



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: 3004228
Applicant Name : Krista Appleby of Johnson Architecture
Address of Proposal: 589 Occidental Ave S.

SUMMARY OF PROPOSED ACTION

Land use application to allow a 6-story building containing 3,825 sq. ft. of restaurant space at ground level, 3 live-work units (4,155 sq. ft.) and 69 residential units above. Project preserves existing brick facades and demolishes remainder of structure. Parking for 47 vehicles to be provided within structure on levels 1 & 2.

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 or
involving another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity

The site is located on a triangular shaped lot at the north side of the intersection of Railroad Way S. and Occidental Ave S. The site is located in the Pioneer Square Mixed zone with an 85-foot height limit (PSM-85) and is in the Pioneer Square Historic District.

Adjacent uses include Qwest Stadium to the east, the Provident Building (commercial and office use) to the north, the Alaskan Way Viaduct to the west, and a mix of commercial and light industrial buildings to the south. The Flatiron Building, a registered historic landmark, is located to the northwest across 1st Ave S.

The existing brick building on site is referred to as the “Seattle Plumbing Company” or “Johnson Building” and is not listed as a historic landmark, but is located in the Pioneer Square Historic District. Structural changes are subject to review by the Pioneer Square Preservation Board. The structure is listed in the Seattle Department of Neighborhoods Historical Sites Inventory. The trapezoidal shaped building was built in 1903 at what was then the edge of the industrial area and has housed various hardware and plumbing companies over the years.

Proposal Description

The proposal is to alter the existing two to three story historic brick warehouse building (The Seattle Plumbing Building) to accommodate parking, restaurant and live-work areas, and add three stories of residential units above.

Public Comment

Public notice of the project was issued on June 1, 2006. One public comment letter was submitted.

ANALYSIS - SEPA

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 and dated March 28, 2006 and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

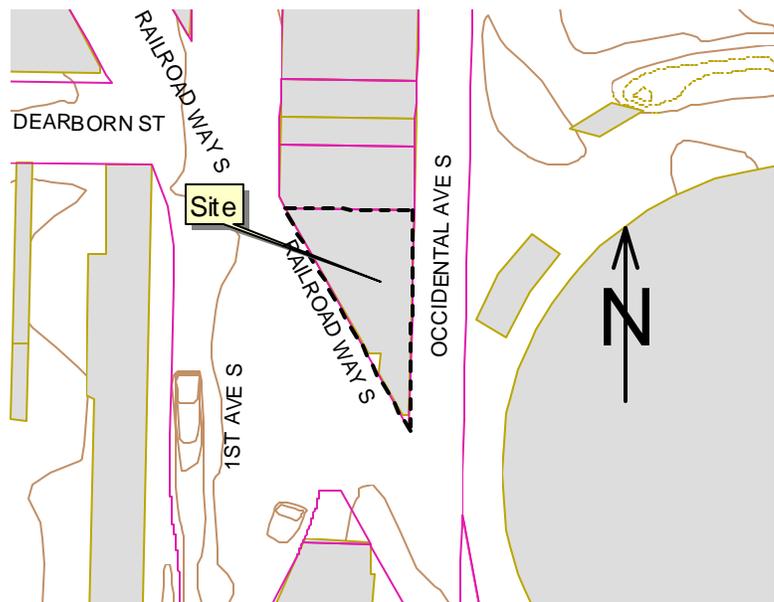
The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, "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 (SMC25.05.665) mitigation can be considered. Thus a more detailed discussion of some of the impacts is appropriate.

Short - Term Impacts

Construction Impacts

The following temporary or construction-related impacts are expected: minor decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; 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 Street Use Ordinance requires debris to be removed from the street right-of-way, and



includes regulations for maintaining circulation in the public 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 in general. 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. Most of these impacts are minor in scope and are not expected to have significant adverse impacts (SMC 25.05.794). However, due to the close proximity of neighboring businesses, further analysis of construction impacts is warranted. The following is an analysis of the short-term impacts to the environment as well as mitigation.

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). No unusual circumstances exist to warrant additional mitigation, per the SEPA Overview Policy.

Surrounding office and commercial uses are likely to be slightly impacted by noise throughout the duration of construction. There are no adjacent residential uses. Typical office hours would completely overlap with hours of construction. Construction noises later in the evening or on weekends would be unlikely to significantly disturb adjacent office and commercial tenants. The Noise Ordinance is found to be adequate to mitigate potential noise impacts.

Long - Term Impacts

Long-term or use-related impacts are not anticipated as a result of approval of this proposal including: increased bulk and scale on the site; noise, traffic or parking in the area; demand for public services and utilities; and light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tight line release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; 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 most long term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, additional land use impact which may have long term affects are discussed below.

Parking

The Downtown Code 23.49.019.A.1 states that no parking is required for uses on lots in Downtown zones, including the Pioneer Square Mixed zone (PSM). Furthermore, 25.05.675.M.2.b states that no SEPA authority is provided to mitigate the impact of development on parking availability in the downtown zones.

Historic Preservation

The preservation of historic buildings, districts and sites is important to the retention and appreciation of the history of our area. Special districts have been established to protect certain historic aspects which are unique in their historical and cultural significance, including Pioneer Square. These areas are subject to

development controls and project review by special district review boards. The Seattle Plumbing Building (also known as Old Johnson's Plumbing Building/ Washington State Public Stadium Authorities) is not a contributing building in the National Register's Pioneer Square Historic District, but is considered a historically significant property and is located in the Pioneer Square Historic District. A Certificate of Approval from the Pioneer Square Preservation Board and the Department of Neighborhood's Director is required for all alterations and changes of use, as conditioned in the decision below.

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 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 - SEPA

Prior to MUP Issuance (Non-appealable)

1. Department of Neighborhoods approval is required for the size of the proposed restaurant use, the upper level setbacks, common recreational space waiver, and proposed metal siding, per the zoning correction letter dated August 2, 2006.
2. Zoning approval is required for proposed awnings, solid waste areas, parking aisle width, elevations, and sight triangles, per the zoning correction letter dated August 2, 2006.

Prior to Building Permit Issuance (Non-appealable)

3. A Certificate of Approval from the Pioneer Square Preservation Board is required for the proposed development and associated street and sidewalk improvements, per the zoning correction letter dated August 2, 2006.
4. Seattle Department of Transportation approval for the proposed street and sidewalk improvements is required, per the zoning correction letter dated August 2, 2006.

Signature: (signature on file) Date: August 24, 2006
Shelley Bolser, Land Use Planner
Department of Planning and Development