



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

Project Numbers: 3018831, 3018832, 3018833, 3018834, 3018835, 3018836, 3018837, 3018517

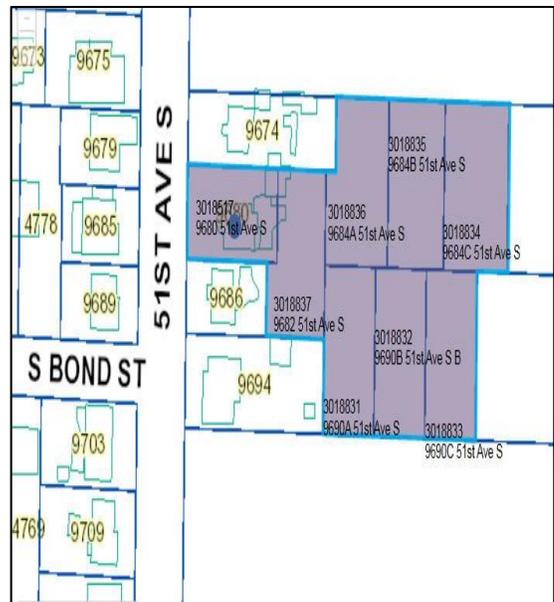
Applicant: Julian Weber, Julian Weber Architects

Addresses of Proposal: 9690 A 51st Ave S (3018831)
9690 B 51st Ave S (3018832)
9690 C 51st Ave S (3018833)
9684 C 51st Ave S (3018834)
9684 B 51st Ave S (3018835)
9684 A 51st Ave S (3018836)
9682 51st Ave S (3018837)
9680 51st Ave S (3018517)

SUMMARY OF PROPOSAL

3018831: Land Use Application to allow a 2-story single family residence with attached garage in an environmentally critical area. To be considered with projects 3018517, 3018832, 3018833, 3018834, 3018835, 3018836 and 3018837 to accommodate shared access for eight single family dwellings.

3018832: Land Use Application to allow a 2-story single family residence with attached garage in an environmentally critical area. To be considered with projects 3018517, 3018831, 3018833,



3018834, 3018835, 3018836 and 3018837 to accommodate shared access for eight singles family dwelling units.

3018833: Land Use Application to allow a 2-story single family residence with attached garage in an environmentally critical area. To be considered with projects 3018517, 3018831, 3018832, 3018834, 3018835, 3018836 and 3018837 to accommodate shared access for eight singles family dwelling units.

3018834: Land Use Application to allow a 2-story single family residence with attached garage in an environmentally critical area. To be considered with projects 3018517, 3018831, 3018832, 3018833, 3018835, 3018836 and 3018837 to accommodate shared access for eight singles family dwelling units.

3018835: Land Use Application to allow a 2-story single family residence with attached garage. To be considered with projects 3018517, 3018831, 3018832, 3018833, 3018834, 3018836 and 3018837 to accommodate shared access for eight singles family dwelling units.

3018836: Land Use Application to allow a 2-story single family residence with attached garage. To be considered with projects 3018517, 3018831, 3018832, 3018833, 3018834, 3018835, and 3018837 to accommodate shared access for eight singles family dwelling units.

3018837: Land Use Application to allow a 2-story single family residence with attached garage. To be considered with projects 3018517, 3018831, 3018832, 3018833, 3018834, 3018835, and 3018836 to accommodate shared access for eight singles family dwelling units.

3018517: Land Use Application to allow a 2-story single family residence with attached garage. To be considered with projects 3018831, 3018832, 3018833, 3018834, 3018835, 3018836 and 3018837 to accommodate shared access for a total of eight single family residences. Existing structures to be demolished.

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

Site Description:

Site Zone: Single Family Residential 7200 (SF7200)

Nearby Zones: SF7200 (North)
SF7200 (South)
SF7200 (East)
SF7200 (West)

Site Area: 61,737 square feet

Site Characteristics and Background:

The project site, located on the east side of 51st Ave S, a minor arterial, consists of eight parcels. Of the eight parcels, one abuts 51st Ave S. A proposed shared access easement from 51st Ave S will provide access to the proposed eight single family structures and seven attached accessory dwelling units. There is no alley adjacent to the site.

The site contains an existing single family structure with a detached garage. Both structures are to be demolished. The remaining parcels are undeveloped.

The site generally slopes from south down to north and contains more notable slopes along the south edge and the northeast portion. Kubota Gardens, a city-owned park and Historic Landmark, abuts the project site to the south and east.

The site contains a number of large trees including two exceptional trees. This is discussed in more detail below.

Environmentally Critical Areas (ECA):

The southern edge and northeast corner of the site contain Environmentally Critical Areas (ECA) Steep Slopes. The following determinations were made regarding the Environmentally Critical Areas (ECA) Steep Slopes on-site:

#3018831: “Based on a review of the submitted information and the City GIS system, DPD concludes that the steep slope area located in the southern portion of the site appears to qualify for criteria established in the ECA Regulations, SMC 25.09.180.B2c. Specifically, the steep slope area appears to be less than 20 feet in height and is 30 feet or more from other steep slope areas. For this reason, DPD will waive the requirement for an ECA Steep Slope Variance for the proposed development. All other ECA Submittal, General, and Steep Slope-Area development standards still apply for this project. February 3, 2015.”

