



**City of Seattle**  
Edward B. Murray, Mayor

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**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:** 3017720  
**Applicant Name:** Dave Biddle for R. Thoreson Homes, LLC  
**Address of Proposal:** 1723 27<sup>th</sup> Avenue

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a new duplex in an environmentally critical area. Existing single family residence to remain. Parking for 2 vehicles to be provided. Environmental Review to include future unit lot subdivision.

The following approval is required:

**SEPA - Environmental Determination** (Seattle Municipal Code 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 INFORMATION**

**Site and Vicinity Description**

This approximately 4,800 square foot (sq. ft.) proposal site is a mid-block property bounded by 27<sup>th</sup> Avenue to the east, a 16' wide paved alley to the west, and residential properties to the north and south. The site is zoned Lowrise 1 (LR1). Existing development on this site consists of one single family residence and a detached accessory structure.

The 27<sup>th</sup> Avenue right-of-way is improved with curbs, sidewalks, street trees and gutters abutting the subject site. It is considered a non-arterial street pursuant to SMC Chapter 23.53.

The site's topography slopes moderately downwards from the west to the east. The entire site is identified as Environmentally Critical Area (ECA)-Potential Slide.

Existing vegetation consists of shrubs, lawn and mature trees (3). None of the three trees have been determined by an arborist (Zsofia Pasztor, Certified Arborist and Tree Risk Assessor) as meeting the "Exceptional Tree" designation per Director's Rule (DR) 16-2008. The DPD Tree Expert has reviewed the Arborist's report dated May 27, 2014 and concurred with these findings.

Surrounding properties north, south, east and west of the proposal site are also zoned as LR1. Existing development in the vicinity of the proposal consists of single family residences, duplex apartments and townhouse developments to the north, south, west and east varying in size, age and architectural style.

### Proposal Description

The proposed project involves the construction of a three-story two-unit townhouse building. The existing single family residence will remain onsite. The existing detached accessory structure will be demolished.

One parking space will be provided within one of the townhouse units and another parking stall will be located at a surface parking area onsite. Vehicular access to the proposed parking areas will occur via the paved alley.

### Public Comments

The public comment period for this project ended July 2, 2014. DPD received no written comments regarding this proposal.

### Additional Information

It is anticipated by the applicant that future development activity at the subject site will include the creation of individual units lots (Short Unit Lot Subdivision).

## **SEPA ANALYSIS**

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 July 27, 2014. 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 activities on this site could result in the following adverse impacts: construction dust and storm water runoff, soil erosion, emissions from construction machinery and vehicles, increased particulate levels, increased consumption of renewable and non-renewable resources, and increased vibration from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope. Further discussion of additional short-term construction related impacts follows.

#### 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 investigation study dated May 23, 2014 prepared by Robert M. Pride, P.E. (Robert M. Pride, LLC). The geotechnical investigation study has been reviewed and approved by DPD's geotechnical experts, who determined that the impacts to soils can be sufficiently mitigated through the Grading Code and Stormwater Code review by the Geotechnical Engineer during the Building Permit phase of review. The applicant will be required to submit geotechnical studies and any other information to determine compliance with those Codes during Building Permit review.

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 adequately mitigate 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 43.21C.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).

**SEPA CONDITIONS**

None.

Signature: \_\_\_\_\_ (signature on file) Date: October 30, 2014  
Tami Garrett, Senior Land Use Planner  
Department of Planning and Development

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