



City of Seattle

Department of Planning and Development
D.M. Sugimura, Director

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

Application Number: 3004097
Applicant Name: Michael Willis and Elizabeth Petersen
Address of Proposal: 301 26th Avenue East

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a two-story, two-unit townhouse structure in an Environmental Critical Area. Parking for two vehicles will be located within the proposed structure. Existing structure will be demolished.

The following approvals are required:

Administrative Design Review - Section 23.41, Seattle Municipal Code (SMC) with Development Standard Departures:

1. Lowrise – Structure Width and Depth (Table 23.45.011.A)
2. Lowrise – Rear Setbacks (23.45.014.B.1)
3. Lowrise – Side Setbacks (23.45.014.C.3)
4. Lowrise – Curb Cuts (23.45.014.D)

SEPA - Environmental Determination - SMC Chapter 25.05.

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

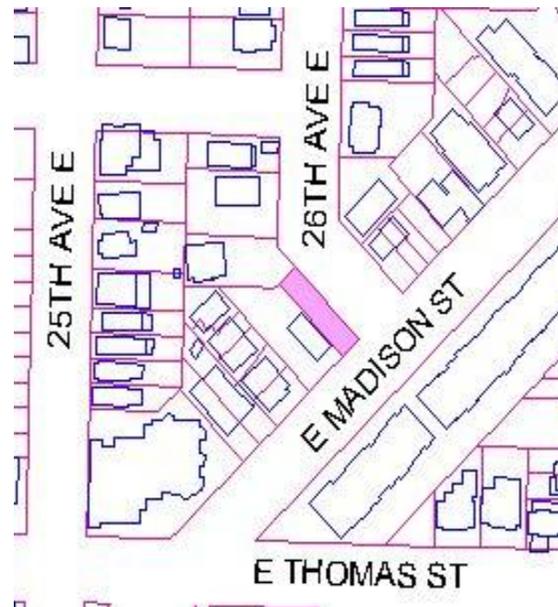
DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

BACKGROUND INFORMATION:

Site Development

The subject site is rectangular in shape, comprising a land area of approximately 2,500 square feet (25' X 100') in the Capitol Hill neighborhood overlooking Madison Valley to the east. The development site is located within a Multifamily Lowrise Two (L-2) zone with a density limit of one unit per 1,200 square feet.

The development site is a corner lot with street frontage along 26th Avenue East to the east and East Madison Street to the south. The subject lot is located on an irregular shaped block with five street frontages. The development site is located on the east slope of Capitol Hill with territorial views to the east and south. The downward sloping lot, from its northwest corner to southeast corner is overgrown with vegetation. The street right-of-way is fully improved with curbs sidewalks, and gutters.



The site contains a designated Environmental Critical Areas (ECA); 40% Steep Slope and New Potential Landslide areas. On May 8, 2009, DPD approved a request to exempt the site from steep slope standards, with the condition that all other ECA Submittal, general, and landslide-Hazard, and development standards still apply.

Area Development

The neighborhood features a mixture of older and newer multi-story structures, hosting commercial and residential uses. The development site is located on an active arterial street – East Madison Street. East Madison is used as a primary corridor connecting downtown to Madison Valley. The immediate area surrounding the development site is the more distinctively residential within a vast residential area which includes; Multifamily Lowrise, Three, Two, One, and Lowrise Duplex Triplex (L-3, L-2, L-1 & LDT), and Single family 5,000 (SF 5000) zones. Modest Turn of the Century multi-family and single family structures are prevalent in the area. The neighborhood is characterized by the sloping topography which affords views to the east.

One block east, along East Madison, a narrow Neighborhood Commercial Two zone with a height limit of 40 feet (NC2-40) surrounds the right-of-way. This area on the edge of Capitol Hill and Madison Valley is undergoing a transformation as numerous development projects are changing the streetscape as they develop to the height limits of the underlying zones. Within walking distance along East Madison is a recently completed mixed-development that features a large grocery store (Safeway). Other uses found along East Madison are grocery stores, restaurants, offices, and an assortment of other businesses typical of these pocket commercial districts within the City.

