



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: 3007624
Applicant Name: Tom Eanes, Hewitt Architects
Address of Proposal: 1616 W Bertona

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a three story building containing 8,500 sf of light manufacturing, 10,000 sf of retail, 7,500 sf of restaurant, 27,000 sf of office and 41,000 sf of research and development laboratory space. Parking for 183 vehicles to be provided within the structure.

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 Location and Description

The subject site is a 51,000 square foot lot zoned General Industrial 2 with a height limit of 45 feet (IG2 U/45). The site is located north of West Bertona Street, between Thorndyke Avenue West and 16th Avenue West, in Seattle’s Interbay neighborhood. The lot is currently vacant. West of the site are the Burlington Northern Railroad tracks and right-of-way.



The property has been cleared and graded and is essentially flat, though there is a drop of about 5 feet along the west and north property lines.

Zoning

The surrounding zoning is the same as the site, IG2 U/45. The zoning changes to a less intensive zone, C2-40, diagonally to the southeast. Surrounding development reflects area zoning and consists of warehouse, light manufacturing, and commercial uses.

The site is entirely within an ECA Liquefaction area; however, the general development standards that apply to development on parcels containing environmentally critical areas do not apply to liquefaction prone areas (SMC 25.09.100).

Proposal Description

The proposal is to develop a three story mixed-use building containing light manufacturing, retail, restaurant, office and research and development laboratory space. Parking for 183 vehicles to be provided underground and within the structure. Loading spaces will be located along the private drive to be constructed on the north edge of the parcel. Frontal improvements will be constructed along all three adjacent streets.

Public Comment

No comments were received during the comment period, which ended on December 19, 2007.

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 (SMC Chapter 25.05).

Disclosure of the potential impacts from this project was made in the following documents: the Environmental Checklist dated October 22, 2007, a traffic and parking analysis prepared by Heffron Transportation and the geotechnical report prepared by Adapt Engineering. The information in the SEPA checklist, the supplemental information described above, 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, and 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 25.05.665 D) 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.

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; increased noise and vibration from construction operations and equipment; and increased traffic and parking demand from construction personnel. These impacts are not considered significant because they are temporary and/or minor in scope.

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 Director's Rule 33-2006, *General Duties and Responsibilities of Geotechnical Engineers*, regulate development and construction techniques in designated ECA areas 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 and no further conditioning pursuant to SEPA policies is warranted.

Long Term Impacts

Long-term or use-related impacts anticipated by the proposal would primarily consist of increased potential for structure damage under liquefaction conditions; surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand for public services and utilities; increased traffic in the area and increased demand for parking. 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. The City Energy Code will require insulation for outside walls and energy efficient windows. The Land Use Code controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts, however some of these impacts warrant further discussion and review.

Earth/Soils

The ECA Ordinance and Director's Rule 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 a geotechnical memo prepared by Adapt Engineering, Inc. 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, Director's Rule 33-2006) 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.

Traffic

The proposed uses would be light manufacturing, retail, restaurant, office and research and development laboratory space. The applicant has stated that the proposed uses would employ between 200 and 300 people. The total commute trips to and from work, employee trips to and from the site during the day, and deliveries would total approximately 1,490 vehicle trips per day.

The project is expected to have a substantial impact on the southbound left-turn movement at the intersection of W Dravus Street/ 17th Avenue W. There are two alternative routes that a motorist could take to exit the site vicinity if delays and queues for the southbound left turn from 17th Avenue W to W Dravus Street become excessive: 16th Avenue W to W Dravus Street or W Bertona Street to the 15th Avenue W southbound off-ramp. Both of these are also unsignalized intersections. The route on 16th Avenue W would also be expected to operate at LOS F. However, the escape from W Bertona Street to 15th Avenue W is a right-turn movement, which is projected to operate at LOS B even with the addition of project traffic. The effect that this traffic would have on the interchange at W Dravus Street/15th Avenue W would be nearly identical regardless of the route taken (a difference in intersection delay of 0.1 seconds per vehicle depending on the route.)

Prior analyses of the area recommended that a physical barrier, such as a c-curb, be installed between the 15th Avenue W mainline and the 15th Avenue W off-ramp to prevent a direct right turn from W Bertona Street to the mainline. The proposal is conditioned that, if approved by SDOT, the applicant install or pay the cost to install a c-curb or other barrier element between the southbound ramp and mainline on 15th Avenue W at W Bertona Street.

The project is expected to noticeably increase delay at the W Dravus Street/15th Avenue W interchange, particularly at the northbound ramp. The proposed mitigation for this impact would require approval by the Seattle Department of Transportation (SDOT). As part of the *Transportation Analysis for the Interbay Overlay Area Plan* (Heffron Transportation, Inc., July 31, 2007), Heffron Transportation staff met with SDOT to discuss transportation improvements in the area. SDOT confirmed that the signals could be shifted from all-flash mode to standard signal operation during peak hours with signal rebuild and detection enhancements. SDOT estimated that it would cost \$300,000 for this signal enhancement project (e-mail from Wayne Wentz, City of Seattle Traffic Engineer to Marni Heffron, July 20, 2007.)

The extent of the signal enhancements was related to build out of the entire Dravus Street area between 15th Avenue W and the railroad tracks. The *Transportation Analysis for the Interbay Overlay Area* estimated that new development in just that area would generate 682 PM peak hour trips through the 15th Avenue/Dravus Street interchange by the year 2030. The Nitty Gritty project would generate 87 PM peak hour trips through the interchange. Therefore, the Nitty Gritty project's share of the signal costs would be 12.7%. Multiplied by the total request of \$300,000, this would amount to \$38,100. It is conditioned that the proposed project contributes \$38,100 to SDOT for signal upgrades to the W Dravus Street/17th Avenue W intersection.

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 43.21.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 significant adverse impacts 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 Building Permit

1. If approved by SDOT, install or pay for installation of a C-curb or other barrier between the 15th Avenue W southbound off-ramp at W Dravus Street and the 15th Avenue W mainline. The barrier shall be designed to prevent eastbound traffic on W Bertona Street from turning onto the 15th Avenue W mainline.
2. Payment of \$38,100 to SDOT for proportional project share of signal upgrades to the W Dravus Street/15th Avenue W interchange.

Signature: _____ (signature on file) Date: January 17, 2008
Nora Gierloff, Land Use Planner
Department of Planning and Development

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