



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: 3007452
Applicant Name: Derek Kohlhase
Address of Proposal: 1943 4th Ave. S.

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a two-story building containing 13,121 square feet of Retail Sales and Service and Accessory Administrative Office. Surface parking for eight (8) vehicles is to be provided. Demolition of existing 9,040 sq. ft. structure is under separate permit. Project includes 1,100 cu. yds. 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

Site and Vicinity Description

The proposal site is located in a General Industrial (IG1-U/85) zone and is a through lot between 3rd Av. S. and 4th Avenue S. It is between S. Walker Street to the north and S. Holgate Street to the south in the South Seattle neighborhood. The site is 17,120 sq. ft. in lot area and is a rectangular shape, with 114.01 feet of street frontage along both 3rd Av. S. and 4th Av. S. 3rd Avenue S. is open to traffic, however, not improved to standards. 4th Avenue S. is fully improved with sidewalks, curbs and gutters. The topography of the site is flat and is also mapped as liquefaction-prone Environmentally Critical Areas (ECAs). Zoning adjacent to the

site and the surrounding area is the same as the subject property, IG1/U85. These industrial zones are fully developed with large commercial buildings.

Proposal

The applicant proposes a two-story building containing 13,121 square feet of retail sales and service and accessory administrative office. Surface parking for 8 vehicles is to be provided. The project includes 1,100 cubic yards of grading. The existing 9,040 square foot structure is to be removed under a separate permit.

Public Comment

No written comment letters were received during the public comment period which ended on January 2nd, 2008.

ANALYSIS - SEPA

The applicant has filed a SEPA Checklist dated September 20th, 2007 and a geotechnical report prepared by Cornerstone Geotechnical, Inc. dated June 7th, 2007. The information in the checklist, the geotechnical analysis, supplemental information in the project file, 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 or circumstances (SMC 25.05.665D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

The Street Use Ordinance requires debris to be removed from the street right of way, and regulates obstruction of the pedestrian 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 and life safety issues. 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 and no further conditioning pursuant to SEPA policies is warranted.

Due to the fact that 1,100 cubic yards of grading will be undertaken during construction, additional analysis of earth and grading impacts is warranted.

Short-term Impacts

Construction and Noise Impacts

Construction activities including construction worker comments, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other green house gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

The following temporary or construction-related impacts are expected: 1) temporary soil erosion; 2) decreased air quality due to increased dust and other suspended air particulates during excavation and construction; 3) increased noise and vibration from construction operations and equipment; 4) increased traffic and parking demand from construction personnel; 5) blockage of streets by construction vehicles/activities; 6) conflict with normal pedestrian movement adjacent to the site; and 7) consumption of renewable and non-renewable resources. These impacts are not considered significant because they are temporary and/or minor in scope (Section 25.05.794, SMC). Although not significant, the impacts are adverse and certain mitigation measures are appropriate as specified below.

Several adopted codes and/or ordinances provide mitigation for temporary soil erosion. 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 applicant estimates approximately 1100 cubic yards of grading. The ECA ordinance and DR 3-93 and 3-94 regulate development and construction techniques in designated ECA's 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.

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically, these are: 1) Street Use Ordinance (watering streets to suppress dust, obstruction of the pedestrian right-of-way during construction, construction along the street right-of-way); 2) Building Code (construction measures in general); and 3) Stormwater, Drainage and Grading Code (temporary soil erosion). 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.

Earth

In compliance with Director's Rule 3-93, "Requirements for Permitting Construction in Environmentally Critical Areas, Liquefaction Area," the applicant submitted the above-identified geotechnical report. Construction in compliance with the geotechnical consultant's conclusions and recommendations will adequately mitigate expected earth impacts. Such compliance will be required in association with building permit review. No further mitigation in this regard pursuant to SEPA is warranted.

Traffic

Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near several major arterials and traffic impacts resulting from the truck traffic associated with the hauling of debris will be of short duration and mitigated by enforcement of SMC 11.62.