Project Description

The owner proposes to construct a two-story residential building with daylight basement, containing a two-unit townhouse with accessory parking at the basement level. The intent is to be noticeably contemporary, with flat roofs similar to nearby commercial and residential buildings. Design elements from numerous multifamily buildings have been incorporated into the proposed design set within this East Capitol Hill neighborhood. Most notable factors influencing design considerations at the development site from the surrounding area are: scale; architectural elements and materials; topography, with emphasis on territorial views to the east. The design will establish a strong street presence along both street frontages scaled to neighboring properties, using exterior material, glazing and landscaping to visually enliven the block. Two curb cuts are proposed to serve two separate garage entries along east 26th Avenue; the driveways will be permeable (grasscrete) to minimize presence adjacent to the right-of-way

Public Comments

Date of Notice of EDG Application:	May 8, 2008
Date End of EDG Comment Period:	May 21, 2008
Date of Notice of MUP Application:	June 9, 2009
Date End of Comment Period:	July 1, 2009 ¹
# Letters	6

The Department received a total of six comment letters for the proposed two-unit residential (townhouse) structure. Five letters were received during the EDG phase and one during the Master Use Permit (MUP) phase. The letter received during the MUP public comment period encompassed the following issues:

- With the close proximity of the development site to the abutting property, construction related activity would be disruptive and cause misery and harm to during construction.
- Protection of privacy and views will be adversely compromised with the proposed townhouse structure.
- It is important that consideration be given to the spatial arraignment of older structures when establishing setbacks, lot coverage, etc. due in part to existing development patterns in Madison Valley and Madison Park.
- Cramming a townhouse structure on such a small narrow lot with a dramatic slope seems inadvisable, drainage and slope stabilization could be compromised.

The above concerns and comments were taken into consideration throughout the analysis process.

¹ The comment period was extended an additional two weeks from June 17, 2008 to July 1, 2009, at public request.

DESIGN REVIEW PROCESS

Priorities Guidelines

After visiting the site, considering the analysis of the site, design context provided by the proponents, and reviewing public comment, DPD provided the following siting and design guidance and identified by letter and number those siting and design guidelines found in the City of Seattle's Design Review: *Guidelines for Multifamily and Commercial Buildings* of the highest priority to this project.

- A-1 Responding to Site Characteristics***
- A-3 Entrances Visible from the Street***
- A-6 Transition between Residences and Street***
- A-7 Residential Open Space***
- A-8 Parking and Vehicle Access***
- A-10 Corner Lots***
- B-1 Height, Bulk and Scale***
- C-1 Architectural Context***
- C-2 Architectural Concept and Consistency***
- C-5 Structured parking Entrances***
- D-2 Blank Walls***
- D-3 Retaining Walls***
- E-1 landscaping to Reinforce Design Continuity with Adjacent Sites***
- E-3 Landscape Design to Address Special Site Conditions***

Design Guidelines:

Overall, DPD felt that the (preferred) duplex scheme was well conceived and represented quality design. Ensuring a well proportioned scale at the development site is a critical factor to successfully integrate the project into the existing neighborhood fabric. The design team should explore options that establish readable residential entries that are distinctive and attractive to the adjacent street system. The proposed building should make a strong statement at the street edge to strengthen its primary presence along the 26th Avenue East and should open up boldly to the East Madison frontage - Taking advantage of the rhythm and proportion of existing structures in the surrounding area. The design should be respectful in design to the adjacent buildings, honoring existing characteristics such as; sculpted roof lines, modulation, fenestration; utilizing finished materials and colors that pick up on desirable patterns of nearby structures.

The location and quality of the residential open space should be considered a high value element and should serve the needs of its residential inhabitants. Residential open spaces should be functional and connected to residential uses. Where appropriate, landscaping should enhance the prior guidelines, by creating interesting and creative displays of hanging gardens and trellising at and above grade.

The proposed design should consider including porches, decks and terrace features to add character, texture, and massing layers that create visual interest and opportunities to engage neighbors along the streetscape. Additionally, the street-level facades for the lower half of the structure should provide design themes that enhance pedestrian experiences along the right-of-

way to create a fine scaled appearance of the building's bulk. Blank walls should be avoided whenever possible along all frontages. To the greatest extent possible, the design should de-emphasize vehicles in the parking area. The applicant is encouraged to introduce elements to soften parking driveways.

