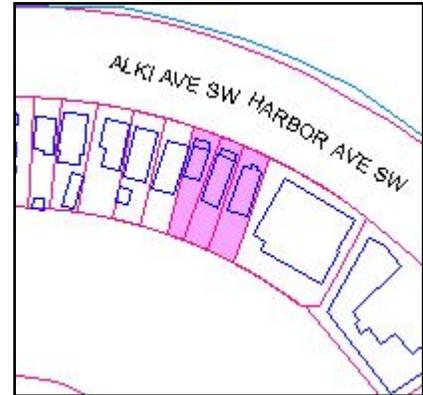




## **BACKGROUND DATA**

### **Site and Vicinity Description**

The development site is located at the Duwamish Head of Alki Point, in the 1100 block of Alki Avenue Southwest, at the foot of the Duwamish Head Greenbelt in West Seattle. The site is located within the Multifamily Midrise (MR) zone with a maximum height limit of 60 feet. Additionally, a major portion of the site is within the Shoreline, Urban Residential (UR) environment, within 200 feet from the Puget Sound Shoreline edge (ordinary high water mark). The site is also, within the Alki Parking Overlay District. The site comprises a land area of approximately 10,014 square feet, which combines three platted lots currently developed with three residential structures that are slated for demolition. The existing residential structure addressed at 1104 Alki Avenue Southwest is a modest three-story single family residence constructed in 1979. A two-story single family home addressed at 1100 Alki was constructed in 1960. The last of the three structures slated for demolition is a modest one-story structure addressed at 1001 Alki Avenue Southwest that was constructed in 1915. The site is nearly rectangular in shape with a lengthwise orientation (approximately) along the north/south axis. With a lot depth of approximately 120 feet the site is relatively flat with a subtle six foot ascending elevation change from north to south, with panoramic views of the Olympic Mountains, Puget Sound, and the downtown skyline. Abutting the subject lot's 78 foot rear property line the topographic conditions change abruptly, to a heavily vegetated hillside which climbs approximately 130 feet above the development site. The combined development site has approximately 88.5 linear feet of frontage along Alki Avenue SW, which at this location is a paved, two lane arterial. The street is improved with curbs, gutters, and sidewalks on both sides of the street with a designated 12-foot wide bicycle/jogging path along the north side of the street right-of-way, opposite the project site.



The development site contains three designated Environmental Critical Areas (ECA); New Known Slides Areas, New Potential Slide, and Liquefaction areas. The abutting hillside to the south has slopes that exceed 40 percent and has two additional ECA designated classifications; Steep Slopes and Know Slides area. Existing vegetation on the subject property is typical residential landscaping while the abutting hillside is densely covered with a mix of deciduous and evergreen trees and other typical native undergrowth.

### **Vicinity Description**

Zoning in the area is residential MR, with a small Multifamily Lowrise Three (L3) zoning band to the east. At the top of the hillside and to the west, the residential zones transitions into a less dense Single Family 9600 and 7200 square foot designation. The housing stock along Alki and Harbor Avenue Southwest is transforming from single family to more dense multifamily developments. Alki Point provides recreational amenities for both the region and the surrounding neighborhood. The steep hillside that abuts the subject property to the south is part of the Duwamish Head Greenbelt that extends for several hundred feet to the east and south. North of the subject property across Alki Avenue SW is the Alki Beach Park, which at this location includes a scenic vista point at the Duwamish Head, a bicycle/pedestrian path, and the south shore of Puget Sound.

Proposal Description

This project represents an expansion of a previously approved project to establish a six unit apartment building (#24056030). During the associated building permit review phase, (#6065403) the owner of the development site was approached by an abutting property owner to the east (addressed; 1001 Alki Avenue SW) to acquire their lot. Subsequently an agreement was reach between the two property owners and the building permit was placed on hold. The applicant now proposes to construct a six-story multi-family condominium building containing eleven units and 24 parking spaces. The primary pedestrian entry to the building is proposed to be located near the mid-point along the Alki Street frontage. The multifamily building will feature glass curtain walls with operable windows on the building's north façade, to open up the interior spaces to the outside. Accessory parking will be accommodated on one level in a below grade parking garage serving 24 vehicles. Access to the parking garage is proposed from a ten foot wide curb cut off Alki Avenue SW near the west property line. Residential open space is proposed in three locations; ground level, balconies, and a rooftop deck. Trees will be provided in Alki Avenue's planting strip, additional landscaping in the front, rear, and side setbacks.

