



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: 3008360
Applicant Name: Mary Gregersen for Daniel Schmidt
Address of Proposal: 2324 West Crockett Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow construction of one, 2-unit townhouse structure and one single family residence in an environmentally critical area. Parking for three vehicles to be provided within the structures. Existing single family residence to be demolished.

The following approval is required:

SEPA - Environmental Determination – Chapter 25.05, SMC

SEPA DETERMINATION: [] Exempt [X] DNS [] MDNS [] EIS
[] DNS with conditions
[] DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

BACKGROUND DATA

Site and area description

The 4,721 square-foot site is located in a Lowrise 2 (L2) zone at a mid-block property on West Crockett St between Thorndyke Ave W and 23rd Ave W. The site slopes from the west down to the east with approximately 6 feet of difference in grade. The site is located in an Environmentally Critical Area (ECA) due to the presence of potential slide areas on the entire parcel and areas to the west. The proposal has been reviewed for geotechnical concerns associated with the construction permit for the proposed structures under Project #6161485.

Properties to the south, west, and east of the subject property are zoned Lowrise Multi-family (L2 and L3). Properties to the north are zoned Neighborhood Commercial (NC1-40). The site is currently occupied by one detached single family residence which will be demolished. Surrounding land uses include a mix of single family and multi-family development, with limited commercial development. There is no alley adjacent to the site. The street frontage is developed with curb, gutter, and sidewalk with some planting strip areas.

Proposal Description

The applicant proposes to construct one single family residence and two townhouses with three parking spaces, all of which will be located within the buildings. Vehicular access will be taken via a driveway from W. Crockett St.

The applicant has also submitted an application for a unit lot subdivision to divide the existing lot into three unit lots for the purpose of sale per SMC 23.24.045. The potential impacts of that land use action are anticipated in the SEPA analysis and determination below.

Public Comments

The public notice was issued on January 24, 2008. Two public comment letters were received.

ANALYSIS - SEPA

Due to the presence of potential slide environmentally critical areas, the application is subject to SEPA review. 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 included 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 December 26, 2007. The information in the checklist, supplemental information provided by the applicant (soils report), project plans, 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 D) 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 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 certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts on the identified critical area are expected: 1) temporary soil erosion; and 2) increased noise from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

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 33-2006 and 3-2007 regulate development and construction techniques in designated ECA areas with identified geologic hazards. The Building code provides for construction measures and life safety issues. 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.

Earth/Soils

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 landslide potential and/or a history of unstable soil conditions. The applicant has submitted "Geotechnical Engineering Report, Proposed New Townhomes, 2324 West Crockett Street, Seattle Washington," a report by Ground Engineering, Inc. for Schimdt Construction & Development, dated September 21, 2006. The construction plans, including shoring of excavations as needed and erosion control techniques have received separate review by DPD geotechnical engineers. Any additional information showing conformance with applicable ordinances and codes (ECA ordinance, The Stormwater, Grading and Drainage Control Code, DR 33-2006, and 3-2007) will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are utilized; therefore, no additional conditioning is warranted pursuant to SEPA policies.

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, and loss of plant and animal habitat.

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. 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.

