



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE**

**DETERMINATION OF NON-SIGNIFICANCE BY  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3003963  
**Applicant Name:** Brittani Ard  
**Address of Proposal:** 2542 14<sup>th</sup> Avenue West

**SUMMARY OF PROPOSED ACTION**

Land Use Permit to approve a five unit townhouse structure with five surface parking spaces in an environmentally critical area. The existing single family residence will be removed.

The following approval is required:

**SEPA - Environmental Determination**  
Chapter 25.05, Seattle Municipal Code.

**SEPA DETERMINATION:**  EXEMPT  DNS  EIS  
 DNS with conditions  
 DNS involving non-exempt grading or demolition  
involving another agency with jurisdiction

**BACKGROUND DATA**

Site Location: Queen Anne Neighborhood

Zoning: Lowrise 3

Parcel Size: 6,095 square feet

Existing Use: Single family residence and a detached garage

Proposal Description: Construct a five unit townhouse structure with five surface parking spaces in an environmentally critical area. The existing single family residence will be removed.

Public Comment: Two comment letters were received from neighbors during the comment period which ended February 1, 2006. Concerns were expressed about soil stability, addressing surface water drainage on the downhill properties, existing flooding, the inadequate number of parking spaces, increased demand for onstreet parking, increased building height blocking daylight into adjacent structures, and preserving the existing tree and other existing vegetation on the site.

### **ENVIRONMENTALLY CRITICAL AREA**

The site is mapped as an environmentally critical area due to the location in a potential landslide area and within 1,000 feet of an abandoned landfill in Interbay. A geotechnical report was submitted with this application which indicated there are no records of landslides occurring on the project site. In order to mitigate the risk of methane discharge inside of the new building, it was recommended that the building slab areas be sealed by installing a PVC liner below the building slab and attached to the inside of the footings or stem walls. Soils encountered at the boring locations consisted of loose silty sand and sand overlying competent medium dense to dense sand at a depth of five feet. It was recommended that the building pad area be improved by over-excavation and replacement with compacted structural fill to a depth of five feet because of the potential for ground settlements. Spread footing foundations on top of medium dense to dense site soils or on top of compacted structural fill placed on top of medium dense to dense site soils were recommended in the geotechnical report.

### **ANALYSIS – SEPA**

The proposal site is located in an environmentally critical 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 [December 12, 2005](#). 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 the environmental checklist submitted by the project applicant; and reviewed the project plans and any additional information in the file. As indicated in this analysis, 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.

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 and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations. Short-term adverse impacts are anticipated from the proposal. No adverse long-term impacts on the environmentally critical area are anticipated.

#### Short-term Impacts

The following temporary or construction-related impacts to the environmentally 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). Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to applicable SEPA policies.

#### DECISION

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.

[X] 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**

None required.

Signature: \_\_\_\_\_ (signature on file) \_\_\_\_\_ Date: April 27, 2006  
Malli Anderson, Land Use Planner

MJA:bg

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