The design guidelines were all chosen to be high priority. DPD wants the developer to engage the streetscape wherever possible and scale the design to integrate itself into, and at a site with territorial views and limited access.

DPD instructed the architect to develop the following studies for review by DPD:

- Include colored and shadowed elevation drawings, 3-D sketches, and landscape/site plan illustrating the visual and textural design elements of the proposed building.
- Well developed landscape plan and character sketches.
- Provide illustrative detail of the parking area as viewed from street level.
- Include a narrative and graphic rationale for granting the requested design departures.

Refer to the MUP file for complete copies of the EDG document.

RECOMMENDATION:

The applicant applied for Master Use Permit on May 26, 2009. On December 2, 2009, DPD reviewed the applicant's response to the priority guidelines and guidance and made recommendations regarding the design of the project and the requested design departures.

Design Departures:

The applicant is proposing departures from Structure Width and Depth Table 23.45.011.A; Rear Setbacks in Lowrise 2 zones 23.45.014.B.1; Side Setbacks 23.45.014.C.3; and Curb Cuts space standards SMC 23.54.030.F.1.d

Response to Priority Guidelines and DPD Guidance

1. Site Planning: The residential entries will be distinguishable by a facade composition and use of overhead canopies. The use of color, materials, and lighting will add to readability of each unit. Each unit will have readable entries with steps leading up to each door. The steps are designed in such a manner as to allow individuals to sit and interact with passersby and neighbors to create opportunities for social activity adjacent to the right-of-way. Due in part to the narrowness of the subject lot, recommended upper level decks were replaced with large windows that open up the outdoors to the inside. Private usable open space has been located at grade to maximize opportunities and other advantages gained from a sloping lot with exposure to morning sunlight. Grasscrete have been added in the driveways set in front of translucent garage doors to lessen visual impacts of vehicle-oriented activities adjacent to 26th Avenue East.
2. Height, Bulk and Scale: The updated design proposes one building that has the appearance of two buildings above grade, with a five feet separation between each building mass. This design solution is more in keeping both in orientation and

complexity of the surrounding neighboring. The two-story structure with daylight basement, terraces up the slope to minimize visual impacts, similar to the stepping of other structures in the vicinity. The proposed structure features subtle modulation both vertically and horizontally to add greater design depth.

3. Architectural Elements and Materials: As viewed from both street fronts, the proposal seeks a scale of development in keeping with the rhythm of the existing residential character along the street frontages. The façade's lower two levels have strong transparent elements including large windows and, translucent garage doors to visually open up the buildings. Quality materials (brick and wood slats) and colors are proposed in keeping with the better designed structures in the area.
4. Pedestrian Environment: The neighborhood character is eclectic and the design has added some modern gestures to establish a visually-engaging street presence compatible with the scale and texture of surrounding structures. Façade materials, fenestration, overhangs, low walls, and landscaping all combine to embrace visual interest adjacent to the right-of-way. As viewed from both street fronts, the structure rises out of a robust landscaped bed that is visually engaging. The applicant is taking advantage of a development site that offered few benefits and has turned it into an advantage to soften impact of the new proposal. The parking area along 26th Avenue East street frontage has been designed to create visual interest. Blanks walls have been avoided to a great extent to open the structures interior to the outdoors.
5. Landscaping: Landscaping is employed in a multitude of layers to accentuate a lot that slopes up and away from the street. Terracing planters cascading downward to the rights-of-way feature a quality frame for homeowners and visitors. Upon tall planter walls plants will provide a robust landscape affect, to visual obscure hard surfaces.

