



third of the subject lot. The subject site is heavily vegetated with overgrown shrubs and ground cover clustered around the east (rear) property boundary line. A number of mature trees are strung along the north property line. Development at the site includes a single family residential structure and a surface parking pad. Access to the development site is through the South Massachusetts Street right-of-way, which terminates near the mid-point of the subject lot. South Massachusetts is improved with a 23 foot wide roadway and sidewalk. The 16<sup>th</sup> Avenue South right-of-way functions more like an alley and terminates near the intersection with South Massachusetts. From the 16<sup>th</sup> Avenue frontage the development site abruptly climbs approximately 18 feet within the first 20 feet above street grade, essentially preventing vehicle access. There are no sidewalks, curbs and gutters along this strength of right-of-way.

The subject site is located in an expansive Multifamily Lowrise 2 (L-2) zone where a mixture of single family styled structures dominate the immediate vicinity with a number of multifamily uses establishing a greater presence. A mixture of turn of the century and post World War II single family homes populates this particular neighborhood. Abutting the subject lot to the south is a recently completed townhouse development. On the west side of the subject site are located one-story single family residential structures. Directly across the street to the north and east of the subject lot are developments with multifamily uses. Zoning in the surrounding area includes Multifamily Lowrise 1 (L-1) to the south and Multifamily Lowrise 3 (L-3) to the west of the subject site. 15<sup>th</sup> Avenue South, a primary arterial, is located to the west and is the principal transportation corridor to the development site. The development site is located along the east slope of Beacon Hill, in a heavily sloped and vegetated area.

#### Proposal Description

A total of four dwelling units are proposed to be constructed in an (40% Steep Sloped geological hazard) environmentally critical area. The applicant proposes to construct a three-story multifamily structure at the development site; with a four-car parking garage located within the structure and accessed along the west facade. Vehicular access to the proposed site will be made available through South Massachusetts Street located along the north property line. The project includes the demolition of one existing single family dwelling unit (finalized under a separate permit) and site preparation. The site will be re-graded to accommodate new development, which will include excavation of approximately 250 cubic yards.

#### Public Comment:

Date of Notice of Application: March 03, 2005  
Date End of Comment Period: March 16, 2005

# Letters 1

Issues: One letter was received for this project during the comment period. A number of concerns were raised in the letter centering potential threats upon neighboring properties that included landslide risks, construction debris, truck hauling materials to and from the site, and stability of the soil. Parking access to the development site from 16<sup>th</sup> Avenue was a concern, but will not be an issue due to the access being proposed through South Massachusetts Street. The other concerns will be addressed and mitigated through ECA Ordinance.

## **ANALYSIS - SEPA**

The development site is located in a 40% Steep Slope geological hazard 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 environmental impacts on this project was made in the threshold determination and environmental checklist prepared by James Jamerson on January 24, 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.

### **Short-term Impacts**

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulate from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; conflict with normal pedestrian movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources.

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 DPD Director's Rule (DR) 3-93 and 3-94 regulate development and construction techniques in designated ECA areas with identified geologic hazards. The Street Use Ordinance requires debris to be removed from the street right of way, and regulates obstruction of the pedestrian

right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures and life safety issues. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city. 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 geologic hazard areas and/or a history of unstable soil conditions. Thus, ECA review is required because the site has soil conditions that need further scrutiny to properly evaluate subsurface, water conditions, and bearing strength capability. The construction plans, including shoring of excavations as needed and erosion control techniques will be reviewed 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 ordinance provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

### Traffic

Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near several major arterials and traffic impacts resulting from the truck traffic associated with the hauling of debris will be of short duration and mitigated by enforcement of SMC 11.62.

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks, which minimizes the amount of spilled material and dust from the truck bed enroute to or from a site.

### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the ECA Ordinance, the Stormwater, Grading and Drainage Control Code which requires provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding. The City Energy Code will require insulation for outside walls and energy efficient windows. The Land Use Code controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies.

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.

### **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.

Signature: \_\_\_\_\_  
Bradley Wilburn, Land Use Planner  
Department of Planning and Development

Date: October 10, 2005