



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: 3007585
Applicant Name: Mike Adams of TGB Architects
Address of Proposal: 4400 42nd Avenue SW

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 35 ft. tall, 7,262 sq. ft. multi-purpose facility accessory to existing religious facility (West Seattle Christian Church) in an environmentally critical area. Parking for 21 vehicles will be provided on site and 60 spaces off-site at 4401 41st Ave SW and 4401 42nd Ave SW.

The following approval is 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 and area description

The 23,000 square-foot site is located in a NC 2-40 zone on the southwest corner of SW Genesee Street and 42nd Avenue West in West Seattle. The site of the church, built in 1926, is 23,000 square feet. The church owns the parcel to the west, developed for a school in 1980, and it is 31,625 square feet. A steep slope extends along the parcels' shared property line (and the platted but not used alleyway). The site is a designated Environmentally Critical Area (ECA) due to the presence of steep slope areas on the western portion of the site.

This area of West Seattle is zoned for more dense development than what currently exists. The least dense is for multi-family (L-1) which is due north and includes Holy Rosary Church and School and Seattle Lutheran High School. An L-2 zone, which includes the church's pre-school and accessory parking, is due west. The remaining zones are Neighborhood Commercial increasing in height as they approach the major arterial SW Alaska Street to the south.

Proposal Description

The applicant proposes to construct a 7,262 square foot addition to the existing church and it will be located on the south portion of the site thus removing existing parking spaces. The proposed main entrance off 42nd Avenue SW is of a lower elevation than the multi-purpose room, which is located towards the west edge of the parcel and the ECA Steep Slope. The western exit from the multi-purpose room leads to the existing pathway traversing the steep slope to the adjacent site containing the pre-school and accessory parking.

Building Permit #6068236 vests this application to the previous ECA Ordinance requirements. On September 14, 2007 DPD Geo-Tech William Bou determined the environmental concerns will be addressed in the building permit. Additionally, the applicant's Geo-Tech Report is accepted and the Steep Slope Waiver Granted.

A site visit was completed on September 24th, 2007.

Public Comments

The public notice was issued on August 30, 2007 and ended on September 13, 2007. No public comments were received.

ANALYSIS - SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle 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 August 9, 2007. The information in the checklist, supplemental information provided by the applicant (soils 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/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 in the identified critical area are expected: temporary soil erosion and decreased air quality due to increased dust and other suspended air particulates during demolition and construction. 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 33-2006 and 3-2007 regulate development and construction techniques in designated ECA areas with identified geologic hazards. The Building Code provides for construction measures and life safety issues. The other impacts not noted here as mitigated by codes or conditions (e.g., increased traffic and parking demand from construction personnel) are not sufficiently adverse to warrant further mitigation by conditioning. These impacts are not considered significant; however some of the impacts warrant further discussion and review.

Noise

Most of the earth moving activity will involve loud equipment and activities. This construction activity will have an adverse impact on nearby residences. Because of the proximity of nearby residences, the Department finds that the limitation of the Noise Ordinance is inadequate to appropriately mitigate the adverse noise impacts associated with the proposal. The SEPA Construction Impact policies, (SMC 25.05) 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.

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 from 6:00 a.m. to 8:00 p.m., and Saturday construction from 9:00 a.m. to 6:00 p.m. Extended weekday hours or Saturday work must be approved by the Department on an emergency, case-by-case basis prior to such work.

It is also recognized that there are quiet non-construction activities that can be done at any time such as, but not limited to, site security, surveillance, monitoring for weather protection, checking tarps, surveying, and walking on and around the site and structure. These types of activities are not considered construction and will not be limited by the conditions imposed on this Master Use Permit. In addition, after the buildings are fully enclosed, on a floor-by-floor basis, interior work may be done at any time in compliance with the Noise Ordinance with no pre-approval from the Department required.

Earth/Soils

The ECA Ordinance and Directors Rule (DR) 33-2006 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 applicant has submitted “Geotechnical Engineering Report”, West Seattle Christian Church Addition, 4400-42nd Avenue Southwest, Seattle, Washington (E-11383). This report has been reviewed by geotechnical engineers in DPD. This application is vested to the previous ECA ordinance through its building permit #6068236.

The construction plans, including shoring of excavations as needed and erosion control techniques are receiving separate review by DPD. Any additional information showing conformance with applicable ordinances and codes (ECA ordinance, The Stormwater, Grading and Drainage Control Code, DR 33-2006 and 3-2007) will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are utilized; 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.

Height, Bulk and Scale Impacts

The proposal is for a 35’ tall building within the NC-2/40 zone. The building is 5 feet lower than the permitted forty feet. Additionally, the main entrance’s roof line, off 42nd Avenue, at 25 feet is lower than the stepped back roof line of 35’ towards the west property line. The entrance is pedestrian friendly with its lower height.

Light and Glare

The proposal will decrease the amount of natural light for the Pre-School located due east on the adjacent church site. However, the existing steep slope decreases the natural light spillage from the western setting sun.

Parking

The applicant provided the “West Seattle Christian Church Expansion (7,373 SF), GTC#07-154 Seattle Traffic Analysis” of May 29, 2007. Proposed parking will be sufficient to handle the expansion of the Church site.

Overview of City Code Impacts

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. 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.

- [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 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

During Construction:

The following condition(s) to be enforced during construction shall be posted at the site in a location visible and accessible to the public and to construction personnel from the street right-of-way. Since two streets abut the site, conditions shall be posted at each street.

1. The conditions shall be printed legibly on placards available from DPD, shall be laminated with clear plastic or other weatherproofing material, and shall remain in place for the duration of the construction.
2. The applicant shall limit excavation, foundation and external construction work for this project to non-holiday weekdays between 7:00 a.m. and 6:00 p.m.
 - a. The Department reserves the right to allow weekday construction from 6:00 p.m. to 8:00 p.m., and Saturday construction from 9:00 a.m. to 6:00 p.m.
 - b. Extended weekday hours and/or Saturday work must be approved by the Planner (Carreen N. Rubenkonig 206-684-5821) on a case-by-case basis prior to such work if required for critical construction activities of an emergency nature.

Signature: _____ (signature on file) Date: October 25, 2007
Carreen N. Rubenkonig, Land Use Planner
Department of Planning and Development

CNR:bg