The structure's exterior would consist of a palette of durable materials including hardi-panel, glass, concrete, steel, and textured metal siding. Except for the six floor unit (4,146 gross floor area), each floor will accommodate two units and will range in size from 1,521 to 2,324 gross floor area. Direct access to each unit is proposed to be provided by an elevator opening indirectly into each unit by way of foyer. Individual units would have glass curtain wall and deck or balcony feature facing north toward Puget Sound.

Public Comment:

Date of Notice of Application:	February 15, 2007
Date End of Comment Period:	March 16, 2007
# Letters	0

No public comments were received during the public comment period, which ended on March 16, 2007.

**ANALYSIS - SHORELINE SUBSTANTIAL DEVELOPMENT**

Section 23.60.030 of the Seattle Municipal Code provides criteria for review of a shoreline substantial development permit and reads: "A *substantial development permit shall be issued only when the development proposed is consistent with:*"

- A. *The policies and procedures of Chapter 90.58 RCW;*
- B. *The regulations of this Chapter; and*
- C. *The provisions of Chapter 173-27 WAC.*

Conditions may be attached to the approval of a permit as necessary to assure consistency of the proposed development with the Seattle Shoreline Master Program and the Shoreline Management Act.

### **A. The Policies and Procedures of Chapter 90.58 RCW**

Chapter [90.58](#) RCW is known as the Shoreline Management Act of 1971. It is the policy of the State to provide for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses. This policy seeks to protect against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life, while protecting generally public rights of navigation and corollary incidental rights. Permitted uses in the shorelines shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water. The proposed demolition of three existing residential structures to allow construction of an eleven-unit multifamily structure would not adversely impact the state-wide interest of protecting the resources and ecology of the upland shoreline environment, and the redevelopment would increase residential housing stock with enhanced views of the shoreline in the State of Washington. The subject lot is located across Alki Avenue Southwest, a 100 foot wide right-of-way adjacent to the water's beachfront edge. As previously mentioned, the site has several ECA designations, and is relatively flat topographically. Codes and development regulations applicable to this proposal will provide sufficient measures to safeguard the public interest and protect the ECA that is dependent upon its location in a shoreline of the state. The subject application is consistent with the procedures outlined in RCW [90.58](#).

### **B. The Regulations of this Chapter**

The Shoreline Management Act provides definitions and concepts, and gives primary responsibility for initiating and administering the regulatory program of the Act to local governments. The Department of Ecology is to primarily act in a supportive and review capacity, with primary emphasis on ensuring compliance with the policy and provisions of the Act. As a result of this Act, the City of Seattle adopted a local shoreline master program, codified in the Seattle Municipal Code at Chapter [23.60](#) that also incorporates the provisions of Chapter [173-27](#), WAC. [Title 23](#) of the Municipal Code is also referred to as the Land Use and Zoning Code. Development on the shorelines of the state is not to be undertaken unless it is consistent with the policies and provisions of the Act, and with the local master program. The Act sets out procedures, such as public notice and appeal requirements, and penalties for violating its provisions which have also been set forth in the Land Use Code.

In evaluating requests for substantial development permits, the Director must determine that a proposed use and subsequent development meets the relevant criteria set forth in the Land Use Code. The Shoreline Goals and Policies, part of the Seattle [Comprehensive Plan](#), and the purpose and location criteria for each shoreline environment must be considered. A proposal must be consistent with the general development standards of SMC [23.60.152](#), the specific standards of the shoreline environment (SMC 23.60. 840) and underlying zoning designation, any applicable special approval criteria, and the development standards for specific uses.

The proposed development actions occur on land classified as an upland lot (SMC [23.60.546](#)) and is located within an Urban Residential (UR) shoreline environment. The proposed redevelopment is associated with establishment of a twelve-unit multifamily structure and as such is a permitted use in the UR shoreline environment and the underlying Multifamily Mid-rise zone.

Seattle Comprehensive Plan - Shoreline Policies

All discretionary decisions in the shoreline district require consideration of the Shoreline Goals and Policies, which are part of the Seattle Comprehensive Plan's [Land Use Element](#), and consideration of the purpose and location criteria for each shoreline environment designation contained in SMC [23.60.220](#). The goals and policies support and encourage the establishment and protection of non-water dependent uses on upland lots when they complement uses on adjacent waterfront lots (please refer to Land Use Policy LUG41). An area objective for this portion of the Puget Sound area is to protect areas developed for residential use in a manner consistent with the Single family and Multi-family Residential Area Policies (please refer to Area Objectives for Shorelines of Statewide Significance, Policy LU269.1.a). These multi-family policies, in turn, have objectives that include ensuring that new development is compatible with the neighborhood character and ensuring adequate capacity for future housing need. The purpose of the Urban Residential (UR) environment as set forth in Section [23.60.220 C6](#) is to protect residential areas, such as the redevelopment proposal at the development site.

