



# City of Seattle

Mike McGinn, Mayor

## Department of Planning & Development

Diane M. Sugimura, Director

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

**Application Number:** 3009744  
**Address of Proposal:** 201 Alaskan Way S  
**Applicant:** Adam Gale for WSDOT<sup>1</sup>

#### SUMMARY OF PROPOSED ACTION

Land Use Application to demolish a 120,410 sq. ft. warehouse located on Pier 48. Determination of Non-Significance has been prepared by the Washington State Department of Transportation.

The following Master Use Permit components are required:

**SEPA - Environmental Determination for conditioning** pursuant to SMC 25.05

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

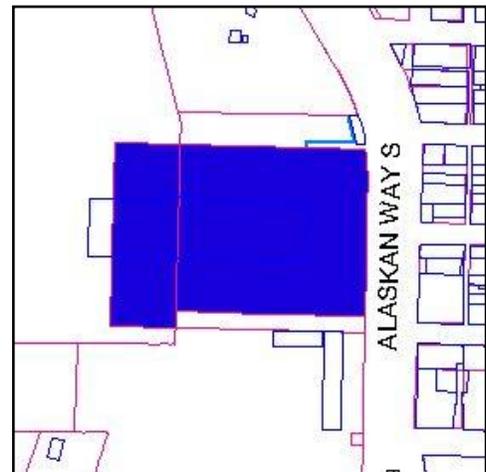
#### SITE & VICINITY

The site is located over and adjacent to Elliot Bay, immediately west of Alaskan Way S — a fully-improved right-of-way utilized for vehicular access to the site. The site currently contains one structure most recently permitted for water-dependent uses (transit shed, maritime museum, and offices)<sup>2</sup>.

The site is zoned DH, Downtown Harborfront 1 with a 45-foot height limit (DH1/45') in an UH, Urban Harborfront shoreline environment.

#### PROPOSAL

The Washington State Department of Transportation (WSDOT) proposes to demolish a 120,410 square foot



<sup>1</sup> Washington State Department of Transportation — Alaskan Way Viaduct & Seawall Replacement Program

<sup>2</sup> Building Permit 736919, August 5, 2003.

warehouse on Pier 48, formerly known as the Oregon Improvement Company Pier B. The pier and piling will remain unmodified.

The current and future use of the upland portion of the site for vehicle parking or for the staging of equipment and materials for the Alaskan Way Viaduct and Seawall Replacement Program are not included in this review.

#### Notice of Application and Comment Period

Public notice of the Land Use Application was given on January 28, 2010. The public comment period ended on February 10, 2010. The Land Use Application file is available at the Public Resource Center located at 700 Fifth Ave, Suite 2000 (<http://www.seattle.gov/dpd/PRC/LocationHours/default.asp>).

#### ANAYSIS—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) because the proposed project is located in a downtown zone and exceeds four thousand square feet of gross floor area.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated December 10, 2008 and annotated by the Land Use Planner. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant, reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

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. Adverse impacts are anticipated from the proposal. Thus, a more detailed discussion of some of the impacts is appropriate and is noted below.

#### Short -Term Impacts

The following temporary construction-related impacts are expected: temporary soils erosion; decreased air quality due to dust and other suspended air particulates; increased noise from construction operations and equipment; increased traffic and parking demand from construction personnel; tracking of mud onto adjacent streets by construction vehicles; conflict with normal pedestrian movement adjacent to the site; consumption of renewable and nonrenewable resources; and removal of ground water. Due to the temporary nature and limited scope of these impacts, they are not considered significant. Although not significant, these impacts are adverse, and in some cases, mitigation is warranted.

City codes and/or ordinances apply to the proposal and will provide adequate mitigation for some of the identified impacts. Specifically these are: 1) Grading and Drainage Control Ordinance (storm water runoff, temporary soil erosion, and site excavation); and 2) Street Use Ordinance (tracking of mud onto public streets, and obstruction of rights-of-way during construction).

#### Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. Filing of a Notice of Intent to that agency will alert them of the development proposal and help insure air quality impacts during demolition and construction are controlled. To insure this outcome SEPA Construction Impacts authority will be imposed to require the owner or developer of the proposed project to file a Notice of Intent with the PSCAA prior to beginning any work on the site.

#### Greenhouse Gas Emissions

Construction activities including construction worker commutes, 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 greenhouse 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.

#### Street and Sidewalks

The proposed on-site demolition, excavation and construction are controlled by a demolition/building permit. The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through the Seattle Department of Transportation. It is the City's policy to minimize or prevent adverse traffic impacts which would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (25.05.675 R).

In this case, adequate mitigation is provided by the Street Use Ordinance, which regulates and provides for accommodating pedestrian access. Therefore, additional mitigation under SEPA is not warranted.

#### Construction Noise

As redevelopment proceeds, noise associated with demolition/construction activities at site could adversely affect the surrounding residential uses. Due to the proximity of these uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7:00 am to 7:00 pm. 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 DPD when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the **Noise Abatement Coordinators** (as noted in the conditions) at

least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

### Construction Parking

During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities. Construction workers can be expected to arrive in early morning hours and to leave in the mid-afternoon. Surrounding residents generate their peak need for on-street parking in the evening and overnight hours when construction workers can be expected to have departed. SEPA mitigation of parking impacts during construction appears to be unwarranted.

### Long-Term Impacts

Potential long-term or use impacts anticipated by the proposal include: increased height, bulk and scale of building in some areas of the site; increased light and glare from exterior lighting, increased noise due to increased human activity; increased demand on public services; increased traffic on adjacent streets; increased on-street parking, and increased energy consumption. These long-term impacts are not considered significant because they are minor in scope, but some warrant further discussion (noted below).

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 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.

Operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse 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.

### Historic and Cultural Preservation

The applicant has submitted background information related to the existing building on the site. This documentation concludes that the building is unlikely, due to a loss of integrity, to meet the standards for designation as an individual landmark. Staff at the Department of Neighborhood concurs with this assessment<sup>3</sup>. No mitigation is necessary pursuant to SMC [25.05.675 H](#).

### Other Impacts

Several codes adopted by the City will appropriately mitigate the use-related adverse impacts created by the proposal. Specifically these are: Grading and Drainage Control Ordinance (storm water runoff from additional site coverage by impervious surface); Puget Sound Clean Air Agency regulations (increased airborne emissions); and the Seattle Energy Code (energy consumption in the long term).

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<sup>3</sup> Landmarks Preservation Board, 2/9/2010 memorandum.

## **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.

## **CONDITIONS – SEPA**

The following condition to be enforced during demolition/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. 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.

### Prior to issuance of a demolition permit

1. The owner(s) and/or responsible party(ies) shall submit a copy of the PSCAA “notice of intent to demolish”.

### During Demolition/Construction

2. For the duration of demolition activity, the owner(s) and/or responsible party(ies) shall cease truck trips to and from the project site during the hours between 4 PM and 6 PM on weekdays.
3. Demolition/Construction activities, other than those taking place within the enclosed building, are limited to the hours of 7:00 am to 7:00 pm on non-holiday weekdays. It is recognized that there may be occasions when critical construction activities of an emergency nature, related to safety or traffic issues may need to be completed after regular construction hours as conditioned herein. Therefore the Department reserves the right to approve waivers of these construction hour and day restrictions. Such *waivers must be requested at least three (3) business days in advance*, and approved by the Department on a case-by-case basis prior to such work.

Demolition/Construction activities outside the above-stated restriction may be authorized by the Department when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours are weekend days must be submitted to **Noise Abatement Coordinators** — David George [david.george@seattle.gov](mailto:david.george@seattle.gov) (206) 684-7843 or Jeff Stalter [jeff.stalter@seattle.gov](mailto:jeff.stalter@seattle.gov) (206) 615-1760 — *at least three (3) days in advance of the requested dates* in order to allow DPD to evaluate the request.

Signature: \_\_\_\_\_ (signature on file) Date: March 11, 2010  
Colin R. Vasquez, Senior Land Use Planner  
Department of Planning and Development

CRV:lc