



City of Seattle

Gregory J. Nickels, 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 Number: 2500648
Applicant Name: Andrew Novion for Shilshole Development LLC
Address of Proposal: 13 West Dravus Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of a three (3) unit townhouse structure, future alteration of an existing two (2) unit apartment building (13 West Dravus Street) to change use to single family residence in an Environmentally Critical Area. Existing structure (11 West Dravus Street) to remain.

The following approval is required:

SEPA - Environmental Determination – (Chapter 25.05, Seattle Municipal Code)

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 7,210.8 square foot (sq. ft.) rectangular site is located in a Lowrise 3 Major Institution Overlay (L-3/MIO-37) zone, on the south side of West Dravus Street. A 16' wide paved alley runs along the south property line of this site. An existing two (2) unit two-story apartment building (addressed as 13 West Dravus Street) and single family residence (addressed as 11 West Dravus

Street) resides on the site. Vehicular access to a surface parking pad for one (1) vehicle is via West Dravus Street: access to an additional concrete parking pad along the south boundary line is via the alley. West Dravus Street is a non-arterial street, paved with curbs, gutters and sidewalks.

Most of the site is relatively flat but a portion of the site is identified as Environmentally Critical Area (ECA)-Steep Slope and Potential Landslide Prone. Both of the existing residential buildings are situated on the level portion of the site, measured approximately 90' from the north property line. A parking area exists within the southern portion of the property, adjacent to the alley and is at an elevation 12' higher than the northern portion of the property. This parking area is contained by an existing rock wall covered by vegetation and accessed via a concrete stairway. A combination of concrete retaining walls and fencing exists along the west and east property lines. The applicant has been granted a limited exemption from ECA steep slope development standards under Project #2502097 for the identified ECA areas but all other ECA submittal, General, Landslide-Hazard and applicable development standards still apply to the proposal.

Adjacent zoning surrounding the site is as follows:

North	Major Institution Overlay/Lowrise (MIO-37/L-3) & Major Institution Overlay/Commercial (MIO-37/C2-40)
East	Major Institution Overlay/Lowrise (MIO-37/L-3)
South	Lowrise (L-3)
West	Major Institution Overlay/Lowrise (MIO-37/L-3)

Adjacent uses are as follows:

North	Single Family Residence /Apartments/Seattle Pacific University Facility
East	Single Family Residence/Apartments
South	Single Family Residence/Apartments
West	Single Family Residence/Apartments

Proposal

The applicant proposes to construct a three-story three (3) unit townhouse building at the rear portion of the subject site in an environmentally critical area (Steep Slope). Existing surface parking for one (1) vehicle will remain. The existing two (2) unit apartment building will be converted to a single family residence. The existing single family residence (11 West Dravus Street) will remain. Proposal includes grading approximately 355 cubic yards (cu. yds.) of material at the base of the designated ECA steep slope area to allow for the proposed building's foundation. It is anticipated by the applicant that future development activity at the subject site will include the creation of individual unit lots (Unit Lot Subdivision).

Public Comments

The required public comment period ended on April 6, 2005. DPD received one (1) written comment regarding this proposal. The neighbor expressed concerns regarding possible negative future

construction impacts to the existing retaining wall along the eastern property line between his property and the subject property.

ANALYSIS - SEPA

The proposal site is located in a steep slope critical area and landslide prone area, thus the application is not exempt from SEPA review. However, SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be 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 March 9, 2005. The information in the checklist, 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 and any additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

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 an 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 impacts on the environmentally critical area are expected: 1) increased vibration from construction operations and equipment; and 2) temporary soil erosion. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts on the critical area. Specifically these are: 1) Regulations for Environmentally Critical Areas and 2) Stormwater, Drainage and Grading Code (temporary soil erosion).

Earth

The ECA Ordinance and Directors Rule (DR) 3-93 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with steep slopes, liquefaction zones, and/or a history of unstable soil conditions. Pursuant to this requirement the applicant submitted a geotechnical engineering study prepared by Dennis Bruce, P.E. dated February 25, 2005. The report evaluates the soil and site conditions and provides recommendations for erosion and drainage controls, slope stability, grading and earthwork and foundation construction. The construction plans, including shoring of excavations as needed and erosion control techniques will be reviewed by DPD. Additional information required showing conformance with the Environmentally Critical Areas Ordinance will be required prior to issuance of building permits.

The Stormwater, Grading and Drainage Control 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 Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Long-term Impacts

Potential long-term impacts that may occur as a result of this project include increased surface water runoff from greater site coverage by impervious surfaces. This long-term impact is not considered significant because the impacts are minor in scope.

DECISION - SEPA

The responsible official on behalf of the lead agency made this decision after review of a completed environmental checklist and other information on file with the 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).

CONDITIONS - SEPA

None.

Signature: _____ (signature on file) Date: December 12, 2005

Tamara Garrett, Land Use Planner
Department of Planning and Development

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