



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3008171
Application Name: Seattle Fleets and Facilities for Seattle Fire Department
Address of Proposal: 4004 NE 55th Street (Fire Station 38)

SUMMARY OF PROPOSED ACTION

Land Use Application to allow an 8,700 sq. ft., two-story public facility (Seattle Fire Department, Fire Station #38). Existing structures to be demolished.¹

The following approval is required:

SEPA – Environmental Determination - Chapter 25.05 Seattle Municipal Code.

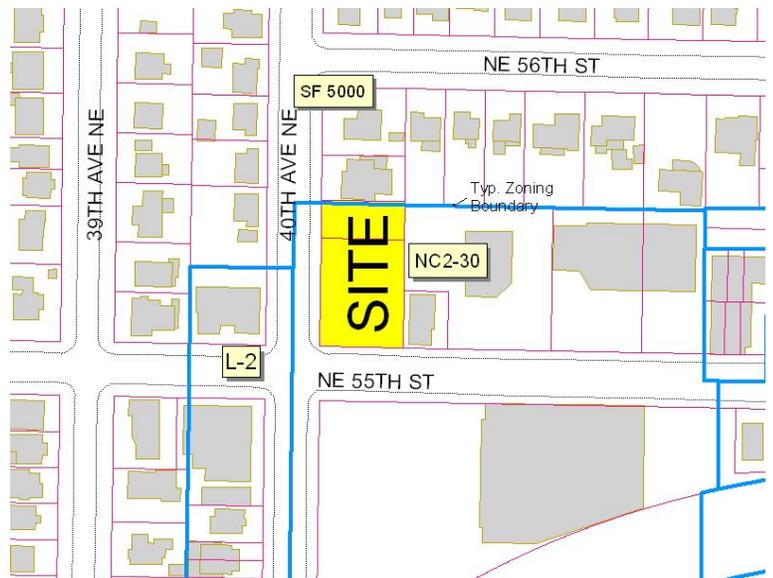
SEPA DETERMINATION: [] Exempt [] DNS [] EIS
[X] DNS with conditions
[] DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

¹To facilitate the remediation of soils at the site, the existing structures were demolished prior to this determination under project no.6196215.

BACKGROUND DATA

Site and Vicinity Description

The site is located at the northeast corner of NE 55th Street and 40th Avenue NE in the Hawthorne Hills neighborhood. The site has an area of 14,992 square feet and consists of two parcels. The corner parcel was used as a gas station, but is now being remediated for contaminated soils. The site consists of a 1-story building and surface parking with canopy cover. The other parcel north of the gas station parcel consists of a 1 story commercial building with surface parking at



the street frontage. These structures were recently demolished or soon to be demolished.

The site is within a small commercial node zoned Neighborhood Commercial 2 with a 30 foot height limit (NC230). A small portion of the site is zoned single family 5000 in that the zone boundary does not align with the north property line of the north parcel. Surrounding property to the north is zoned single family 5000 and developed with single family homes; property to the west, across 40th Avenue is zoned SF5000 on the north portion of the site and Lowrise 2 on the south portion of the site. The property across 40th Avenue is developed with single family homes and an apartment building at the corner of 40th and 55th. Surrounding property to the west is zoned NC230 and developed with a restaurant and veterinary clinic. Surrounding property to the south is zoned NC230 and developed with a grocery store (Metropolitan Market).

The topography of the site is generally flat and there is little or no vegetation on the site.

Both streets are designated as arterial streets, and are improved with roadway, curb, gutter and sidewalk.

Proposal Description

The proposal is to build a new 8,700 square foot fire station. The new structure will include, two apparatus bays housing an engine and a reserve; living quarters for 6 firefighters; and surface parking for 6 staff vehicles. The first floor of the building will include apparatus bays, storage areas, living quarters, offices and public lobby. The second floor includes the kitchen, day room, deck and physical training room. Emergency vehicle access will be provided from NE 55th Street and staff parking access will be provided from 40th Avenue. The design includes a 10 foot wide landscape area along 40th Avenue that will include a rain garden element. A 5 foot wide landscape area will be provided along the north property line. The public entry/lobby will be located at the southwest corner of the building addressing the intersecting streets.

Seattle Design Commission

This proposal is subject to review by the Seattle Design Commission (SDC) because it is a City Facility. The Commission's role is to advise the project proponents in an effort to foster well-designed civic projects. The SDC reviewed the design on November 15, 2007, June 21, 2007 and March 6, 2008. The SDC supported the overall development proposal and program. For complete SDC actions and comments, the approved minutes from the meetings are available on the City of Seattle website located at http://www.seattle.gov/dpd/Planning/Design_Commission/overview/

Public Comments

A public comment period was provided with the application which ended on April 9, 2008. DPD received two written comments concerning the siting of the station within a residential neighborhood. One comment asked for information about the cost of site acquisition, site cleanup and preparation; wants an advisory committee formed to evaluate the station design; and wants a community space within the station. Another comment raised concerns about the quantity of parking and the sound from sirens late at night and in the early morning.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklists submitted by the applicant dated March 3, 2008 and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, 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 23.05.665) discusses the relationship between the City's code/policies and environmental review. 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 limitation". The Overview Policy in SMC 23.05.665 D1-7, states that in limited circumstances it may be appropriate to deny or mitigate a project based on adverse environmental impacts.

