



City of Seattle

Gregory J. Nickels, Mayor
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: 3006255
Applicant Name: Jared Hoke
Address of Proposal: 2042 14th Avenue W

SUMMARY OF PROPOSED ACTION

Land Use Application to allow one, 4-unit and one, 3-unit townhouse structures in an environmentally critical area. Parking for seven vehicles will be located within the structures. Environmental Review covers future unit lot short plat.
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 DATA

Site visit: June 5, 2007
Zoning: Residential, Multifamily Lowrise 2 (L-2)
Uses on Site: Vacant lot.
Substantive Site Characteristics:

This 8,397 square foot subject site is a rectangular lot that fronts on 14th Avenue W to the west. Its general location is just south of W Boston Street. The site is located within an area zoned Residential, Multifamily Lowrise 2 (L-2) which continues to the north, east, and south. The area adjacent to the west is zoned Commercial 1 with a height limit of 40 feet (C1-40). The site slopes steeply from the northeast to the south and west, with an approximate elevation change of 34 feet over the 105 foot length of the lot. The steepest slopes which are described in the geotechnical report as steeper than 60% are located on the south-facing slope adjacent to the southern property line. The site is located in a mapped critical area due to potential landslide and the presence of steep slopes. The steep slopes on the site were determined to be the result of previous legal grading activities. The lot is heavily vegetated with bramble, shrubs, and approximately a dozen deciduous and maple trees ranging in size from 6 – 20” diameter at breast height (dbh).

Proposal Description:

The applicant proposes to construct one, 4-unit and one, 3-unit townhouse structures on an 8,397 sq. ft. lot which is located within an environmentally critical area. Pedestrian access for both proposed townhouse buildings will be from 14th Avenue W. Pedestrian access for the proposed 4-unit townhouse on the eastern portion of the lot will be from the alley and the vehicular easement. Vehicle access will be provided by a driveway which runs east from 14th Avenue W along the southern boundary of the lot to an area between the proposed buildings. Parking for seven vehicles will be provided by attached garages within the proposed townhouses.

A future unit lot short plat for the purpose of allowing individual sale of the townhouse units is likely and will be considered with this environmental review.

Public Comment:

The comment period for this proposal ended on February 21, 2007. During this period, one public comment letter was received.

ANALYSIS – SEPA

The proposal site is located in a mapped environmentally critical area due to potential landslide and the presence of steep slopes, 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. The applicant applied for and received an ECA exemption on 7/21/06 due to a determination that the steep slopes were created by previous legal grading activities. This SEPA 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 SEPA checklist submitted by the applicant and dated August 2, 2006 and subsequently annotated by the Land Use Planner. A geotechnical report dated June 2, 2006 was submitted with this application. The information in the SEPA checklist, the geotechnical report, 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 Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file; and comments which may have been received regarding this proposed action have been considered. 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. 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).

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 are expected: 1) temporary soil erosion; and 2) increased vibration from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: 1) Street Use; 2) Building Code (construction measures in general); 3) Regulations for Environmentally Critical Areas, and 4) Stormwater, Drainage and Grading Code (temporary soil erosion). 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

The ECA Ordinance and Directors Rule (DR) 33-2006 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with steep slopes, liquefaction zones, and/or a history of unstable soil conditions. Pursuant to this requirement the applicant submitted a geotechnical engineering study prepared by GEO Group Northwest, Inc. dated June 2, 2006. The report evaluates the soil and site conditions and provides recommendations for erosion and drainage controls, slope stability, grading and earthwork and foundation construction. According to the geotechnical report there was no evidence of slope instability, and that the site is geotechnically suitable for the proposed development.

The construction plans, including shoring of excavations as needed and erosion control techniques will be reviewed by DPD. The proposed construction described by the applicant in the SEPA checklist includes a shoring wall to be constructed at the north and east foundations, with handstack walls no greater than 4 feet in height to be located at sloped landscaping beds. Additional information required showing conformance with the Environmentally Critical Areas Ordinance will be required prior to issuance of building permits.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The construction proposal described by the applicant in the SEPA checklist states that there will be 65 cubic yards of fill, and approximately 3,000 cubic yards of grading. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Plants and Animals

For the proposed construction of the two townhouse structures, there will be removal of 4 maple trees and the brambles and shrubs located on the site. The applicant indicated that there are no known endangered plant species on the site. The applicant has indicated that no birds or animals have been observed on or near the site or are known to be on or near the site. During the staff site visit, no birds or animals were observed; however, it is assumed that songbirds occasionally visit the site or nearby sites. The applicant will be planting new vegetation per an approved landscaping plan.

Long-term Impacts

Potential long-term impacts that may occur as a result of this project include: 1) increased surface water runoff from greater site coverage by impervious surfaces, and 2) increased demand on public services and utilities. These long-term impacts are not considered significant because the impacts are minor in scope. The unit lot short plat will not result in any adverse environmental impacts.

The long-term impacts are typical of multifamily development and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (storm water runoff from additional site coverage by impervious surface; and the Regulations for Environmentally Critical Areas.

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: _____ (signature on file) Date: September 17, 2007
Janet L. Wright, Land Use Planner
Department of Planning and Development

JLW:bg