The multifamily redevelopment proposal would provide a total of eleven residential units in a neighborhood within the MR zone, undergoing transition into increased density of multifamily uses. The structure would be constructed in a manner consistent with the underlying multi-family zoning and in character with surrounding new multi-family development. The resulting residential units would have views of Puget Sound and future occupants would benefit from direct access to shoreline public access features available along this portion of Alki Avenue SW. The proposal is supported by both the purpose of the UR shoreline environment and the policies set forth in the Land Use Element of the Comprehensive Plan.

SMC [23.60.152](#) - Development Standards for all Environments

These general standards apply to all uses in the shoreline environments. They require that design and construction of all uses be conducted in an environmentally sound manner, consistent with the Shoreline Management Program and with best management practices for the specific use or activity. All shoreline development and uses are subject to the following:

- A. The location, design, construction and management of all shoreline developments and uses shall protect the quality and quantity of surface and ground water on and adjacent to the lot and shall adhere to the guidelines, policies, standards and regulations of applicable water quality management programs and regulatory agencies. Best management practices such as fugitive dust controls and other good housekeeping measures to prevent contamination of land or water shall be required.
- B. Solid and liquid wastes and untreated effluents shall not enter any bodies of water or be discharged onto the land.
- C. Facilities, equipment and established procedures for the containment, recovery and mitigation of spilled petroleum products shall be provided at recreational marinas, commercial moorage.
- D. The release of oil, chemicals or other hazardous materials onto or into the water shall be prohibited. Equipment for the transportation, storage, handling or application of such materials shall be maintained in a safe and leak-proof condition. If there is evidence of leakage, the further use of such equipment shall be suspended until the deficiency has been satisfactorily corrected.

- E. All shoreline developments and uses shall minimize any increases in surface runoff, and control, treat and release surface water runoff so that receiving water quality and shore properties and features are not adversely affected. Control measures may include, but are not limited to, dikes, catch basins or settling ponds, interceptor drains and planted buffers.
- F. All shoreline developments and uses shall utilize permeable surfacing where practicable to minimize surface water accumulation and runoff.
- G. All shoreline developments and uses shall control erosion during project construction and operation.
- H. All shoreline developments and uses shall be located, designed, constructed and managed to avoid disturbance, minimize adverse impacts and protect fish and wildlife habitat conservation areas including, but not limited to, spawning, nesting, rearing and habitat areas, commercial and recreational shellfish areas, kelp and eel grass beds, and migratory routes. Where avoidance of adverse impacts is not practicable, project mitigation measures relating the type, quantity and extent of mitigation to the protection of species and habitat functions may be approved by the Director in consultation with state resource management agencies and federally recognized tribes.
- I. All shoreline developments and uses shall be located, designed, constructed and managed to minimize interference with or adverse impacts to beneficial natural shoreline processes such as water circulation, littoral drift, sand movement, erosion and accretion.
- J. All shoreline developments and uses shall be located, designed, constructed and managed in a manner that minimizes adverse impacts to surrounding land and water uses and is compatible with the affected area.
- K. Land clearing, grading, filling and alteration of natural drainage features and landforms shall be limited to the minimum necessary for development. Surfaces cleared of vegetation and not to be developed shall be replanted. Surface drainage systems or substantial earth modifications shall be professionally designed to prevent maintenance problems or adverse impacts on shoreline features.
- L. All shoreline development shall be located, constructed and operated so as not to be a hazard to public health and safety.
- M. All development activities shall be located and designed to minimize or prevent the need for shoreline defense and stabilization measures and flood protection works such as bulkheads, other bank stabilization, landfills, levees, dikes, groins, jetties or substantial site regards.
- N. All debris, overburden and other waste materials from construction shall be disposed of in such a way as to prevent their entry by erosion from drainage, high water or other means into any water body.
- O. Navigation channels shall be kept free of hazardous or obstructing development or uses.

- P. No pier shall extend beyond the outer harbor or pierhead line except in Lake Union where piers shall not extend beyond the Construction Limit Line as shown in the Official Land Use Map, Chapter 23.32, or except where authorized by this chapter and by the State Department of Natural Resources and the U.S. Army Corps of Engineers.

As proposed and as conditioned below, the project complies with the above shoreline development standards. Long term effects are minor and do not warrant further conditioning.

