



City of Seattle

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: 3009777
Applicant Name: Patricia Chemnick for SEED Seattle
Address of Proposal: 3616 34th Ave. S.

SUMMARY OF PROPOSED ACTION

Land Use Application to allow grading for soil remediation which includes the removal 1,105 cu. yards of grading. The project includes fifteen parcels of land separated by an unimproved alley.

The following approval is required:

SEPA - Environmental Determination - Chapter 25.05,
Seattle Municipal Code.

SEPA DETERMINATION: DNS DNS with conditions
 DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction.

BACKGROUND DATA

Site Location: The subject site is a full block, approximately 21,000 sq. ft., located at 3616 34th Ave. S. The site includes fifteen parcels and is partially divided by an unimproved alley.

Zoning: The western half of the block comprising the subject site is zoned C1040 (Commercial One with a 40 foot height limit) and the eastern half block is zoned L2 RC (Lowrise Multifamily Two, Residential Commercial).

Existing Use: The majority of the site is vacant. There is an aluminum structure used as an artist's studio which would remain after this proposed action.

Proposal Description: The proposal is to excavate approximately 1,105 cu. yds. of contaminated soil in two locations at the northern extent of the site and to partially fill the areas with approximately 145 cu. yds. of clean material. The contaminated soils will be removed from the site and disposed of at a controlled facility. The cleanup action is anticipated to be completed in one month. The artist studio building is not proposed to be demolished during this action.

Public Comment: No public comment was received. The noticed public comment period ended on July 18, 2010.

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). SEPA review is triggered by the amount of grading activity proposed.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated May 20, 2010. The information in the checklist, supplemental information in the project file, 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 and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, 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.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

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: 1) temporary soil erosion; increased traffic due to excavation related trucks and 2) increased vibration from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

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; 2) Building Code (construction measures in general); 3) Regulations for Environmentally Critical Areas, and 4) 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

Slopes around the perimeters of the excavations are designed at a gradient expected to remain stable until such a time as the site is redeveloped. Best management practices are code required to prevent dirt from being tracked onto adjacent streets. Similarly existing regulations require dust to be suppressed during excavation. Trucks removing excavated material are proposed to be covered and are prevented by existing regulations from allowing dust or dirt to escape during transport.

Long-term Impacts

Depressions left on the site until future development are to have sloped sides and to be fenced in a manner which prevents public access to them. No storm water is expected to be discharged from the site and any ponding within the excavated areas is expected to be of relatively short duration.

No long-term adverse environmental impacts are expected from the proposed excavation and removal of contaminated soils and no SEPA policy based conditioning is warranted.

These long-term impacts are not considered significant because the impacts are minor in scope.

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 requirement 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 a significant adverse impact 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

None required.

Signature: _____ (signature on file)
Scott Kemp, Land Use Planner
Department of Planning and Development

Date: August 5, 2010

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