



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**

Application Number: 3005913

Applicant Name: Kelly Foster

Address of Proposal: 3026 Southwest Avalon Way

SUMMARY OF PROPOSED ACTION

Land Use Application to allow two, 2-unit townhouse structures in an environmentally critical area. Surface parking for four vehicles will be located at grade.

The following approval is required:

SEPA - Environmental Determination – (Chapter 25.05, 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.

BACKGROUND INFORMATION

Site and Vicinity Description

This approximately 4,800 square foot (sq. ft.) rectangular site is located in a Midrise (MR) on the west side of SW Avalon Way in West Seattle. A 16' wide paved alley runs along the west property line of the site. The site slopes downhill from the alley to SW Avalon Way and slightly downhill from south to north. A rock wall extends along the north property boundary but on the adjacent site to the north, and continues on site along the SW Avalon Way property boundary. Portions of the southeast corner of the site are classified as *Environmentally Critical Area (ECA) Steep Slopes*, but are not in the proposed building footprint area.

The surrounding parcels on both sides of SW Avalon Way and between SW Andover Street to the north and SW Genesee Street to the south are similarly zoned MR. The surrounding development is a mixture of multi-family and single-family structures. Across the alley to the west the zoning is Single Family 5000 (SF 5000) and is comprised of a variety of sizes and ages of residential structures.

Proposal

The applicant proposes to construct two, 2-unit townhouse buildings on a parcel containing *Environmentally Critical Area Steep Slopes*. Alley access parking for four vehicles will be provided at grade on the west side of the parcel. It is anticipated by the applicant that future development activity at the subject site will include the creation of individual unit lots (Unit Lot Subdivision).

The applicant has been granted a limited exemption from *ECA Steep Slope* development standards for the identified *ECA Steep Slope* area. However, all other *ECA* submittal, General, *Landslide-Hazard* and applicable development standards still apply to the proposal.

Public Comments

No comments were received during the two-week public comment period that ended November 1, 2006.

ANALYSIS - SEPA

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 proposal site is located in a steep slope 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.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated October 4, 2006. The information in the checklist, the submitted geotechnical report, and the experience of the lead agency with 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, 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 or circumstances (SMC 25.05.665 D) mitigation can be considered.

The applicant submitted a request for an *Exemption* from the development standards for *ECA Steep Slopes*, prepared by Golder Associates, Inc, and dated November 30, 2006, pursuant to SMC 25.09. This request provided background information for the site, including site

