



**City of Seattle**  
Edward B. Murray, Mayor

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**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:** 3014342  
**Applicant Name:** Jay Jannette  
**Address of Proposal:** 3050 SW Avalon Way

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a seven story (two of the seven floors contain mezzanines), 14 unit apartment building containing 104 bedrooms in an environmentally critical area. No parking proposed.

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 involving another agency with jurisdiction.

**BACKGROUND INFORMATION**

**Site Description**

The site is located at 3050 Avalon Way SW on a currently vacant lot. Previously, there was a single family residence on the lot, but this was demolished in 2008. The lot is vegetated predominantly non-native blackberry and herbaceous weeds. The western portion of the lot contains eight big leaf maple trees and one common apple tree. Five of these trees fall within a

steep slope or steep slope buffer regulated by the City of Seattle's Regulations for Environmentally Critical Areas. The lot slopes up gently from Avalon Way to the west. In the eastern third of the site the slope steepens to a grade that exceeds 40 percent. Therefore, it is regulated as a steep slope environmentally critical area (ECA) under the City of Seattle's Regulations for Environmentally Critical Areas.

The site is bounded by developed multi-family properties to north and south, and alley right-of-way and developed single-family properties to the west. The site is rectangular, with 60 feet of frontage along Avalon Way SW., a depth of 120 feet, and a total combined lot area of 7,198 square feet. The site is zoned Midrise (MR), as are the lots to the north and south. Lots to the west are zoned Single-Family 5000 (SF5000).

### Public Comment

Notice of the proposal was provided on June 6, 2013. Numerous public comments were received.

### **SEPA DETERMINATION**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated February 25<sup>th</sup>, 2013. A revised SEPA checklist correcting several errors was provided to DPD by the applicant on May 22<sup>nd</sup>, 2013. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The project site is located in an environmentally critical area (landslide-prone area) and, therefore, the application is not exempt from SEPA review. However, SMC 25.05.908.B provides that the scope of environmental review of projects within environmentally critical areas shall be limited to: 1) Documenting whether the proposal is consistent with The City of Seattle Regulations for Environmentally Critical Areas, SMC Chapter 25.09; and 2) Evaluating potentially significant impacts on the environmentally critical area resources not adequately addressed in The City of Seattle Environmentally Critical Areas Policies or the requirements of SMC Chapter 25.09, Regulations for Environmentally Critical Areas, including any additional mitigation measures needed to protect the environmentally critical areas in order to achieve consistency with SEPA and other applicable environmental review laws.

The Department of Planning and Development has reviewed and analyzed the environmental checklist submitted by the project applicant, the accompanying project plans, and geotechnical report, and determined that this action will not result in significant adverse impacts to the environment. 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 following summarizes anticipated short and long term impacts and identifies regulations in place that will mitigate these impacts.

### Short-term Impacts

Site grading and preparation for the foundation of the proposed addition will expose soil, leading to increased potential for soil erosion during construction until the site is permanently stabilized by establishment of new vegetation and landscaping. Several adopted codes and/or ordinances provide mitigation for the identified impact. The Grading Code (SMC Chapter 22.170) requires that soil erosion control techniques be in place for the duration of the land disturbing activities. The Regulations for Environmentally Critical Areas (SMC Chapter 25.09) have a stated purpose of avoiding adverse environmental impacts and regulate all activities on sites with ECAs. The plans provided by the applicant demonstrate that the proposal complies with development restrictions for steep slopes. The applicant submitted a geotechnical engineering study prepared by Robert M. Pride, LLC, dated August 21<sup>st</sup>, 2012. The geotechnical report and construction/grading plans have been reviewed by the DPD geotechnical engineer and found to be in compliance city's standards for development on sites with geologic hazard areas provided in the City's ECA regulations. This report concluded that the proposed development on the steep slope will not result in any adverse impacts from construction. While typical temporary construction-related impacts are expected, these impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794). Therefore, no further conditioning pursuant to SEPA policies is warranted.

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

### Long-term Impacts

Long-term or use-related impacts are anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased demand for public services and utilities; loss of plant and animal habitat; and increased light and glare. Long-term impacts resulting from development of the landslide-prone area are not anticipated if construction proceeds as recommended by the applicant's consulting geotechnical engineer.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Environmentally Critical Areas Regulations; the Stormwater Code, Grading Code; the City Energy Code; and the Land Use Code, which 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 long-term impacts and no further conditioning is warranted by SEPA policies.

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global

warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

## **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: Betty Galarosa for Date: August 6 2015  
Jerry Suder  
Land Use Planning Supervisor  
Department of Planning and Development

JS:bg

Suder/3014342 SW Avalon Wy SEPA ECA only plus Interpretation on units.docx

## IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

### Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at [prc@seattle.gov](mailto:prc@seattle.gov) or to our message line at 206-684-8467.