The policies for specific elements of the environment (SMC 25.05.675) describe the relationship with the Overview Policy and indicate when the Overview Policy is applicable. Not all elements of the environment are subject to the Overview Policy (e.g., Traffic and Transportation, Plants and Animals and Shadows on Open Spaces). A detailed discussion of some of the specific elements of the environment and potential impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition, grading and clearing and hydrocarbon emissions from construction vehicles and equipment; temporary soil erosion; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; increased noise; increases in carbon dioxide and other greenhouse gas emissions and consumption of renewable and non-renewable resources.

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. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, some impacts warrant further discussion.

Air

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos or other hazardous substances during demolition. Demolition is expected to occur under a separate permit.

Greenhouse gas emissions associated with development come from multiple sources; the extraction, processing, transportation, construction and disposal of materials and landscape disturbance (Embodied Emissions); energy demands created by the development after it is completed (Energy Emissions); and transportation demands created by the development after it is completed (Transportation Emissions). Short term impacts generated from the embodied emissions results in increases in carbon dioxide and other green house gases thereby impacting air quality and contributing to climate change and global warming. While these impacts may be adverse they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this specific project. Energy and transportation emissions are considered use-related impacts and are discussed later in this document.

No SEPA conditioning is necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675A.

Noise

The project is expected to generate loud noise during grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends. The surrounding properties are developed with housing and will be impacted by construction noise. The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. Additionally DPD will evaluate other requests on a case by case basis to allow for emergencies, safety, or street-use related situations that warrant work outside of the construction hours.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased height, bulk and scale on the site; increase noise; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; increases in carbon dioxide and other greenhouse gas emissions; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code which requires on site detention of Stormwater with provisions for controlled tight line release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which 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 long term impacts, although some impacts warrant further discussion.

Noise

The project is expected to generate operational noise from fire alarms, radios, emergency generator and sirens. Emergency response vehicles (fire engines, ladder trucks and aid vehicles) will use sirens when leaving the site. Alert systems called, “klaxon bells” are also commonly used at fire stations to alert personnel that are outside of the building performing duties. The site is close to residential uses and these operational noises will likely be heard and could be especially adverse in the early morning and in the evening. The Seattle Noise Control Ordinance exempts sounds created by fire alarms and emergency vehicles, and are an essential function of a fire station. The fire department has indicated that the klaxon bells will be turned off between the hours of 10 PM and 7 AM. The emergency generator will be routinely operated for testing and drills, and will be equipped with a sound-muffling steel enclosure which will reduce some sound generation. All these noises will be intermittent and of short duration, and are unavoidable; therefore, SEPA mitigation is not appropriate.

Environmental Health

Remedial efforts have been performed and continue at the site to address the contaminated soil and groundwater. These efforts are being conducted to satisfy the Department of Ecology (DOE) which is the agency that regulates the removal of hazardous substances through the Model Toxics Control Act cleanup regulations. The city is participating in the Voluntary Cleanup Program administered by DOE. A letter dated May 19, 2008 prepared by Shannon and Wilson, Inc. summarizes the remediation efforts performed to date and remediation to be performed in the next 2 to 4 years.

To date the remediation at the site has consisted of “dual-phase extraction of floating free-phase product and contaminated groundwater”. The system has operated almost continuously from October 2007 to February 2008. In general this means pumps were used to filter out contamination from groundwater.

Three remedial tasks remain to be performed, on-site unsaturated soil remediation, a sewer line vapor intrusion investigation and remediation (if required), and on and off site groundwater remediation. Monitoring of the site will be performed by Shannon and Wilson and overseen by city of Seattle Fleets and Facilities. The remedial tasks proposed will hopefully result in a “no further action” opinion from DOE which means no further action is necessary to clean up the site.

Federal and state law directly addresses the adverse impacts from hazardous substances through the Model Toxics Control Act and other regulations; therefore, no SEPA mitigation is necessary.

Other Impacts

Emissions from the generation of greenhouse gases due to the increased energy and transportation demands may be adverse but are not expected to be significant due to the relatively minor contribution of emissions from this specific project.

The other impacts such as but not limited to, increased height, bulk and scale, increased traffic in the area and increased demand for parking; increased demand for public services and utilities and increased light and glare; are mitigated by codes and/or are not sufficiently adverse to warrant further mitigation by condition.

CONDITIONS - SEPA

During Construction

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 waterproofing material and shall remain posted on-site for the duration of the construction.

1. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays¹ from 7am to 6pm. Interior work using equipment within a completely enclosed structure, such as but not limited to compressors, portable-powered and pneumatic powered equipment may be allowed on Saturdays between 9am and 6pm, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request

¹ New Year's Day, Martin Luther King Junior's Birthday, President's Day, Memorial Day, July 4, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day.

Signature: _____ (signature on file) Date: January 08, 2009
Jess Harris, AICP, Senior Land Use Planner
Department of Planning and Development

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