



City of Seattle
Edward B. Murray, Mayor

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: 3015757
Applicant Name: Peter Tallar, Caron Architecture for Michael Pollard
Address of Proposal: 1407 19th Avenue

SUMMARY OF PROPOSED ACTION

Land Use Application to allow two single family and one, 3-unit townhouse (totaling 5 residential units) in an environmentally critical area. Surface parking for six vehicles to be provided. Existing structures to be demolished. Environmental review includes future unit lot subdivision.

The following approval is required:

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

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 7,620 square foot site is located on 19th Avenue one site north of East Union Street. Zoning is Lowrise 1, Multi-family Residential (LR1). The site slopes steeply approximately 24 feet from the alley on the west to the 19th Avenue right of way on the east. Because the project includes at least three townhouse units it is subject to the Streamlined Design Review process, per SMC23.41.004A8, which was completed December 13, 2013.

Proposed Use: The proposal is to construct two single family units and three townhouse units.

Environmentally Critical Area: The site is mapped Environmentally Critical Area, Potential Landslide Area. The applicants applied for and received a Limited Steep Slope Exemption under permit #6373985, as follows:

“SMC 25.09.180 B2. Results, Environmentally Critical Areas Exemption Request. 6373985; 1407 19th Avenue; ECA review is required for this project. The site is correctly designated as a Critical Area as Potential Slide due to Steep Slopes. Because the Steep Slopes are less than 20 feet in height, and are not in proximity to other Steep Slope Critical Areas, the Limited Steep Slope Exemption Criteria described in SMC 25.09.180 B2c applies to this site. The Geotechnical Engineering Report by Geotech Consultants, dated September 6, 2013 demonstrates that granting this exemption will not result in adverse impacts to adjacent properties. Because this project qualifies for the Limited Steep Slope Exemption, no ECA Steep Slope Variance is needed, and the construction activity area may encompass the Steep Slopes. Except as described herein, all remaining ECA Submittal, General, and Landslide Hazard Development Standards and related criteria apply. September 27, 2013; dbg.”

Public Comment: Notice of Streamlined Design Review was published on November 14, 2013 and the comment period ended on November 27, 2013. Several written comments were received in response. Notice of the Master Use Permit application was published on February 20, 2014 and the comment period ended March 20, 2014 after a 14 day extension. DPD received three additional comment letters on this proposal.

ANALYSIS – SEPA

The proposal is to establish five multifamily residential units in a Lowrise 1 (LR1) zone, thus the application is not exempt from SEPA review. 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, dated December 19, 2013, submitted by the applicant. 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.

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.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for the short and/or long term impacts. Applicable code may include the Stormwater Code (SMC 22.800-808), the Grading Code (SMS 22.170), the Street Use Ordinance (SMC Title 15()), the Seattle building Code, and the Noise Control ordinance. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality.

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: Stormwater Code (SMC22.800-808), the Grading Code (SMC 22.170), The Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Regulations for Environmentally Critical Areas (SMC 25.09).

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. 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.

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

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.

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 on the environmentally critical area are also anticipated as a result of this proposal, including: increased surface water runoff due to greater site coverage by impervious surfaces; loss of plant and animal habitat. 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.

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

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.

[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 43.21C.030(2)(C).

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.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 available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and early review.

CONDITIONS

None required.

Signature: (signature on file) Date: August 21, 2014
Marti Stave, Senior Land Use Planner
Department of Planning and Development