Discussion and Recommendations:

The project is well designed and conceived with more attention needed to the pedestrian experience along 26th Avenue East, East Madison Street. Initially, the assigned planner had concerns with the building's scale, façade detailing, and parking layout design, but feels that after a series of modifications the design has successfully integrated into a neighborhood which features a wide array of architectural styles. The proposed structure has been broken into two building masses viewed from all elevations to help scale the proposed two-unit townhouse structure into the existing neighborhood fabric. DPD notes that due to the proximity of the adjacent structure to the south, establishing a design that is both respective of window openings and bulk impacts is needed. In particular, the arraignment of windows openings along the south facing facade of the proposed structure should strive to create a sense of privacy for inhabitants of the neighboring property and subject lot. The frontage along 26th Avenue East needs additional attention to make the main pedestrian entries more readable, as currently designed the façade seems to lack visual clues announcing the door entry. In so doing, the buildings' design along the street frontage would establish a more significant presence by providing visual clues associated small scale residential households in the immediate area. To encourage greater visual interest with pedestrians along 26th Avenue East, the design should minimize blank retaining walls. This area should be more welcoming.

The design now incorporates a greater presence of permeable paving surface materials (grasscrete) in the driveway to soften and green up the driveway surfaces. In addition to providing grasscrete in the driveway, grasscrete has been added to an open space area where a hard surface was initially proposed. All retaining walls and planter walls should include patterns created by kerfs and form boarding especially near the top and base portions or introduce rockeries where appropriate – installation of lights should be explored to accentuate the wall. Landscaping placed in front of retaining walls is another option that should be explored.

DPD would like to see careful attention directed towards creating a more pedestrian oriented streetscape experience along 26th Avenue East with equal time devoted to designing readable entries and planters with attractive flourishes.

Departure from Development Standards, Director's Analysis & Decision

The applicant requests the following **departures** from Land Use Code development standards.

1. **Structure Width and Depth** – *to allow an increase in the maximum depth for townhouse structures (65%) of depth of lot. The lot depth is 100 feet which equals 65 feet for structure depth (SMC Table 23.45.010.A).* The applicant proposes to increase structure depth by 4 feet for a total of 69 feet or 69% of lot depth. The design includes a basement level that is partially exposed above grade. Sitting above the basement level are two building masses measuring 32 feet for each section, with a five foot separation between each segment. The design team has chosen to separate the structure into two segments to reduce the appearance of bulk upon adjacent structures and upon neighboring properties. In addition, the design team has created a terraced effect that takes advantage of a development site that slopes upward from both street fronts. The terraced design with flat roof affects a better design that is more sympathetic to the topographic conditions along the hillside, and along the block front. Essentially, the proposed building envelope excluding the five foot separation would meet the maximum building depth requirement; however, due in part to the limited lot area and desire to make the design more compatible with its surroundings. A design was chosen to better integrate into the existing neighborhood character, and thus the departure request from development standards. The inclusion of architectural features (i.e., eaves and awnings) and materials enhances the building's character to lend scale and cadence to the overall design composition. DPD supports the departure request to increase maximum building depth to 69% beyond the 65% maximum allowed in order to maintain a design form sympathetic to the site's topography, as noted in the guidelines, and affords increased residential compatibility in the area. **Design features should be incorporated to better define entries and provide visual interest along the street facing façade** in keeping with; A-1, A-3, A-6, A-10, B-1, C-1, C-2, E-1, & E-2.
2. **Setbacks Requirement (Rear) in Lowrise 2 Zones** – *to allow a decrease in the required twenty-five (25) foot or twenty (20) percent of lot depth setback requirement, whichever is less, but in no case less than fifteen (15) feet. The lot depth is 100 feet which results in a required rear setback of 20 feet (SMC 23.45.014.B.1).* The applicant proposes to reduce the required rear setback to 18 feet or 18% of lot depth. The structure employs a separation technique with a terrace feature to break up the length of the proposed building into masses. Spatially the design creates a scale that is more

compatible with the surrounding neighborhood. The applicant requires an encroachment of two feet into the required rear setback to obtain the desired building scale. To further mitigate the requested reduction, landscaping will be robustly planted near the rear property line which is the front setback for the neighboring property. The building's mass with reduced rear setback is not anticipated to have an adverse impact on the abutting property. When taken all together the reduced setback shall be minimized by the alignment of the irregular shaped blocks and landscaping elements that are intended to pull attention and focus to the ground level. The Director agrees that a well defined and modulated building with rich landscaping results in a superior proposal as a whole. DPD supports the departure request for reduced setback depth in order to accommodate a building form with is more sympathetic to the neighborhood context. The proposed building has successfully achieved architectural compatibility with a well portioned design that has responded to site characteristics; A-1, A-6, A-7, A-8, A-10, B-1, C-1, C-2, D-2, E-1, & E-2.