The Stormwater, Grading and Drainage Control Code (SMC 22.800) places considerable emphasis on improving water quality. In conjunction with this effort, DPD developed a Director's Rule, [16-2000](#), to apply Best Management Practices (BMPs) to prevent erosion and sedimentation from leaving construction sites or where construction will impact receiving waters. Due to demolition, excavation and other construction activities, the potential exists for impacts to the Puget Sound. Therefore, approval of the substantial development permit will be conditioned to require application of construction best management practices (BMPs). Completion of the attachment to the Director's Rule and adherence to the measures outlined in the attachment shall constitute compliance with BMP measures.

#### SMC [23.60.570](#) - Development Standards for the UR Environment

The proposal conforms to all of the development standards for the UR environment. The proposed structure height is 60 feet which meets the maximum height established for MR zone. In some cases lot coverage is not applicable to multi-family development, which is the case for this zone designation. Topographically, the site resides at the foot of a steep slope to the rear, owned by Seattle Parks and Recreation Department. The proposal is on a similar contour plane to adjacent properties on either side, and will meet required setbacks from property lines, so no views would be blocked, and no view corridor is required to be established. Since the proposal is located in a developed urban area across the street from Alki Beach pedestrian trail with considerable public access and recreational opportunities available, no additional public access to the shore would be required.

#### C. The Provisions of Chapter [173-27](#) WAC

WAC [173-27](#) establishes basic rules for the permit system to be adopted by local governments, pursuant to the language of RCW [90.58](#). It provides the framework for permits to be administered by local governments, including time requirements of permits, revisions to permits, notice of application, formats for permits, and provisions for review by the State's Department of Ecology (DOE). As the Seattle Shoreline Master Program has been approved by DOE, consistency with the criteria and procedures of SMC Chapter [23.60](#) is also consistency with WAC [173-27](#) and RCW [90.58](#).

#### Conclusion

SMC Section [23.60.064E](#) provides authority for conditioning of shoreline substantial development permits as necessary to carry out the spirit and purpose of and assure compliance with the Seattle Shoreline Code, Chapter [23.60](#), and with RCW [90.58.020](#) (State policy and legislative findings).

Thus, as conditioned below, the proposal is consistent with the criteria for a shoreline substantial development permit and may be approved.

### **DECISION - SHORELINE SUBSTANTIAL DEVELOPMENT**

The Shoreline Substantial Development permit is **CONDITIONALLY GRANTED** subject to the conditions listed at the end of this report.

### **SEPA DETERMINATION**

The development site contains three designated Environmental Critical Areas (ECA); New Known Slides Areas, New Potential Slide, and Liquefaction areas. The abutting hillside to the south has slopes that exceed 40 percent and has two additional ECA designated classifications; Steep Slopes and Know Slides area. 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 prepared by Todd Smith and submitted on February 7, 2007. The information contained within the checklist, Geotechnical Report prepared by Liu & Associates, Inc, dated January 16, 2007, public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The undersigned planner has analyzed the environmental checklist submitted by the project applicant; reviewed the project plans and the additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action may result in 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, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The overview policies 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 (SMC 25.05.665), mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

### **Short-term Impacts**

The following temporary or construction-related impacts are expected: 1) demolition and construction activities could result in the following adverse impacts; 2) construction dust and storm water runoff, temporary soil erosion, emissions from construction machinery and vehicles, increased particulate levels during excavation and construction, increased noise level, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers' vehicles. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

City codes and/or ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Seattle Department of Transportation (SDOT). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts.

### Earth Impacts

The subject property is designated as a New Known Slides Areas, New Potential Slide, and Liquefaction areas in the Environmentally Critical Areas (ECA) maps folio. According to City records, landslides have occurred on several properties located close to the proposal along Alki Avenue SW. The subject site is nearly level from the street to the toe of the steep slope abutting the south side of the subject lot.

The applicant has submitted a Geotechnical Engineering Study addressing soil composition of a development proposal at 1100 Alki Avenue SW, featuring excavation for an underground parking garage, site preparation, grading, erosion and groundwater control, and drainage recommendations. The submitted study modifies the previously approved report to include the expanded development site; stating that the site is suitable for the development of the proposed apartment building provided that the recommendation contained within the report are implemented and observed during construction. The proposed below grade parking level will require shoring walls to protect adjacent properties due to loose to very-loose sand deposits extending downwards to 25 feet below grade. Based on historical landslides that have occurred on the hillside in the vicinity of the site, grading and foundation related work should be carried out and completed during the dryer period between April 1 and October 31 if cutting into the toe of the hillside.

