



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
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**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2500152
Applicant Name: Ryan Cheetham for Med Shariat
Address of Proposal: 1830 - 12th Avenue West

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of a single family residence in an Environmentally Critical Area. There is an existing single family residence on-site which will remain. Access and accessory parking for the new single family residence will be off the alley. A unit subdivision application for the property will be made under separate permit (DPD Project No. 3003376.)

The following approval is required:

SEPA - Environmental Determination – Chapter 25.05, SMC

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

[] DNS with conditions

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

BACKGROUND DATA

Site and area description

The 3,625 square-foot site is located in a Lowrise 1 (L1) zone on 12th Avenue West on the west slope of Queen Anne Hill. The site slopes from the southeast corner to the northwest, from the alley down to the front property line approximately 30 feet. There is a mapped Environmentally Critical Area (ECA) due to the presence of steep slopes on the southeast portion of the site. The entire site is mapped as an ECA due to slide-prone soils. The applicant was granted a Limited

Exemption from the steep slope standards of the ECA Ordinance on September 7, 2004 (DPD No. 2406756.) The project is still subject to the ECA requirements regarding landslide-hazard ECAs. Surrounding properties immediately abutting the site, and in the blocks to the east and west of the site, are also zoned Lowrise One (L1). The zoning changes to Single Family (SF 5000) along West Blaine Street to the south. North of W. Howe St. the zoning changes to Lowrise Two (L2). The site is currently occupied by a single family residence on the western half of the property, which will remain.

Proposal Description

The applicant proposes to construct one single family residence on the eastern half of the site. The existing single family residence on the western half of the site is to remain. The proposed residence will be constructed on three levels, with the lowest level partially below grade. The building footprint will be approximately 612 sq. ft., and the structure will have about 1,652 sq. ft. of living area. Open space will be provided on both sides (east and west) of the new structure. Vehicular access will be via the alley. A surface parking space for one vehicle is proposed off the alley on the eastern side of the house.

The applicant has indicated that he will also apply for a permit to subdivide the existing lot into two unit lots per SMC 23.24.045, under separate permit (MUP No. 3003376). The impacts of that future land use action are anticipated in the SEPA analysis and determination below.

Public Comments

Two comment letters were received during the public comment period which ended on March 2nd, 2005. One letter requested an extension of the public comment period (which was done). The other letter expressed concerns regarding a history of landslides and drainage problems in the vicinity of the proposed project.

ANALYSIS - SEPA

Although the proposal site received a Limited Exemption from the Steep-slope development standards of the Environmentally Critical Areas Ordinance, it is still subject to other Landslide-Hazard and other applicable ECA submittal and development standards. 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 included 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 April 22, 2005. The information in the checklist, supplemental information provided by the applicant (soils report), project plans, and the experience of the lead agency with 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, 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 certain limitations/circumstances (SMC 25.05.665 D 1-7) 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 on the identified critical area are expected: 1) temporary soil erosion; and 2) increased vibration from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The ECA ordinance and DR 3-93 and 3-94 regulate development and construction techniques in designated ECA areas with identified geologic hazards. The Building code provides for construction measures and life safety issues. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment and no further conditioning pursuant to SEPA policies is warranted.

Due to the fact that grading will be undertaken during construction, additional analysis of earth and grading impacts is warranted.

Earth/Soils

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 landslide potential and/or a history of unstable soil conditions. A "Geotechnical Report – Phase II, Planned Two-lot Short Plat, Seattle, WA, for Med Shariat," prepared by Cornerstone Geotechnical, Inc. of Woodinville, WA, and dated November 15, 2004, was submitted with this application and is undergoing separate geotechnical review by DPD. The construction plans, including shoring of excavations as needed and erosion control techniques are receiving separate review by DPD. Any additional information showing conformance with applicable ordinances and codes (ECA ordinance, The Stormwater, Grading and Drainage Control Code, DR 3-93, and 3-94) will be required prior to issuance of building permits. Applicable codes and ordinances