- 3. Setbacks Requirement (Side) in Lowrise 2 Zones** – *to allow a decrease in street side setback from the required amount:* The Code establishes that *the setback be no less than 10 feet on a reverse corner lot or as provided in Table 23.45.014.A, whichever is greater. Required setback is 10 feet* (SMC 23.45.014.C.3). The applicant has proposed to reduce the street side setback along the west property line down to five feet to accommodate a more spacious footprint on a narrow lot. The lot width is 25 feet, when taking into consideration required side setbacks, five feet adjacent to the west property line and 10 feet adjacent to the east property line, the resulting width of the proposed structure would be 10 feet. The applicant is requesting to encroach five feet into the street side setback. The abutting 26th Avenue East right-of-way is approximately 66 feet in width, which is well above the required width of 40 feet in this zoned category. The lateral clearance in the planting area set between the sidewalk and property line will more than compensate for the reducing of the setback to allow a residential footprint that is more spacious for its inhabitants. The loss of 5 feet in the street side setback area will effectively have no visual bulk impacts upon adjacent properties. Coincidentally, no cars will be allowed to park on the driveway due to its shallow depth which de-emphasizes the visual appearance of vehicles on private property.

DPD approves the departure for the decreased street side setback, determining the structure would provide a superior interior spatial layout that would otherwise be unattainable. As viewed from the outside with the width of the right-of-way, the proposed building will affect visual interest with little perception that the mass is encroaching into street side setback; A-1, A-3, A-6, A-7, A-8, B-1, C-1, C-2, C-5, D-2, D-3, E-1, & E-2.

- 4. Curb Cuts** – *to allow less than the required 30 feet between curb cuts.* The Code establishes *when two or more curb cuts are proposed at least 30 feet between any two curb cuts located on a lot is required* (SMC 23.45.030.F1.d). The applicant has proposed a 29 foot minimum separation between two curb cuts. Due in part to subject lot's configuration and siting of the proposed structure vehicle access is constricted to the underground garage. Structurally, setting the garage doors 30 feet apart is problematic and would require a design with grading and other challenges. As proposed, driveway surfaces will consist of permeable materials leading to one car enclosed parking stalls.

The garage doors are design to be less obtrusive with its translucent exterior finish to further visually soften this area. The design layout emphasizes a rhythm of modulations, materials, fenestration, and architectural elements to lend scale and cadence within the development site. The 29 feet will provide a safe haven for pedestrians if and when that time arrives when two vehicles are simultaneously accessing parking.

DPD approves the departure request for the reduced separation between curb cuts, determining that, pedestrian safety will not be compromised in the right-of-way and the design establishes a more pedestrian friendly street presence: *A-1, A-8, A-10, C-5, D-3, E-1, & E-2.*

DIRECTOR'S DECISION – DESIGN REVIEW

The Design Review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. The design of the proposed project was found by DPD to adequately conform to the applicable Design Guidelines. DPD finds the proposed design to be consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. DPD supports the proposed design of a two-unit (townhouse) structure, which includes an invigorated landscaping plan, building mass segmentation, roof form, parking surfaces, and architectural detailing that have served to establish a scaled design which captures an architectural form in keeping with the neighborhood. Therefore, the Director **approves** the proposed design, including the four (4) departure requests from the development standards subject **to the conditions identified below.**

Summary of Recommendations:

DPD acknowledged appreciation of the design response to a development site that will have a positive contribution to the immediate area. In approving the project, DPD plans the following conditions on the project, with the refinements noted to be worked out with assigned planner.

- To achieve the desired street presence the design should create readable and usable entries on street-level facing façades.
- Soften exposed vertical concrete surfaces by creating smaller scaled patterns in the concrete with form-boarding and kerfs to create impressions on retaining walls or introduce rockeries where appropriate.

