



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

D. M. Sugimura, Acting Director

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

**Application Number:** 3005063  
**Applicant Name:** Jim Romano  
**Address of Proposal:** 4221 East Lee Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a two-story 10,644 sq. ft. single family residence with 10,090 sq. ft. of developmental coverage in an environmentally critical area. Parking for two vehicles to be located in a detached garage. Review includes 13,000 sq. ft. demolition of two single family residences.

The following approval is required:

**SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.**

**SEPA DETERMINATION:**  DNS  DNS with conditions  
 DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

**BACKGROUND DATA**

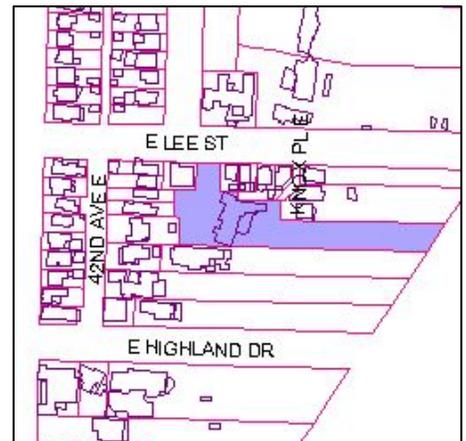
**Site Location:** Subject site is L-shaped with street frontage located on the south side of East Lee Street in the Madison Park neighborhood. Site contains shoreline frontage along the eastern portion of the property.

**Zoning:** Single Family 7200 (SF7200), Urban Residential (UR) and Conservancy Recreation (CR).

**Parcel Size:** 33,878 sq. ft.

**Existing Use:** Single family.

**Proposal Description:** To demolish two existing single family structures and construct one single family residence.



**Public Comment:** The public comment period ended on December 13, 2006. No comments were received.

**Project History:** An exemption from the shoreline substantial development process was granted to the project.

### **ANALYSIS – SEPA**

The proposal site is located in a shoreline environmentally critical area, thus the application is not exempt from SEPA review. 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 impacts from this project was made in the environmental checklist submitted by the applicant dated November 9, 2006. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The revised plans submitted on March 21, 2007 show mitigation for all new impervious surfaces created within 100 feet of the shoreline (ordinary high water). The mitigation plan includes planting of native species in an area equal to the increase in impervious surface.

The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant; and reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

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, 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 and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations. Short-term adverse impacts are anticipated from the proposal. No adverse long-term impacts on the environmentally critical area are anticipated.

#### **Short-term Impacts**

The following temporary or construction-related impacts to the environmentally critical area are expected: 1) sedimentation entering shoreline waters; and 2) construction noise.

Water Quality

The project as proposed consists of construction activities, which might potentially result in sedimentation, which would cause water quality degradation. Such events might result in fish distress or fish kill. These impacts are substantially mitigated by the conditions required by DPD, and the requirements of the Seattle Shoreline Master Program. No further mitigation under SEPA is warranted.

Construction Noise

It is the City's policy to minimize temporary adverse noise impacts associated with construction activities. The Seattle Noise Ordinance (SMC 25.08) limits noise levels and hours of construction. However, in the present proposal, the location of the project immediately down slope to residential structures requires further mitigation. Therefore, construction activity should be limited to non-holiday weekdays from 7:30 a.m. to 6:00 p.m. pursuant to section 25.05.675 B of the SEPA Ordinance.

**DECISION**

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.

[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 43.21.030(2) (c).

**CONDITIONS**

None required.

Signature: \_\_\_\_\_  
Lisa Rutzick, Land Use Planner  
Department of Planning and Development

Date: April 5, 2007