



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: 3006376
Applicant Name: Roderick Boyd for King County
Address of Proposal: 201 South King Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a buried underground air quality odor control vault, above grade electrical facility with a screening wall, and a 30 foot tall exhaust stack. The project includes 4,300 cubic yards of grading and a buried air duct along South King Street. A determination of non-significance was prepared by King County Wastewater Treatment Division.

The following approvals are required:

SEPA - Environmental Determination - Chapter 25.05 SMC.

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

BACKGROUND DATA

Site Description

This site is flat and is located in a Pioneer Square Mixed 85'/120' (PSM 85'/120') zone in the Pioneer Square Historic District. The air duct for the odor control facility will run east from the intersection of South King Street and Second Avenue South to the odor control equipment structure. This structure will be located immediately south of the Burlington Northern Santa Fe Railroad's King Street Station.

Area Development

Development in the Pioneer Square Historic District consists of older brick mixed use buildings with ground floor retail, restaurant, and upper level residential and commercial uses. Other development in the vicinity consists of the King Street train station and railroad tracks, Qwest Football Field, the King County office building, and the Union Station redevelopment.

Proposal Description

The King County Wastewater Treatment Division (WTD) proposes to construct a facility to minimize odors from and corrosion in a section of King County's Elliott Bay Interceptor Sewer (EBI) and connected sewers in the City of Seattle. This section of the EBI runs north on Occidental Avenue South from South Atlantic Street to South King Street, then east on South King Street to Second Avenue South. Connected sewers include King County's Connecticut and King Street Trunks and several City of Seattle Sewers. Odors escape from these pipes through connected manholes and stormwater catch basins. The odor control facility will consist of air duct and odor control equipment. The air duct will connect to the EBI at the intersection of Second and King and convey air from the EBI to the odor control equipment. This equipment will be housed in an underground structure located near the King Street railroad station. The odor control equipment will pull air from the EBI and connected sewers via the duct, remove the odors from this air and discharge the air to the atmosphere. Equipment in the underground structure will include a mist and grease eliminator, a fan to draw air from the EBI and push it through the odor control facility, a carbon bed scrubber to remove odorous substances from the air, a silencer and a stack for discharging treated air to the atmosphere. Associated electrical and mechanical equipment will also be installed in the underground structure, and the major electrical panels will be in a separate above ground enclosure located on the project site.

Public Comment

Two comment letters were received during the comment period which ended March 21, 2007. The letter from the Washington State Department of Transportation (WSDOT) expressed support for the project and is working with King County to restore the Station Master's Garden site. The Seattle Department of Transportation's (SDOT's) letter expressed support for the project and the following comment:

“Removal of groundwater during construction: we are concerned about the settlement of the King Street Station building and especially the main Waiting Room as a result of this proposed project. When King County constructed the King Street Center in the late 1990s, there was substantial settling of the building as a result of the dewatering process. We ask that King County monitor the dewatering process to prevent any further damage to the station, and would expect mitigation if such damages occur.”

ANALYSIS-SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated September 14, 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, 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 such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

Short-Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers’ vehicles. Existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code, would mitigate several construction-related impacts. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) would be adequately controlled with a street use permit through the Engineering Department, and no further SEPA conditioning would be needed.

Construction of the project is proposed to last for several months. Parking utilization along streets in the vicinity is moderate and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. This temporary demand on the on-street parking in the vicinity due to construction workers’ vehicles may be adverse. In addition, approximately 50 parking spaces will be temporarily displaced during construction in part of the Qwest Field parking lot and the spaces used by Amtrak workers and customers. In order to minimize adverse impacts, King County will identify parking spaces for temporarily displaced Amtrak workers and customers for the duration of construction. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA Ordinance.

The proposal site is located adjacent to a residential area in Pioneer Square where the proposed pile driving would impact the noise levels. The SEPA Noise Policy (Section 25.05.675B SMC) lists mitigation measures for construction noise impacts. It is the department’s conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance is necessary to mitigate impacts that would result from the proposal on surrounding properties, because existing City ordinances do not adequately mitigate such impacts. This is due to the density of residential units in the area and the proximity of these structures to the proposal site. Therefore, the project will be conditioned to limit pile driving activity for the augercast piles and temporary sheet piles for shoring to non-holiday weekday hours between 7:00 A.M. and 6:00 P.M. and Saturdays from 9:00 A.M. to 6:00 P.M. After the structure is enclosed, interior construction may be done in compliance with the noise ordinance. The department may modify this condition to allow work of an emergency nature or which cannot otherwise be accomplished during these hours by prior written approval of the Land Use Planner.

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 which warrant additional mitigation, per the SEPA Overview Policy.

Long-Term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of an odor control facility and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (stormwater runoff from additional site coverage by impervious surfaces); Land Use Code (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption). Additional land use impacts which may result in the long-term are discussed below.

Drainage

Rain water on roofs and on the driveways will be the major source of water runoff on the site. The rain water on the roofs will be collected in gutters and connected to the storm drainage system. No drainage will be directed to the adjoining streets. Verification of an appropriate stormwater control system and its proposed location of connection to the public system will be required to be shown on the construction plans. No additional mitigation measures will be required pursuant to SEPA.