Summary of Departures Requested by the Applicant:

<i>Development Standard</i>	<i>Requirement</i>	<i>Proposed</i>	<i>Applicant's Comment/Rationale</i>	<i>Recommendation by DPD</i>
<i>1. Structure width and Depth (Table) 23.45.011.A.</i>	<i>Maximum building depth of townhouses are 65% of lot depth, or 65 feet</i>	<i>69% or 69 feet</i>	<i>To enhance the buildings character with the inclusion of a terrace feature.</i>	<ul style="list-style-type: none"> ▪ Approved (Design Guidelines: A-1, A-3, A-6, A-10, B-1, C-1, C-2, E-1, & E-2)
<i>2. Rear Setbacks in Lowrise 2 zones 23.45.014.B.1</i>	<i>Twenty-five (25) feet or twenty (20) percent of lot depth, whichever is less, but in no case less than fifteen (15) feet. Required 20 feet</i>	<i>18 feet or 18% of lot depth.</i>	<i>To enhance the buildings character with the inclusion of a terrace feature.</i>	<ul style="list-style-type: none"> ▪ Approved (Design Guidelines: A-1, A-6, A-7, A-8, A-10, B-1, C-1, C-2, D-2, E-1, & E-2)
<i>3. Side Setbacks 23.45.014.C.3</i>	<i>The side street setback of a reverse corner lot shall be ten (10) feet or as provided in table 23.45.014 A, whichever is greater. Required 10 feet.</i>	<i>Five (5) feet</i>	<i>To allow a wider building footprint to accommodate greater street presence and interior space. In addition, no cars will be allowed to park in driveway which de-emphasizes vehicles on private property.</i>	<ul style="list-style-type: none"> ▪ Approved (Design Guidelines: A-1, A-3, A-6, A-7, A-8, B-1, C-1, C-2, C-5, D-2, D-3, E-1, & E-2)
<i>4. Curb Cuts 23.54.030.F.1.d</i>	<i>There must be at least 30 feet between any two curb cuts located on a lot.</i>	<i>Twenty-nine (29) feet</i>	<i>Due in part to subject lot configuration and siting of the proposed structure vehicle access is limited to the underground garage. Garage Doors will be translucent to create greater visual interest.</i>	<ul style="list-style-type: none"> ▪ Approved (Design Guidelines: A-1, A-8, A-10, C-5, D-3, E-1, & E-2)

SEPA DETERMINATION

The development site is located in the following critical areas; Steep Slope and New Potential Slide, 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 approved. The ECA Steep Slope Development Standards were waived due in part to the steep slope on the site appeared less than 20 feet in height, and appeared to be the result of previous legal grading for street improvement pursuant to 25.09.045 on May 8, 2009, 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.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated May 26, 2009) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the 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, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising

substantive SEPA authority. 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 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/circumstances (SMC 25.05.665) mitigation can be considered.

Short-term Impacts

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

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 - The initial disclosure of the potential impacts of this project’s impact to the Environmental Critical Areas; Steep Slope and New Potential Landslide was made in the environmental checklist submitted by the applicant on May 26, 2009. The information in the checklist, a Geotechnical Report prepared by PanGeo, Inc. dated April 19, 2010, informed the basis for this analysis and decision. Note that pursuant to SMC 25.05.908.B, the scope of the environmental review of the subject establishment of a total of two residential units in one building is limited to:

1. Documenting whether the proposal is consistent with The City of Seattle Regulations for Environmentally Critical Areas, SMC Chapter 25.09; and
2. Evaluating potentially significant impacts on the environmentally critical area resources not adequately addressed in The City of Seattle Environmentally Critical Areas Policies or the requirements of SMC Chapter 25.09, Regulations for Environmentally Critical Areas, including in additional mitigation measures needed to protect the environmentally critical areas in order to achieve consistency with SEPA and other applicable environmental review laws.

