



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: 2306986
Applicant Name : Alex Rolluda
Address of Proposal: 2067 Gilman Drive W.

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for the construction of a two, 236 sq. ft. two story addition and alteration to an existing single family residence. Change use from single family residence to a 3-unit apartment with two surface parking spaces in an environmentally critical area.

The following approval is required:

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

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 August 25, 2004.

BACKGROUND DATA

Site and Vicinity Description

The 3621.5 sq. ft. proposal site is located on the west side of Gilman Drive W approximately 79 feet from the intersection of W Boston Street and Gilman Drive W. in the Multifamily Lowrise 2 L-2. The

site is currently developed with a single family residence with access via a 10-foot wide drive way easement from Gilman Drive W. The topography of the site slopes gently from east to west to an existing 6-foot concrete block wall at the west property line. Beyond this point, the land slopes further west and meets the east wall of the neighboring building. The existing vegetation on the site consist of a concentration of Conifer trees, shrubs and ground cover located at the rear of the west property line within the slope area. According to DPD GIS maps, the site is designated as environmentally critical pursuant to the Environmental Critical Area Ordinance, SMC 25.09 due to Potential Landslides Hazard Areas. The L-2 zone abuts the C1-40 zone to the west, L-1 zone to the east and L-3 zone to the north. Development in the zone and vicinity is predominantly a mixture of single family and multifamily residential uses.

Proposal

The applicant proposes to construct a 2, 236 square feet 2-story addition and alteration to an existing single family residence. The proposal also includes a change of use from single family dwelling to a 3-unit apartment building in an environmentally critical area (Potential landslide area). The project includes surface parking for two vehicles to be located behind the existing residence to the rear to be access via a 10-foot wide driveway easement from Gilman Drive W.

Public Comments

The public comment period for this project began on August 12, 2004, and ended on August 25, 2004. No comment letter was received.

ANALYSIS - SEPA

The proposal site is located in a 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 environmental impacts on this project was made in the environmental checklist prepared by the applicant dated July 29, 2004. The information in the checklist, the supplemental information submitted by the applicant, field inspection, and the experience of the lead agency with 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 applicant and; reviewed the project plans and any additional information in the file. 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 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 and long-term adverse impacts are anticipated from the proposal.

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 a geotechnical engineering study prepared by (S&EE) Soil and Environmental Sciences, Inc, dated June 28, 2004. 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 permit.

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

The long-term impacts are typical of multifamily development and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (storm water runoff from additional site coverage by impervious surface) and the Regulations for Environmentally Critical Areas.

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 requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public 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 2c.

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 2c.

CONDITIONS – SEPA

None required.

Signature: _____ (signature on file) Date: April 13, 2006
Christopher Ndifon, Land Use Planner

