



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: 3004508
Applicant Name: Gundaker Commercial for Lake City Autozone
Address of Proposal: 13716 Lake City Way NE

SUMMARY OF PROPOSED ACTIONS

Land Use Application to allow a one story, 6,446 sq. ft. automotive retail sales and service building and demolition of a 9,583 sq. ft. automotive retail sales and service building in an environmentally critical area. Review includes parking for 34 vehicles and grading of 1,532 cu. yards. of material.

The following approval is required:

SEPA - Environmental Determination – SMC Chapter [25.05](#)

SEPA DETERMINATIONS: Exempt DNS MDNS 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 the northeast corner of the intersection of Lake City Way NE and NE 137th Street. Lake City is a main arterial consisting of 6 lanes of traffic adjacent to the site, but is otherwise largely unimproved with gutters, sidewalks or planting strips. NE 137th Street is similarly unimproved, except for asphalt paving.

The site is moderately flat except for some downward slope to the east, which has been determined to be a steep slope ECA. The ECA has qualified for a limited exception, already granted. The site is occupied by a structure which is proposed to be demolished. There are at least three existing curbs along Lake City Way, and most of the NE 137th Street frontage has no curb, allowing unrestricted vehicular access.

The site is zoned residential Commercial 1 with a 65-foot base height limit (C1-65). Properties immediately to the north and west across Lake City are similarly zoned. Properties to the east (adjacent) are zoned L1, and properties to the south across NE 137th are zoned L2. Development is largely zone-appropriate. Approximately 7 units are adjacent or kitty-corner to the site to the east.

Project Description

As described in public notice. Access is proposed to be brought up to code standards. New sidewalks are proposed (10-feet along Lake City Way, 6-feet along NE 137th Street). In addition, trees are proposed in planting pits along both streets, and substantial additional landscaping is proposed, particularly along the SF edge to the east.

Public Comment

DPD received no public comment related to the project.

ANALYSIS - SEPA

The applicant provided the initial disclosure of this development's potential impacts in an environmental checklist. This information, the soils report, and the experience of the lead agency in similar situations form the basis for this analysis and decision. This report anticipates short and long-term adverse impacts from the proposal.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction; potential soil erosion during excavation and general site work; increased runoff; tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section [25.05.794](#)). Although not significant, these impacts are adverse.

The SEPA Overview Policy (SMC [25.05.665 D](#)) 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 limitations. 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 (grading, site excavation and soil erosion);

Critical Areas Ordinance (grading, soil erosion and stability); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be largely (see below) adequate to achieve sufficient mitigation of potential adverse impacts.

Other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g., increased traffic during construction, increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation.

Earth

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 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 Kane Environmental dated January 2006. 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 permits.

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.

Air Quality

Excavation and grading to prepare the site is expected to temporarily add suspended particulate matter to the air. The construction contractor must comply with the Puget Sound Clean Air Agency (PSCAA) regulations, which require that reasonable precautions be taken to avoid dust emissions. These precautions may include applying water or dust-binding chemicals during dry weather. Fugitive dust impacts, however, would be limited in area and duration. Soils and dust carried out of the construction area by exiting trucks would be minimized by wheel washing and by covering dusty truckloads.

Pursuant to SEPA authority under SMC 25.05.675, the project will be conditioned to require compliance with all PSCAA regulations. This will assure proper handling and disposal of asbestos if it is encountered during the demolition of the existing buildings. A copy of any required PSCAA Demolition Permit(s) or equivalent authorization shall be submitted to DPD prior to issuance of the Master Use and Construction permit for this project.

Construction worker vehicles as well as any trucks or equipment, including generators and compressors would emit air pollutants that would contribute slightly to the degradation of local air quality, but the amount of emissions caused by the construction related vehicles and equipment would be insignificant compared to the amount of emissions generated by the existing traffic sources in the project area. No further mitigation pursuant to SEPA Air Quality Policies (SMC 25.05.675A) is warranted.

Noise

Noise associated with the grading and excavation for site and foundation preparation and construction of the buildings could adversely impact the surrounding residential uses. Due to the proximity of these residential uses, the Department finds the limitations of the Noise Ordinance are not adequate to mitigate these potential noise impacts. The SEPA Construction Impact policies, (SMC 25.05.675B) allow the Director to limit the hours of construction to mitigate adverse noise and other construction-related impacts. Therefore, the proposal is conditioned to limit grading and construction activities to non-holiday weekday hours between 7:00 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. Saturdays (except that grading, delivery and pouring of cement, and similar noisy activities shall be prohibited on Saturdays).

The Department recognizes there may be occasions when critical construction activities of an emergency nature, related to safety or traffic issues, or which could substantially shorten the total construction timeframe, may need to be completed after regular construction hours. Therefore, the Department reserves the right to allow weekday construction (on a case by case basis) outside the specified hours noted above. The above condition may also be modified to permit low-noise exterior work such as hand installation of landscaping after approval from DPD. After the structure is enclosed, interior construction may be done in compliance with the Noise Ordinance.

Long - Term Impacts

Long-term, or use-related, impacts anticipated by the proposal include an increase in interior floor space, light impacts, potential increased parking demand, and a potential increase in traffic. These long-term impacts are not considered significant because the impacts are minor in scope. However, the potential light impacts warrant further discussion and review.

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 [43.21C](#)), 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 [43.21C.030\(2\)\(C\)](#).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW [43.21C.030\(2\)\(C\)](#).

CONDITIONS – SEPA

Prior to Issuance of the Master Use Permit

The owner(s) and/or responsible party(s) shall:

1. Submit a copy to DPD Land Use Planner of any required PSCAA Demolition Permit(s) or equivalent authorization(s).

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

2. The hours of construction activity shall be limited to nonholiday weekdays between the hours of 7:00 a.m. and 6:00 p.m. and between the hours of 9:00 a.m. and 6:00 p.m. Saturday (except that grading, delivery and pouring of cement and similar noisy activities shall be prohibited on Saturday). This condition may be modified at DPD's sole discretion to allow low noise interior work after the exterior of the structure is enclosed. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping), again at DPD's sole discretion. Any request for approval of work outside the limited construction hours shall be submitted 5 working days in advance of the date of desired work.

Signature: _____ (signature on file) Date: August 21, 2006

Paul Janos
Land Use Planner