



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

**Application Number:** 3012571 and 3012572  
**Applicant Name:** Mark Mazzola, Seattle Department of Transportation  
**Address of Proposal:** 2845 Patten Place West and 2849 23<sup>rd</sup> Avenue West

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow 910 cubic yards of grading in an environmentally critical area to repair a failed slope within undeveloped street right-of-way and 15 cubic yards on private property. Review includes related project under 3012572.

The following approval is required:

**SEPA** – for conditioning only (Seattle Municipal Code Chapter 25.05)

**SEPA DETERMINATION:** [ ] Exempt [X] DNS<sup>1</sup> [ ] MDNS [ ] EIS

[ ] DNS with conditions

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

<sup>1</sup> Environmental documents and determination of non-significance prepared by Seattle Department of Transportation. DNS issued on May 12, 2011.

**BACKGROUND DATA**

**Site Location:** The property is located in Magnolia, and includes an undeveloped portion of Patten Pl W., and the properties addressed 2845 Patten Pl. W., and 2849 23<sup>rd</sup> Ave W. West Barrett St. is to the north, W. Armour St. is to the south, 23<sup>rd</sup> Ave. W. is to the east and 24<sup>th</sup> Ave. W. is to the west.

**Zoning:** The site is zoned single family (SF 5000). The site is also located designated as environmentally critical due to the presence of steep slopes, landslide-prone soils and known slides. There is also an unmapped wetland, however DPD's Senior Environmental Analyst determined that the project was exempt from ECA review for wetlands.

Property Size: 5,900 square feet.

Existing Use: No change of use is proposed.

Public Comment:

The Notice of Application comment period began on August 18, 2011 and was extended to September 14, 2011, by public request. One comment letter was received.

**ANALYSIS - SEPA**

Due to environmentally critical areas on the development site (steep slope, and potential slide and known slide), 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 includes identifying if any mitigation measures are needed in order to achieve consistency with SEPA and other applicable environmental laws.

Environmental impacts of the proposal have been analyzed in environmental documents prepared by Seattle Department of Transportation. These include a May 2011 SEPA Environmental Checklist and Determination of Non-significance by SDOT, and a 'Final Geotechnical Report/Landslide Evaluation, Patten Place West, Seattle, Washington' from Shannon & Wilson, Inc., July 13, 2011'.

Seattle Municipal Code (SMC) section 25.05.660 provides that proposals can be conditioned or denied in order to mitigate environmental impacts. All conditions must be related to impacts identified in the environmental documents, based on adopted policies, be reasonable and capable of being accomplished. This proposal is reviewed under that substantive SEPA authority. Disclosure of the potential impacts from this project was made in the environmental documents listed above. This information, supplemental information provided by the applicant (plans, written descriptions of the project, and geotechnical reports) and the experience of this agency with review of similar projects form the basis for this analysis.

**Short -Term Impacts**

The following temporary construction-related impacts are expected: replacement of existing retaining walls, placement of soil and securing with geo-textile fabric, installation of drainage improvements and replacement of a catch basin, installation of a French drain paver blocks and preparation for re-vegetation may expose soil leading to increased potential for soil erosion and sedimentation during planting activities and following plant installation until the new vegetation is adequately established on site. 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 the identified impacts. The Stormwater, Grading and Drainage Control Code (SMC Chapter 22.800) requires that soil erosion control techniques be in place for the duration of the land disturbing activities. The Regulations for Environmentally Critical Areas (SMC Chapter 25.09), with a stated purpose of avoiding adverse environmental impacts, regulate all activities within ECAs. Compliance with these applicable codes will minimize or eliminate most short-term impacts to the environment and no further conditioning pursuant to SEPA policies is warranted.

The ECA Ordinance and Director's Rule (DR) 33-2006 require submission of a soils report to evaluate the site conditions and provide recommendation 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 report. The report evaluates the geologic conditions, and the landslide and erosion potential due to the past slope failure and proposed repair and re-vegetation. The report provides recommendations to temporarily stabilize the site until proposed native vegetation takes hold. The geotechnical report and project plans, including erosion control techniques, have been reviewed and approved by the DPD geotechnical engineer.

Long-term Impacts

Long-term impacts from the vegetation removal and other construction activities are anticipated to be limited to temporary loss of vegetation, and increased potential for erosion until new vegetation is established. In order to mitigate for the vegetation removal in the Environmentally Critical Area, the applicant has submitted a restoration plan. The restoration plan and other associated plans and documents have been reviewed by the DPD Senior Environmental Analyst. This proposal includes complete re-vegetation of the impacted areas with native ground cover. As possible long-term impacts are expected to be adequately mitigated through compliance with the restoration plan, no further conditioning is warranted.

**SEPA - CONDITIONS**

None.

Signature: ( Signature on File)  
Molly Hurley, Senior Land Use Planner  
Department of Planning and Development

Date: September 22, 2011