



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: 3005415
Applicant Name: Greg Vornbrock
Address of Proposal: 5405 West Marginal Way SW

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 3,000 square foot single story (with mezzanine) warehouse in an environmentally critical area. Surface parking for five vehicles will be provided on the site.

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

Zoning: Industrial General 2 U/85' (IG2 U/85')
Date of Site Visit: September 12, 2006
Uses on Site: Vacant Lot

Substantive Site Characteristics:

This 29,747 square foot subject site is an irregular-shaped lot that fronts on West Marginal Way SW to the northeast and east. The site is adjacent to a 30-foot wide undeveloped right-of-way to the east (Detroit Avenue SW). The site is located within an area zoned Industrial General 2 with a height limit of 85 feet (IG2 U/85') which continues to the north. The site is mostly flat, with steep slopes at the western boundary. The site is located within a mapped critical area due to steep slopes, potential and known landslides, and possible liquefaction.

The site is currently a vacant lot, with several street trees located along the ROW to the east and trees and shrubs on the western boundary. There is no existing sidewalk adjacent to the subject site, which is located on the west side of West Marginal Way SW.

Surrounding Area:

There is a mix of industrial and commercial uses in this area, with a freight terminal located to the south of this project. The area to the west is zoned Residential, single-family 7200 (SF7200).

Proposal Description:

The applicant proposes to construct a 3,000 square foot single story with a 1,000 square foot mezzanine to be used for shop/warehouse and office space. Vehicular access will be provided from West Marginal Way SW

Public Comment:

The comment period for this proposal ended on August 9, 2006. During this period, no written comment letters related to this project were received.

ANALYSIS - SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the 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 dated July 13, 2006. In addition, a geotechnical report dated January 25, 2006 was also provided. The information in the checklist, geotechnical report, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

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 or circumstances (SMC 25.05.665 D 1-7), mitigation can be considered.

Short-Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from demolition/building activities and hydrocarbon emissions from demolition/construction vehicles and equipment; increased traffic and demand for parking from demolition/construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project, such as: the Noise Ordinance, the Critical Areas Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The geotechnical report recommends that during construction: “the site must be graded such that surface water is directed away from the proposed structure and areas to receive structural fill.” Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation, and further mitigation by imposing specific conditions is not necessary for these impacts.

Long-Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal. These impacts include increased surface water runoff from greater site coverage by impervious surfaces, possible increased light and glare, some increase in traffic, and loss of vegetation. These long-term impacts are not considered significant because they are minor in scope.

The long-term impacts are those associated with warehouse use and will be mitigated by the City’s adopted codes and/or ordinances. Specifically these include: the Stormwater, Grading, and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); the Land Use Code (vehicle access to parking); and the Seattle Energy Code (long-term energy consumption). Earth-related impacts may result in the long-term and are mitigated by the Critical Areas Ordinance.

Earth

A geotechnical report for the subject property dated January 25, 2006 was submitted with this land use application. The report cites two landslide events that occurred on this site in 1925 and 1934, but noted about the current development proposal: “the risk of damage to the proposed warehouse or to adjacent properties from soil instability will be minimal.” The report concludes that: “development of the site with the proposed warehouse is feasible from a geotechnical engineering standpoint.”

Plants and Animals

There are maple, cedar, alder, and holly trees on the slope in the western portion of the lot, with miscellaneous ground cover. The applicant indicated that there are no known endangered plant species on the site. The vegetation located on the slope will be retained. The applicant has indicated that no birds or animals have been observed on or near the site or are known to be on or near the site. During the staff site visit, no birds or animals were observed; however, it is assumed that songbirds occasionally visit the site or nearby sites.

Traffic and Parking

The applicant proposes to provide five surface parking stalls to accommodate employees and others. Access to the site will be from West Marginal Way SW, which is an arterial. The additional trips per day for the proposed warehouse that will be generated will not be a significant increase to the total number of vehicle trips along West Marginal Way SW. For these reasons, no mitigation of parking or traffic impacts is warranted.

Summary

In conclusion, there are a few adverse effects on the environment that are anticipated as a direct impact of the proposed construction. However, specific impacts identified in the foregoing analysis have been mitigated by existing codes and ordinances, per adopted City policies. Therefore, no additional SEPA conditions have been imposed on the proposed project.

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.

Signature: _____ (signature on file) Date: November 27, 2006
Janet Hyde-Wright, Land Use Planner
Department of Planning and Development