



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

CITY OF SEATTLE DETERMINATION OF NON-SIGNIFICANCE BY THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3010345

Applicant Name: Kirk Christianson for Heather Gifford

Address of Proposal: 1575 Lakeview Blvd. E

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 3-story, 3-unit townhouse structure with parking for six vehicles located within the structure in an environmentally critical area. Environmental review includes future unit lot subdivision. Existing residential structure to be demolished.

The following approval is required:

SEPA - Environmental Determination pursuant to Seattle Municipal Code (SMC) Chapter 25.05.

This review contemplates a future unit lot subdivision.

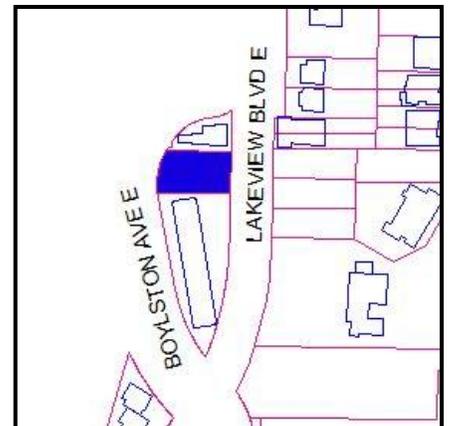
SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

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

BACKGROUND DATA

The 6,098 square foot site is located at the Lakeview Blvd E off-ramp from I-5 and is bounded on the west by the off-ramp and on the east by Lakeview Blvd. The site is designated an Environmentally Critical area (potential landslide area) and currently contains a single family structure. The irregularly shaped block on which it is located is zoned Lowrise 2 (L-2) and contains one other single family structure to the north and a 20-unit apartment building to the south. I-5 corridor lies directly to the west but the land beneath slopes steeply downward.



The zoning to the east across Lakeview Blvd. E is Single Family 5000 (SF5000) and slopes steeply upward to the crest of the hill at 10th Ave E.

The proposal is for a three-unit townhouse structure with parking for three vehicles within the structure.

Public Comment: Notice of the application was published on July 9, 2009 and the comment period ended July 22, 2009. DPD received no comment letters on this proposal.

ANALYSIS – SEPA

The proposal site is located in an environmentally critical area, potential landslide prone area, thus the application is not exempt from SEPA review. However, SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

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 June 3, 2009 and annotated by the Land Use Planner. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist and geotechnical report submitted by the project applicant; and reviewed the project plans and any additional information in the file. 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.

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 on the identified critical area 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).

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.

Due to the fact that grading will be undertaken during construction, additional analysis of earth and grading impacts 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. A Geotechnical Engineering Report prepared by Donald Tubbs, Ph.D. and Charles Couvrette, P.E. of Tubbs Geosciences of Kirkland, WA, and dated November 17, 2008 was submitted with this application and has undergone separate geotechnical review and conceptual approval by DPD. The construction plans, including shoring of excavations as needed and erosion control techniques are receiving separate review by DPD. 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.

Construction 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.

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.

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to 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.

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: October 15, 2009
Marti Stave, Land Use Planner
Department of Planning and Development

MS:bg

I:\StaveM\DOCS\Decisions\SEPA\3010345 Lakeview Blvd E\3010345dec.doc