



City of Seattle
Edward B. Murray, 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: 3015685
Applicant Name: Jeff Wegener, for Build Urban, LLC.
Address of Proposal: 206 26th Ave E

SUMMARY OF PROPOSAL

Land Use Application to allow one, two-unit townhouse structure, one three-unit townhouse structure and one single family residence for a total of six units in an environmentally critical area. Surface parking for 3 vehicles to be provided in rear adjacent to alley. Review will include future Unit Lot Subdivision. The existing duplex structure will be demolished under separate permit.

The following approval is required:

SEPA Environmental Threshold Determination (SMC Chapter 25.05)

DPD SEPA DETERMINATION:

Determination of Non-significance

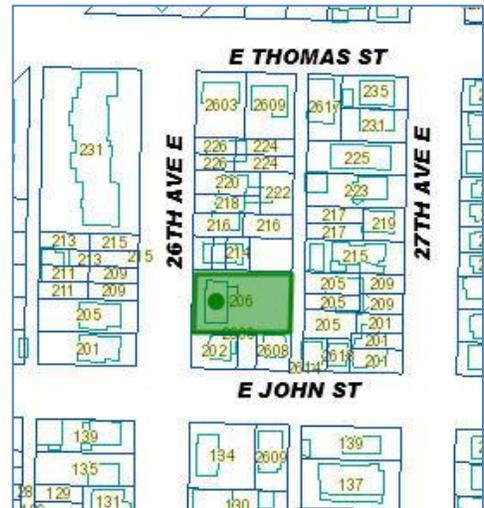
- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts

BACKGROUND

The project has gone through the Streamline Design Review (SDR) process which is required when more than two townhouse units are being proposed for development. The SDR report was finished on October 22, 2013. A copy of the report is located on DPD’s website at: <http://www.seattle.gov/dpd/aboutus/news/events/DesignReview/SearchPastReviews/default.asp>.

Site Description

The development site is an interior lot, totaling approximately 9,000 square feet of land area, in the Capitol Hill neighborhood. The site is rectangular in shaped with street frontage along 26th Avenue East to the west, and alley frontage along the east property line to the east. The development site is zoned Multifamily Lowrise Two (LR2).



The site is currently developed with a multifamily (Duplex) structure, located towards the west half of development site. Two Exceptional trees mid-lot separates the undeveloped east half of the development site. These two mature trees help to provide a sense of place at the development site and will be retained and protected during construction. The site is relatively flat on its east half then slopes dramatically downward from west to east, approximately 20 feet over a distance of 50 feet. The abutting alley is paved alley with connection to East Thomas Street to the north and East John Street to the south

Area Development

The immediate area is a mix of single and multifamily residential development ranging in height between one and three stories. The area features a combination of older and contemporary architecture design styles. This east side of Capitol Hill provides territorial views to the east towards Madison Valley and beyond.

ECA:

The site is mapped Potential Landslide and was identified as 40% Steep Slope. A Limited Steep Slope exemption was granted under #6367576. No ECA Steep Slope Variance will be required. With the exception of the development coverage restriction in the Environmentally Critical Areas Regulations, SMC 25.09.180 B1, the remainder of the ECA Regulations applicable to a project within landslide hazard critical areas applies to this project.

Project Description:

The proposed project is for the design and construction of three residential buildings, one containing a duplex townhouse, one a triplex townhouse, and one single family building (total of 6 residential units). Surface parking for 3 vehicles to be provided on a surface parking pad in the rear accessed from the alley. Existing structure will be demolished under separate permit.

Public Comment:

The public comment period ended on December 4, 2013. No public comments were received for SEPA review. Four public comments were received as part of the SDR process.

ANALYSIS – SEPA

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 prepared by the Jeff Wegener for Build Urban on October 31, 2013. 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 pertinent comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: the Stormwater Code (SMC 22.800-808), the Grading

Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and Regulations for Environmentally Critical Areas (SMC 25.09).

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. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

Short Term Impacts

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

Earth / Soils

The ECA Ordinance and Director’s Rule ([DR\) 18-2011](#) require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in landslide prone areas. Pursuant to this requirement the applicant submitted a geotechnical engineering study by Geotech Consultants, Inc. on October 4, 2013. The study has been reviewed and approved by DPD’s geotechnical experts, who will require what is needed for the proposed work to proceed without undue risk to the property or to adjacent properties.

Greenhouse gas emissions

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 due to the relatively minor contribution of greenhouse gas emissions from this project.

Plants

The Tree Protection Ordinance and Director’s Rule (DR) [16-2008](#) require submission of a tree assessment report to evaluate the value of “rare, uncommon, unique or exceptional” trees on site undergoing environmental review, in order to establish appropriate tree protection mitigating measures. Pursuant to this requirement the applicant submitted a tree assessment study by Tree Solutions, Inc. on February 20, 2013. The study has been reviewed and approved by DPD’s experts, who will require what is needed for the proposed work to proceed without undue risk to exceptional trees, property or to adjacent properties.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

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; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

Greenhouse gas emissions

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 due to the relatively minor contribution of greenhouse gas emissions from this project.

DECISION – SEPA

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.

- 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).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW [43.21C.030](#) (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC [197-11-355](#) and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

CONDITIONS – SEPA

None required.

Signature: (signature on file) Date: April 21, 2014
Bradley Wilburn, Land Use Planner
Department of Planning and Development