



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**

Project Number: 2502145
Applicant: Andrew Novion
Address of Proposal: 4262 Winslow Place N

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for the construction of two, two-unit, three-story townhouse structures in an environmentally critical area. Parking for four vehicles would be provided within the structures. Project includes demolition of an existing single family residence.

The following approval is required:

SEPA – Environmental Determination - (SMC Chapter 25.05)

SEPA DETERMINATION: [] Exempt [X] DNS [] MDNS [] EIS

[] DNS with conditions

[] DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

*Early Notice DNS published July 14, 2005

RELATED PROJECT:

Project # 2504909, ECA exemption waived steep slope development standards but ECA review is required due steep slope areas and applicable development standards.

BACKGROUND DATA

Site and Vicinity Description

The 5000 sq. ft. proposal site is located mid block on the east side of Winslow Place N approximately 121 feet from the intersection of Winslow Place N and N 43rd Street to the north and approximately 102 feet from the intersection of Winslow Place N and N Motor Place to the south. The site is rectangular in shape and is described as Lots 17 and 18, Block 3, Motor Line 3rd Addition to the City of Seattle. There is no alley. The street is fully improved with concrete sidewalks, curbs and gutters. The site is currently developed with direct access from the street. The existing residential structure will be demolished prior to the proposed construction on the site. The site is located in a Lowrise 2 (L-2) zone and the surrounding zoning abutting the L-2 zone to the east is Single Family 5000 (SF-5000), while the L-2 zone abuts the C1-40 zone to the west. Development in the immediate vicinity is predominantly a mixture of single family and multifamily uses with some commercial uses along Aurora Avenue to the west.

Proposal Description

The applicant proposes to construct two, two-unit three-story townhouse structures to consist of a total of four dwelling units in an environmentally critical area. Vehicular access to the proposed site will be available through a driveway located along the south property line off Winslow Place N and parking would be provided within the proposed structures. Project includes the demolition of the existing structure.

Public Comments

The comment period began on July 14, 2005 and ended on July 27, 2005. One comment letter was received. The respondents expressed some concerns regarding the landslide potential related to the proposed construction and would like to be informed of the proposed plan and the possibility of a third party evaluation of the landslide risk.

ANALYSIS - SEPA

The proposal site is located in a steep slope and a Landslide Hazard critical area, thus the application is not exempt from SEPA review. The ECA Steep Slope Development Standards are waived pursuant to June 14, 2005, exemption decision, but the Landslide Hazard Development Standards as well as other applicable ECA standards will apply to the project. 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 environmental impacts on this project was made in the threshold determination and environmental checklist prepared by Andrew Novion on June 27th, 2005. The information in the checklist, the supplemental information submitted by the application, field inspection, public comments and the experience of the lead agency with 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, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, that "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 (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Several adopted City codes and/or ordinances provide mitigation for identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Ordinance (grading, site excavation and soil erosion); Building Codes (construction standards); and ECA Ordinance. Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of identified impacts. Due to the temporary nature and limited scope of these impacts, they are not considered significant. Although not significant, these impacts are adverse, and in some cases, mitigation is warranted.

Short-term Impacts

The following short-term demolition or excavation-related impact to the environmentally critical area is anticipated: potential erosion during excavation and general site work. Due to the limited scope and short duration, this is not considered significant.

Earth

The ECA Ordinance and Directors Rule (DR) 3-93 requires 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 an application for an ECA exemption under project #2504909 in June 14, 2005. An ECA exemption was granted to waive steep slope development standards. According to Geotechnical Soils Report, DPD GIS Maps have designated this site an ECA due to the presence of steep slopes. However, the steep slopes are the result of historic man-made efforts, including a series of keystone block wall terraces. There is no liquefaction concern regarding the sub-grade soils on this property. Based on this information, ECA review is required. Additional information showing conformance with the Stormwater, Grading, and Drainage Control Code will be required prior to issuance of the building permits.

Long-term Impacts

Potential long-term impacts that may occur on the identified environmentally critical area as a result of this project include: 1) 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, and impacts are adequately mitigated by existing City regulations.

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 decision 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.303(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.303(2)(C).

CONDITIONS - SEPA

None Required.

Signature: _____ (signature on file) _____ Date: November 10, 2005
Christopher A. Ndifon, Land Use Planner

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