



City of Seattle

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

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3004473
Applicant Name: Dan Balmelli for Barghausen Engineering
Address of Proposal: 8425 1st Avenue South

SUMMARY OF PROPOSED ACTION

Land Use Application to allow 98,447 square feet of paving in an existing storage yard (Lion Trucking) and 460 lineal feet each of water and sanitary sewer extensions in an environmentally critical area. Project includes 2,300 cubic yards of grading.

The following approval is required:

SEPA Environmental Determination
- Chapter 25.05, Seattle Municipal Code

SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading, or demolition,
or involving another agency with jurisdiction.

BACKGROUND DATA

Proposal Description

The proposed project will be for grading and paving of the site of storage / parking in an existing gravel storage yard along with constructing retaining walls, storm water system and water and sanitary sewer extensions. The site currently contains two buildings that will remain. An equipment wash area will also be constructed as part of the project. The site received a limited eca exemption under this project number. The area along the west property line and west of the existing retaining walls are not exempted.

Site and Vicinity

The site is located in the Duwamish Manufacturing / Industrial Center (MIC) neighborhood of south Seattle. It is located along 1st Avenue South north of the South Cloverdale Street intersection. The site abuts Westcrest Park and stables. It is currently developed with two buildings that will remain to service Lion Trucking.

The site is located in a General Industrial 2 zone with an 85-foot maximum height limit (IG2/85) and Industrial Buffer (IB U/85) and is within the Duwamish Manufacturing/Industrial Center as designated in Seattle's Comprehensive Plan. Adjacent and surrounding properties are also zoned IG2-85 and Single Family 7200 (SF 7200). The immediate vicinity is comprised primarily of a industrial buildings.

The site has frontage along First Avenue South just north of S. Cloverdale Street. It is mapped as an environmentally critical area because it contains areas of steep slope (>40% slope) and potential slide.

Public Comment

One comment letter was received during the extended public comment period which ended July 5, 2006. The commentator requested that DPD look carefully at the plan for handling the surface water run off from this site.

ANALYSIS - SEPA

The applicant submitted an Environmental Checklist to DPD on April 28, 2006, and a Geotechnical Engineering Letter Report dated January 24, 2005. These documents disclose the project's potential impacts. This analysis and decision are based on the information provided in the checklist and reports, as well as DPD experience with review of similar projects.

Section 25.05.908B of the Seattle Municipal Code states that the scope of environmental review actions within environmentally critical areas is limited to the following:

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 of the environmentally critical area resources not adequately addressed in the City of Seattle 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 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: "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 certain limitations/circumstances (SMC 25.05.665 D 1-7) 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 on the identified 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).

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 DR 3-93 and 3-94 regulate development and construction techniques in designated ECA areas with identified geologic hazards. The Building code provides for construction measures and life safety issues. 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.

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 landslide potential and/or a history of unstable soil conditions. 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.

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, and loss of plant and animal habitat.

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. Wash-down water from the equipment wash area will flow through an oil/water separator and then be discharged to the sanitary sewer system. 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.

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

For the life of the project:

1. Wash-down water from the equipment wash area will flow through an oil/water separator and then be discharged to the sanitary sewer system. Parking area drains will also have oil/water separators as per the Stormwater, Grading and Drainage Control Code.

Signature: (signature on file) Date: September 14, 2006
Holly J. Godard, Land Use Planner
Department of Planning and Development

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