#3018832: “Based on a review of the submitted information and the City GIS system, DPD concludes that the steep slope area located in the southern portion of the site appears to qualify for criteria established in the ECA Regulations, SMC 25.09.180.B2c. Specifically, the steep slope

area appears to be less than 20 feet in height and is 30 feet or more from other steep slope areas. For this reason, DPD will waive the requirement for an ECA Steep Slope Variance for the proposed development. All other ECA Submittal, General, and Steep Slope-Area development standards still apply for this project. February 3, 2015.”

#3018833: “Based on a review of the submitted information and the City GIS system, DPD concludes that the steep slope area located in the southern portion of the site appears to qualify for criteria established in the ECA Regulations, SMC 25.09.180.B2c. Specifically, the steep slope area appears to be less than 20 feet in height and is 30 feet or more from other steep slope areas. For this reason, DPD will waive the requirement for an ECA Steep Slope Variance for the proposed development. All other ECA Submittal, General, and Steep Slope-Area development standards still apply for this project. February 3, 2015.”

#3018834 (#6419312): “Done during Environmentally Critical Areas (ECA) review for A/P 6419312. Based on a review of the submitted information and the City GIS system, DPD concludes that the steep slope area located in the central portion of the site appears to qualify for criteria established in the ECA Regulations, SMC 25.09.180.B2c. Specifically, the steep slope area appears to be less than 20 feet in height and is 30 feet or more from other steep slope areas. For this reason, DPD will waive the requirement for an ECA Steep Slope Variance for the proposed development. All other ECA Submittal, General, and Steep Slope-Area development standards still apply for this project. December 3, 2014.”

Public Comment:

The Notice of Application comment period ended on December 7, 2014. A request for a comment period extension was received after the comment period ended. Several written comments were received. Comments included concerns with the stability of the steep slope and erosion, vegetation removal, impacts to watershed, lot coverage, increase of impervious surfaces resulting in additional storm water runoff, traffic, construction related impacts, increased density, impacts to recreational uses, and impacts on the adjacent Kubota Gardens, a designated Historic Landmark.

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 submitted by the applicant dated October 1, 2014. An updated environmental checklist dated January 13, 2015 was submitted by the applicant. An arborist report (John Kenney, dated June 3, 2014) and Geotechnical report (Geotech Consultants, Inc., dated November 3, 2014) were also submitted by the applicant. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. The Department of Planning and Development has analyzed and annotated the

environmental checklist submitted by the project applicant, reviewed the project plans, including site survey, and any additional information in the file. 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 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.

Codes and development regulation applicable to this proposed project will provide sufficient mitigation from short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC22.800-808), the Grading Code (SMC22.170), the Street Use Ordinance (SMC Title 15), the Building Code, and Noise Control Ordinance (SMC 25.08).

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. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following warrants further discussion:

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).

Earth / Soils

The ECA Ordinance and Directors 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 report (Geotech Consultants, Inc. dated November 3, 2014). The Stormwater Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The geotechnical study has been reviewed 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 mitigation is warranted pursuant to SEPA policies.

Long -term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; parking; impacts to historic resources; increased traffic in the area; increased surface water runoff due to greater site coverage by impervious surfaces; and loss of plant and animal habitat. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, the following requires further analysis.

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.

Historic Preservation

The existing structures on site (located at 9680 51st Ave S) are a single family structure and detached garage that are over 50 years old. The applicant submitted a historic structures analysis dated January 21, 2015 and an amended historic structures analysis dated March 9, 2015. Seattle Department of Neighborhoods reviewed the analysis and existing structures and determined that the structures are not likely to be eligible for historic landmark designation (Landmarks Preservation Board letter, reference number LPB 214/15 dated 4/8/15). No further mitigation is warranted for historic preservation impacts related to the existing structure on site.

The project site is adjacent to Kubota Gardens, a city-owned park and Seattle Landmark. In accordance with SMC 25.05.675 H2d, Seattle Department of Neighborhoods reviewed the proposed project, visited the site on April 22, 2015, and assessed the proposed project's impact

on the adjacent landmark. The Seattle Department of Neighborhoods determined that no additional mitigation related to potential impacts on the adjacent landmark would be required (Landmarks Preservation Board letter, reference number LPB 251/15 dated 4/24/15). No further mitigation is warranted for impact on the adjacent landmark related to the project proposal.

Plants and Animals

The site contains a number of large trees including two exceptional trees according to the tree inventory submitted by the applicant (John Kenney dated 6/3/14) based on DPD's Director's Rule 16-2008. The applicant is proposing to retain all of the exceptional trees onsite. Tree protection regulations (SMC 25.11) require exceptional trees be protected during construction. Review for compliance with applicable tree protection regulations (SMC 25.11) will be conducted for each parcel during the building permit review.

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: Betty Galarosa for Date: June 15, 2015
BreAnne McConkie, Land Use Planner
Department of Planning and Development

BM:bg

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.