



City of Seattle
Edward B. Murray, Mayor

Department of Construction and Inspections
Nathan Torgelson, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

Application Numbers: 3023104 and 3023105
Applicant Name: Justin Kliewer
Addresses of Proposal: 2533 13th Avenue South
2531 13th Avenue South

SUMMARY OF PROPOSAL

3023104: Land Use Application to allow one 3-story, 2-unit townhouse structure in an environmentally critical area. Parking for two vehicles to be provided. Existing structure to be demolished. Environmental Review includes future unit lot subdivision. To be considered with project #3023105 for shared access

3023105: Land Use Application to allow one 3-story, 2-unit rowhouse structure in an environmentally critical area. Parking for two vehicles to be provided. Existing structure to be demolished. Environmental Review includes future unit lot subdivision. To be considered with project #3023104 for shared access.

The following approval is required:

SEPA Environmental Threshold Determination (SMC Chapter 25.05)

Seattle DCI 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: Lowrise 2 (LR2)

Overlay: Beacon Hill Station Overly
North Beacon Hill Residential Urban Village

Nearby Zones: Single Family (SF 5000)
Lowrise 3(LR3)

Existing Use: One single family residence

Lot Area: 4,650 SF (2533 13th Avenue South)
4,650 SF (2531 13th Avenue South)

Site ECAs: Potential Slide Areas

Project Description:

The applicant proposes four 3-story townhomes in an environmentally critical area. Four parking spaces are proposed at one per unit. Shared vehicular access is proposed off 13th Avenue South. Also included is a future unit lot subdivision.

An ECA exemption from a steep slope variance was reviewed and granted by Seattle DCI on September 10, 2015 under construction permit application #6487204. Based on the submitted information and City GIS system, the site does not contain steep slope areas and buffer, as such, the ECA Steep Slope Development Standards have been waived for this project as allowed by ECA Regulations, Section 25.09.045D. However, as the site is also designated as potential landslide due to geologic conditions the building permit application for this development will remain subject to ECA review by the Seattle DCI Geotechnical Engineering Section. All ECA Submittal, General, and Landslide-Hazard development standards will apply for this development.



Public Comment:

The public comment period ended on December 27, 2015 and no comments were received.

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 (SMC) Chapter 25.05).

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.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 12/2/2015. The Seattle Department of Construction and Inspections (Seattle DCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted

by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the 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, 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 an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations.

Under such limitations/circumstances, 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 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; and increased vibration from construction operations and equipment. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

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. Therefore no further mitigation is warranted pursuant to SMC 25.05.675.F.

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 (Robert M. Pride, LLC; July 24, 2015). The geotechnical study has been reviewed by Seattle DCI'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 25.05.675.D.

Long Term Impacts

Long term or use-related impacts on the environmentally critical area are also anticipated as a result of this proposal and future unit lot subdivision including: 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 will reduce or eliminate most adverse long-term impacts to the environment.

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

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction and the project's 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; therefore, no further mitigation is warranted pursuant to SMC 25.05.675.F.

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).

CONDITIONS - SEPA

None required.

Crystal Torres, Land Use Planner
Seattle Department of Construction and Inspections

Date: March 14, 2016

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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 Seattle DCI 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.