Earth

The site is located in an environmentally critical area due to liquefaction. A geotechnical engineering report was prepared to support the design and construction of the project. The report concluded that due to the presence of the deep loose and soft soils encountered at the site, it is recommended that the odor control structure be supported on a deep foundation system consisting of augercast piles. It is anticipated that temporary excavation shoring (sheet piles) and dewatering will be required to facilitate construction. Temporary shoring and dewatering will also be needed for the proposed 30 inch diameter FRP DUCT.

The DPD geotechnical engineer reviewed the geotechnical engineering report and recommended a number of conditions. Compliance with these conditions and the requirements of the ECA Ordinance will be required prior to issuance of the building permit. Therefore, no mitigation of earth or drainage impacts will be required pursuant to Section 25.05.675 of the Seattle SEPA Ordinance.

Height, Bulk, and Scale

Section 25.05.675H1 and 2 of the Seattle SEPA Ordinance provides the following: “Historic buildings, special historic districts, and sites of archaeological significance are found within Seattle. The preservation of these buildings, districts and sites is important to the retention of a living sense and appreciation of the past. Historic sites, structures, districts and archaeological sites may be directly or indirectly threatened by development or redevelopment project. Special districts have been established to protect certain areas which are unique in their historical and cultural significance, including for example Pike Place Market, Pioneer Square and the International District. These areas are subject to development controls and project review by special district review boards. It is the City’s policy to maintain and preserve significant historic sites and structures and to provide the opportunity for analysis of archaeological sites. For projects involving structures or sites which have been designated as historic landmarks, compliance within the Landmarks Preservation Ordinance shall constitute compliance with the policy set forth in subsection H2a above.” Any sensitive height, bulk or scale impact issues will be addressed during the Pioneer Square Historic District Board review process in the design of this project as determined by the Board’s review and unanimous approval. Therefore, no additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

Traffic and Transportation

During the short-term, construction will generate a total of about 3,500 one-way vehicle trips over the expected one-year duration of construction. These trips will generally be distributed throughout daytime working hours. Proposed mitigation of short-term construction impacts includes the following.

- Use flaggers to direct traffic and maintain at least one traffic lane open.
- Require construction vehicles to follow major arterial routes,
- Route traffic away from King Street through Qwest Field parking lot or south to Royal Brougham Way.
- Use signs and fences or other means to direct departing/arriving Sounder/Amtrak passengers away from the site.
- Schedule disruptive activities during periods of low traffic volume (nights and weekends).
- Identify parking for displaced Amtrak worker vehicles.
- Seek alternatives for temporarily displaced Amtrak customer parking.
- Schedule construction truck traffic to avoid peak commuter hours and major events at Qwest or Safeco Fields and train arrivals/departures,

The odor control facility will generate about one vehicular trip to the facility per week to maintain the facility over the long-term. The site has ready vehicle access to two arterials, (South Jackson Street, Airport Way South, and Alaskan Way South) and to the onramp to Interstate 90. The volume of traffic along streets in the vicinity of the proposed construction is moderate, and nearby intersections operates at acceptable levels. The amount of traffic expected to be generated by the proposed project is within the capacity of the streets in the immediate area. Therefore, no SEPA mitigation of traffic impacts is warranted.

Parking

Amtrak workers currently use the odor control equipment site, which is owned by King County, for parking up to 20 personal vehicles. The proposed project will permanently displace this use. In addition, about 30 parking spaces in the part of the Qwest Field parking lot closest to the site and about 20 Amtrak customer parking spaces near the site will be temporarily displaced by construction activities during project construction. On-street parking on segments of South King Street and 2nd Avenue South could also be displaced for short periods of time during duct construction. Two parking spaces will be provided onsite. Parking utilization in the vicinity is at capacity during the daytime hours an onstreet parking is generally difficult to find. However, the parking policy in Section 25.05.675M of the Seattle SEPA Ordinance states that no SEPA authority is provided to mitigate the impact of development on parking availability in the downtown zones. Therefore, no mitigation of parking impacts pursuant to SEPA will be required.

SUMMARY

In conclusion, several adverse effects on the environment are anticipated resulting from the proposals which are nonsignificant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the 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 43.21C.030(2)(C).

- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment with respect to transportation, circulation, and parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030(2)(C).

SEPA CONDITIONS

During Construction

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

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 weatherproofing material and shall remain in place for the duration of construction.

1. In order to further mitigate the noise impacts during construction, the owner(s) and/or responsible party(s) shall limit the hours of pile driving for the augercast piles and the temporary sheet piles for shoring to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. and on Saturdays from 9:00 a.m. to 6:00 p.m. This condition may be modified by the Department to permit work of an emergency nature or to allow low noise exterior work after approval from the Land Use Planner. Enclosed underground work may proceed at any time in compliance with the Noise Ordinance.

Signature: _____ (signature on file)
Malli Anderson, Land Use Planner
Department of Planning and Development

Date: March 26, 2007