: 3003931
Applicant: Andrew Novion for Gronvold Construction
Address of Proposal: 4318 Greenwood Avenue North

SUMMARY OF PROPOSED ACTION

Land Use Application to allow two, two-unit, three-story townhouses in an environmentally critical area (total of four units). Parking for two vehicles will be located within the west building and four in the east building (total of six parking spaces). Existing single family residence and detached garage to be removed.

This review contemplates a future lot boundary adjustment and unit lot subdivision.

The following approval is required:

SEPA – Environmental Determination - (SMC Chapter 25.05)

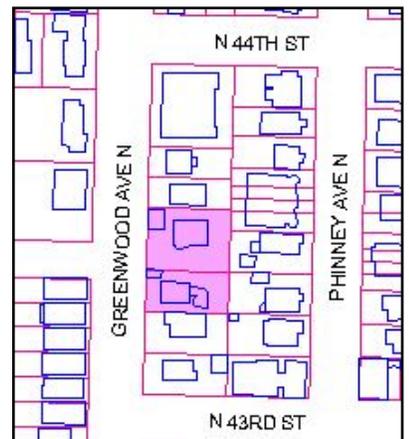
- SEPA DETERMINATION: [ ] Exempt [X] DNS [ ] MDNS [ ] EIS
[ ] DNS with conditions
[ ] DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

Related Project #6077804, ECA exemption request to waive steep slope development standards was granted, but ECA Geological Hazard Areas submittal standards are still applicable for property.

BACKGROUND DATA

Site and Vicinity Description

The subject site is located between North 43rd Street and North 43rd Street on Greenwood Avenue North in the Fremont neighborhood. The site combines two parcels of land (addressed 4316 & 4318 Greenwood



Avenue North) to form a total development site of 10,538 square feet in a Multifamily Lowrise 1 (L-1) zone. The minimum density requirement for the zone is 1,600 square feet of lot area per dwelling unit. The site is square in shape with an elevation change of 10 feet within the first 15 feet from the front property line, then fairly uniform over the remaining portion of the site—resulting in 19 feet of elevation change from front to back. The subject site is modestly vegetated with overgrown shrubs and small trees spread out over the entire lot. One vacated residential structure and one detached terrace garage currently occupies the development site. Greenwood Avenue North which abuts the property along the subject site's west property boundary line appears to be a quiet street serving the immediate residential neighborhood. The street is fully improved with concrete sidewalks, curbs and gutters.

The subject site is located in the southwest corner of moderately sized L-1 zone in the north sector in the Fremont neighborhood. Directly across the street are a number of two-story 3 to 4 unit apartment houses that were built in the early 1900's. The residential mixed in the L-1 zone is tilted towards multifamily uses in the area. Zoning in the surrounding area includes Single Family 5000 to the west and south, a small zoning band of Multifamily Lowrise Duplex/Triplex is located due southeast of the subject site. Development in the immediate vicinity is predominantly a mixture of single family and multifamily uses. A small quaint neighborhood coffee shop anchors this quiet corner in this residential neighborhood.

### Proposal Description

The applicant proposes to combine two parcels of land and construct two, two-unit townhouse structures to consist of a total of four dwelling units in an environmentally critical area. Vehicular access to the proposed site will be available through Greenwood Avenue North located west of the development site and parking would be provided within the proposed structures. Project includes the demolition of one existing single family dwelling unit and one detached garage structure. The site will be re-graded to accommodate new development, which will include excavation of approximately 1,550 cubic yards and fill of 250 cubic yards. Future development activity at the subject site may include adjusting the north property boundary line (Lot Boundary Adjustment) and the creation of four unit lots (Unit Lot Subdivision).

### Public Comments

The comment period began on January 5, 2006 and was extended to February 2, 2006. A total of four public comments letters were received. The respondents expressed some concerns covering a range of issues, which included changing the neighborhood character with the push of multifamily developments in an already dense unique urban residential environment. The removal of an existing single family structure was sited as diminishing the old charm character of single family presence in the immediate area. Additionally, view blockage upon adjoining lots with the proposed new construction was mentioned, as well as impacts related traffic congestion, and on-street parking. Also, neighbors voiced their concerns with environmental impacts related to existing soils conditions and stability of the existing slope. In addition, one person commented on the city's (i.e., DPD and City Council) inability to measure impacts from a more progressive paradigm.

## **ANALYSIS – SEPA**

The development site is located in a steep slope critical area, thus the application is not exempt from SEPA review. An Environmental Critical Areas (ECA) Exemption Requests & Modifications to Submittal Requirements was applied for and conditionally waived. The ECA Steep Slope Development Standards were waived pursuant to 25.09.040 on November 8, 2005, but the Geological Hazard Areas Development Standards as well as other applicable ECA standards will apply to the project. However, SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

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

The initial disclosure of the potential environmental impacts on this project was made in the threshold determination and environmental checklist prepared by Rod Novion on December 16, 2005. The information in the checklist, the supplemental information submitted by the application, field inspection, public comments and the experience of the lead agency with 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, that "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 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### **Short-term Impacts**

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulate from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; conflict with normal pedestrian movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The ECA ordinance and DR 3-93 and 3-94 regulate development and construction techniques in designated ECA

areas with identified geologic hazards. The Street Use Ordinance requires debris to be removed from the street right of way, and regulates obstruction of the pedestrian right-of-way. Puget Sound Air Pollution Control Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures and life safety issues. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment and no further conditioning pursuant to SEPA policies is warranted.

Due to the fact that grading will be undertaken during construction, additional analysis of earth and grading impacts is warranted.

### Earth/Soils

The ECA Ordinance and Directors Rule (DR) 3-93 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with geologic hazard areas and/or a history of unstable soil conditions. Pursuant to this requirement the applicant submitted an application for an ECA exemption under Project #2103394 in May 14, 2001. An ECA exemption was granted to waive steep slope development standards. However, ECA review is required because the site has soil conditions that need further scrutiny to properly evaluate subsurface, water conditions, and bearing strength capability. The construction plans, including shoring of excavations as needed and erosion control techniques will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes (ECA ordinance, The Stormwater, Grading and Drainage Control Code, DR 3-93, and 3-94) will be required prior to issuance of building permits. Applicable codes and ordinance provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

### Traffic

Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near several major arterials and traffic impacts resulting from the truck traffic associated with the hauling of debris will be of short duration and mitigated by enforcement of SMC 11.62.

For the removal and disposal of the spoil materials, the Code (SMC 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, which minimizes the amount of spilled material and dust from the truck bed enroute to or from a site.

### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare.

