



City of Seattle

Department of Planning and Development

D. M. Sugimura, Director

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

Application Number: 3011462

Applicant Name: Julian Weber

Address of Proposal: 908 - 29th Ave. S.

SUMMARY OF PROPOSED ACTION

Land Use Application to allow two, 3-story single family residences and one, 3-story duplex structure (totaling four units) in an environmentally critical area. Parking for four vehicles to be provided; two at surface and two in garages. Existing structure to be demolished. Review includes future unit lot subdivision.

The following approval is required:

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

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

Zoning: Residential, Multifamily, Lowrise 2 (L-2).

Uses on Site: One (vacant) single family residence.

Site Characteristics:

The subject property is a 6,000 square foot rectangular lot that fronts on 29th Avenue South to the west. The property is zoned Lowrise Two, Multifamily Residential (L-2). The site slopes up from 29th Avenue South, with an elevation change of about 26 feet over the length of the approximately 100-foot deep lot. There is an area (229 sq. ft.) of steep slope along the rear (east) property line, for which a limited exemption was granted by a DPD geotechnical engineer on July 6, 2010. The limited exemption granted relief from the specific development standards for steep slopes found in the Environmentally Critical Areas (ECA) Ordinance; however, the standards for landslide-hazard ECAs still apply.

Proposal Description:

The applicant proposes to construct two, 3-story single family homes and one, 3-story duplex, for a total of four units. Pedestrian and vehicular access will be via 29th Ave. S. Parking for four vehicles will be provided; two on the surface and two in garages. The proposal includes a future unit lot subdivision of the property.

Public Comment:

The comment period for this proposal ended on August 18, 2010. During this period, two public comments were received via email, but only one mailing address was provided.

ANALYSIS – SEPA

The proposal site is located in an environmentally critical area due to the potential for landslide, 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.

Environmental review resulting in a Threshold Determination is required pursuant to the 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 and dated July 28, 2010 and subsequently annotated by the Land Use Planner. A geotechnical report dated July 2, 2008 was submitted. The information in the checklist, the geotechnical reports, 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 any 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.

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 report (dated July 2, 2008). As noted above, the City of Seattle granted a steep slope exemption dated July 6, 2010. A "Temporary Development and Excavation Easement" has been granted for the development by the owner of the property to the north.

The construction plans, including shoring of excavations as needed, and erosion control techniques will be reviewed by DPD. Additional information required showing conformance with the Environmentally Critical Areas Ordinance will be required prior to issuance of building permits. The applicant has provided a Construction Stormwater Control Plan and a Post Construction Soil Management Plan, as well as a Drainage Plan. DPD's geotechnical engineer has added the following note to the plans: "Note: Building permit drawings will have a detailed temporary excavation drawing, including measures needed to maintain a safe and stable cut and prevent adverse impacts to adjacent properties. DBG 11/29/2010"

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 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.

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.