The undersigned planner and (DPD) Geotechnical Engineer have 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. Prior to project submittal, the applicant sought and was granted an ECA exemption from ECA Steep Slope Development Standards on May 8, 2009. It was determined that all other ECA submittal, general, and landslide-hazard, and development standards still apply to the development site. The entire development site is also classified as New Potential Slide Area. According to review of the City of Seattle Critical Area Folio no known landslides have occurred within three blocks of the site.

The subject site is a vacant lot measuring 100 feet deep along the north-south axis and 25 feet along the east – west axis. The site has remained undeveloped since the time of its original plating. The western three-fourth of the site is generally level and is vegetated with short grass. The eastern one-fourth of the site is vegetated with thick bushes, trees and other groundcover on a sharp downward sloping bank from west to east.

The analysis included three hand borings to examine soil composition and integrity, and examination of geological maps. Soil at the development site consists of fill overlying medium dense to dense silty to slightly silty sand (Pre-Fraser deposits). The three test borings at the development site reached medium dense soils extending to a depth of 5 to 7 feet below surface grade. Test boring number One (HB-1) was taken near the south edge of proposed unit B, boring number Two (HB-2) was taken at the northwest corner of proposed unit B, while boring number Three (HB-3) was located near the northwest corner of proposed unit A. The consulting engineer determined that the subject site is feasible to develop provided adherence to recommendations, and they did not expect any major impacts to the slope stability. A number of preliminary recommendations were identified, including building foundation type, floor slabs, and temporary excavation and shoring. With slab-on-grade floors being supported on competent native soil or compacted structural fill. The developer will be required to follow more detailed recommendations set forth in the augmented geotechnical reports and related documents to specifically address the proposal during the building permit review phase. Otherwise, any other potential short-term, construction related impacts anticipated from future construction will be addressed by adopted City regulations regarding grading, erosion control and noise. Therefore, no further conditioning for grading and earthwork activities is warranted pursuant to SEPA policies. 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.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

Traffic - Construction of the project is proposed to last for several months. The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) would be adequately controlled with a street use permit through the Department of Transportation, and no further SEPA conditioning would be needed.

Air and Environmental Health - Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). No unusual circumstances exist, which warrant additional mitigation, per the SEPA Overview Policy.

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 vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the ECA Ordinance, the Stormwater, Grading and Drainage Control Code which requires provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding. The City Energy Code will require insulation for outside walls and energy efficient windows. The Land Use Code controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies. Potential long-term impacts that may occur on the identified environmentally critical area as a result of this project include: 1) increased surface water runoff from greater site coverage by impervious surfaces. This long-term impact is not considered significant because the impacts are minor in scope.

CONCLUSION - SEPA

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION – SEPA/ECA

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.

- 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).
- Determination of Significance. This proposal has or may have a significant adverse impact upon the environment with respect to transportation, circulation, and parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030 (2) (C).

PREPARATION OF FINAL PLAN AND FUTURE CHANGES

The owner/applicant shall update plans to show:

- Embed all conditions of approval into the cover sheet on the updated MUP plan set and all subsequent building permit drawings.
- Embed colored elevation and landscape drawings into the MUP and building permit drawings.
- Update plans and supporting documents to provide consistent and current project information, i.e., parking calculations, residential unit count, etc.
- Any proposed changes to the external design of the building, landscaping or improvements in the public right-of-way must first be reviewed and approved by the DPD planner prior to construction.

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

1. All proposed changes to the exterior facades of the building and landscaping on site and in the ROW must be reviewed by a Land Use Planner prior to proceeding with any proposed changes.

Prior to Building Permit Final Inspection

2. Compliance with the approved design features and elements, including exterior materials, parapets, facade colors, landscaping and ROW improvements, shall be verified by the DPD Planner assigned to this project or by the Manager of the Urban Design Program. Inspection appointments with the Planner must be made at least three (3) working days in advance of the inspection.

CONDITIONS – DESIGN REVIEW

The owner(s) and/or responsible party(s) shall:

Prior to MUP Issuance:

3. Applicant shall work with DPD to achieve the desired street presence the applicant is encouraged to create readable and usable entries on street-level facing façades. All subject to the approval by the DPD planner. (*Guidelines A-1, A-3, A-6, A-10, B-1, C-1, C-2, D-2, & E-1*).

