City of Seattle

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:	3016209
Applicant Name:	Ian Butcher for Best Practice Architecture
Address of Proposal:	416 Rainier Avenue South

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a one story 1,418 sq. ft. light manufacturing building in an environmentally critical area.

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 DATA

Site and area description

The 5,410 square-foot development site is located in a Neighborhood Commercial two zone with a structure height limit of 65 feet (NC2-65') on Rainier Avenue South. Properties across the alley to the north are also zoned NC2-65. The zoning changes at the east property line to Lowrise Two Multifamily Residential with Residential Commercial (LR2 RC). The site slopes from the northeast to southwest approximately 20 feet. There is a mapped Environmentally Critical Area (ECA) due to the presence of steep slopes on the east portion of the site. The applicant was granted a Limited Exemption from the steep slope standards of the ECA Ordinance in association with the related Building Permit (DPD No. 6356772). The site is currently occupied by other light manufacturing buildings, which are slated to be retained.

Public Comments

No comment letters were received during the official public comment period which ended on October 30, 2013.

ANALYSIS - SEPA

The proposal site is located in an environmentally critical area, as noted above. Proposals located in landslide prone areas (i.e. known landslide areas, potential landslide areas, and steep slopes), wetlands, and fish and wildlife habitat conservation areas may require environmental review (SMC 25.05.908), thus this application is not exempt from SEPA review. However, the scope of environmental review of projects within these critical areas is 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 September 19, 2013. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, 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 an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

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).

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 additional conditioning is warranted pursuant to SEPA policies.

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.

No additional conditioning is warranted pursuant to SEPA policies.

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: December 30, 2013
Holly J. Godard, Land Use Planner
Department of Planning and Development

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