



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 Numbers: 3017212, 3018434 & 3018495

Applicant Name: Mary Gregersen of Novion Group, Inc.

Address of Proposal: 3835 Gilman Avenue West (3017212)
3826 23rd Avenue West (3018434)
3822 23rd Avenue West (3018495)

SUMMARY OF PROPOSAL

Project Description

3017212 - Land Use Application to allow 1, 3-story rowhouse structure containing 4 residential units in an environmentally critical area. Surface parking for 3 vehicles and garage parking for one vehicle to be provided. To be considered with projects 3018495 and 3018434 for shared access. Environmental review includes future unit lot subdivision.

3018434 - Land Use Application to allow 1, 3-story rowhouse structure containing 3 residential units in an environmentally critical area. Parking for 3 vehicles within the structure is proposed. Existing structure to be demolished. To be considered with projects 3018495 and 3017212 for shared access. Environmental review includes future unit lot subdivision.

3018495 - Land Use Application to allow 2 single family residences. Surface parking for 2 vehicles to be provided. Existing structure to be demolished. To be considered with projects 3018434 and 3017212 for shared access. Environmental review includes future unit lot subdivision.

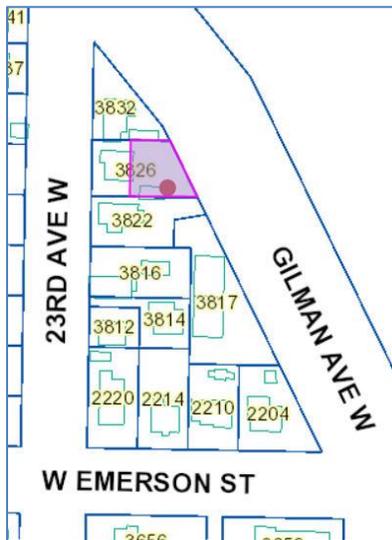
Required Approval

The following approval is required:

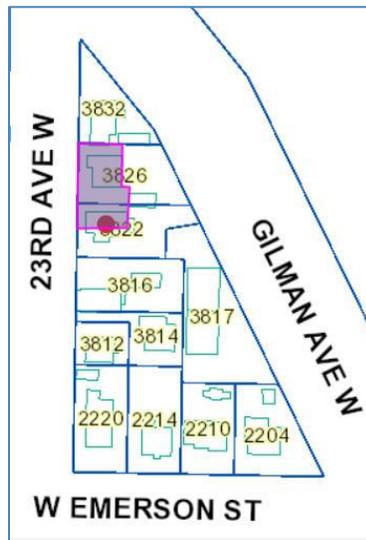
SEPA Environmental Threshold Determination (Seattle Municipal Code (SMC) 25.05)

SEPA DETERMINATION

- Exempt DNS MDNS EIS
- DNS with conditions
- DNS involving non-exempt grading or demolition or involving another agency with jurisdiction



3017212



3018434



3018495

Zoning: Lowrise 1 (LR1)

Parcel Size: 5,320 square feet (3017212)
5,320 square feet (3018434)
4,579 square feet (3018495)

Existing Uses: Single family structures, accessory structures, and surface parking

Environmentally Critical Areas: Steep Slope (3017212 and 3018434)

SITE AND VICINITY

Surrounding Development

The subject sites are near the intersection of Gilman Avenue West and 23rd Avenue West. Existing surrounding development consists of residential uses.

Public Comment

No comments were received during the public comment period that ended October 12, 2014.

ANALYSIS – SEPA (WAC 97-11 and SMC 25.05)

The proposal site (3018435) is located in an environmentally critical area (ECA). 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 the State Environmental Policy Act (SEPA) review. However, the scope of environmental review of projects within these critical areas is limited documenting whether the proposal is consistent with the City's ECA regulations (SMC 25.09), and evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations (SMC 25.09). This review includes identifying any 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), Washington Administrative Code (WAC) 197-11, and the Seattle SEPA Ordinance (SMC 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklists submitted by the applicant. The Department of Planning and Development (DPD) has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans, any additional information in the file, and considered any pertinent comments which may have been received regarding this proposed action. As indicated in the checklists, this action may result in adverse impacts to the environment; however, due to their temporary nature or 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 SEPA 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 (SMC 25.05.665).

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for short and/or long term impacts. Applicable codes may include 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 the *Noise Control Ordinance* (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality.

SHORT TERM IMPACTS

Temporary or demolition-related impacts are anticipated. Examples of impacts may include: 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/or 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/or an increase in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. No further mitigation is warranted.

LONG TERM IMPACTS

Potential long term impacts anticipated by this proposal may be stormwater and erosion potential or stability of the site. Several adopted city code and/or ordinances, such as the *Stormwater Code* (SMC 22.800-808) or the *Grading Code* (SMC 22.170) provide mitigation for the identified impacts. Compliance with all applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning or mitigation is warranted.

Air Quality/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 mitigation is

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 (Revised Code of Washington (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 Environmental Impact Statement (EIS) is not required under RCW 43.21.030(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 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

None.

Signature: Denise R. Minnerly for Date: March 30, 2015
Carly Guillory, Land Use Planner
Department of Planning and Development

CG:drm

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.