The existing subsurface borings were deemed more than adequate to address soil conditions for the newly acquired lot. The subsurface investigation was performed by drilling borings ranging from 0 ft. to 31.5 ft. in depth. The two borings were located in the general area of the front setback, within 15 feet of Alki Avenue Southwest. Groundwater table was encountered at approximately 11.5 feet below grade in both borings. The subsurface soils encountered consisted of up to a 5.5 ft thick layer of brown-gray, very loose to loose, silty fine to medium sand, underlain by Beach Deposits of fine to medium to coarse sand, approximately 15 feet thick. Below the Beach Deposits was denser coarse sand with fine sandy silt interbeds.

The soils report concluded that the proposed structure could be supported on auger cast pile foundation bearing on the dense native soils. Excavation and shoring will have impacts on foundation loads of adjacent buildings due to soil composition and appropriate measures are needed to safeguard the development site and abutting properties. Also, basement walls of the proposed building should be considered as retaining wall and designed for a lateral soil pressure under at-risk conditions.

Review of the submitted report and approval of the resultant plans and construction methods will be subject to the standards of the Stormwater, Grading, and Drainage Control Code, as well as the Environmentally Critical Area Ordinance. No further mitigation for the purposes of SEPA compliance is warranted.

### Public Services and Facilities

The development site is located adjacent to Seattle owned park land within the Duwamish Head Greenbelt. This area is also mapped as an ECA Steep Slope, Potential Slide Area, Known Slide Area, and Liquefaction Zone; and as such, the plans and relevant technical documents were forwarded on to the Department of Seattle Parks and Recreation to evaluate development impacts. As discussed earlier the development site is located at the toe of a steep slope system within a greenbelt area. Several slides have been documented in the area, which require drainage mitigation to protect the slope integrity. After Parks evaluation, the applicant was instructed to adhere to several design constraints. Additionally, a retaining wall along the south property line to protect sloughing off of the hillside will be required. On April 26, 2007 Seattle Parks approved this proposal.

### Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

### Traffic and Parking

The proposed eleven-unit building development is expected to generate less than 71.5 daily vehicle trips (using a high estimate of 6.5 vehicle trips per pay). Alki Avenue SW is a moderately used arterial that has adequate capacity to absorb the additional vehicle trips. The street is also served by Metro Transit.

On-street parking is available on both sides of Alki Avenue. During summer months, on-street parking is frequently at or above capacity, due to the proximity of Alki Beach Park. Proposed on-site parking at 2.2 stalls per unit exceeds zoning code requirements (at 1.5 stalls per unit) and should be adequate to accommodate average parking demand on the property. Additionally, at least one on-street parking space will be made available due to the removal of two curb cuts at the development site. It is not anticipated that the resulting traffic or parking demand would adversely affect the existing street system. No mitigation is warranted.

### Archaeology

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Historic Preservation Policy (SMC 25.05.675 H) allows the reviewing agency to mitigate impacts associated with a potentially significant archaeological site. Maps on file at DPD indicate that the subject site is within 200 feet of the US Government Meander Line. Since excavation is proposed, pursuant to SEPA and Director's Rule 2-98, conditioning will be required to mitigate adverse impacts to any inadvertently discovered archaeologically significant resource.

Other long-term impacts are typical of a multi-family development and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); Land Use Code (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption); and the Environmentally Critical Area Regulations.

## **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).

## **SHORELINE SUBSTANTIAL DEVELOPMENT CONDITIONS**

### *Permanent for the Life of the Project*

1. Appropriate Best Management Practices (BMP) shall be employed during all activities at the site, including boat and ship repair work, to prevent debris, toxic material and/or other deleterious matter from entering East Waterway during such activities.
2. Debris, toxic material and/or other material that enters the water during the life of the project shall be removed immediately and disposed of at the appropriate upland facility.

## **SEPA CONDITIONS**

### *Prior to Issuance of Master Use Permits*

3. The owner and/or responsible parties shall provide DPD with a statement that the contract documents for their general excavation and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 26.53, 27.44, 79.01, and 79.90 RCE, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.

### *During Construction*

4. Unless otherwise approved by a DPD Geotechnical engineers, grading and foundation related work shall be carried out and completed during the dryer period between April 1 and October 31, if cutting into the toe of the hillside.
5. If resources of potential archaeological significant are encountered during construction or excavation, the owner and/or responsible parties shall:
  - Stop work immediately and notify DPD (Bradley Wilburn 206/615-0508) and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAHP). The procedures outlined in Appendix A of Director's Rule 2-98 for assessment and/or protection of potentially significant archaeological resources shall be followed.

