



City of Seattle

Department of Planning and Development
Diane M. Sugimura, Director

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

Application Numbers: 3009946
Applicant Name: Seattle Pacific University
Address of Proposal: 611 West Dravus Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow an expansion of an existing parking lot, from 32 stalls to 100 stalls, accessory to a major institution (Seattle Pacific University - Ashton Residence Hall) near an environmental critical area. Project includes demolition of four structures and 640 cubic yards of grading. A Determination of Significance has been made and an Addendum to the Final Environmental Impact Statement for the Seattle Pacific University Major Institution Master Plan has been prepared.

The following approvals are required:

SEPA - Environmental Determination - Chapter 25.05 SMC

SEPA DETERMINATION: Exempt DNS MDNS EIS

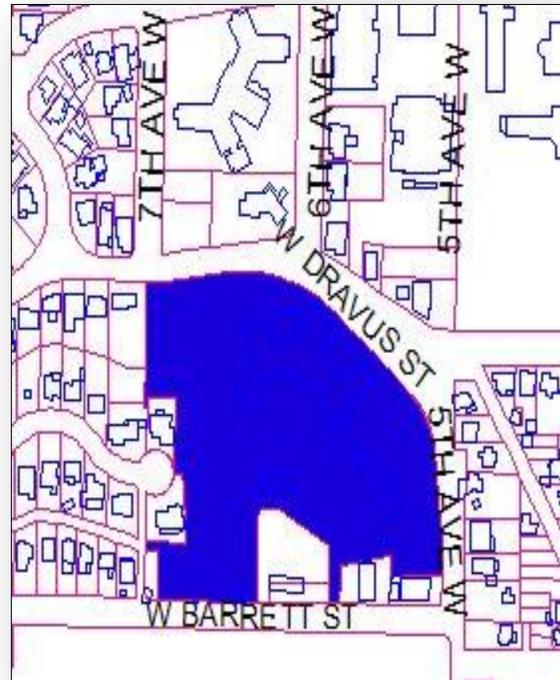
DNS with conditions

DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction

BACKGROUND

Site and Vicinity

The Project is located on the campus of Seattle Pacific University on the north end of Queen Anne Hill. The site is in the southwest corner of the University’s major institution overlay and is bounded on the east and northeast by 5th Avenue West, on the north by West Dravus Street, on the south by West Barrett Street and one on-campus but non-University-owned single family home, and on the west by off-campus single-family and multi-family housing.



Proposal

The Project involves development of a surface parking lot with 100 spaces for University students and staff—a net increase of 68 spaces. The Project includes approximately 30,000 gross square feet of paved surface area. The site currently contains 32 surface parking spaces, four vacant duplexes, and West Etruria Street (vacated).

Public Comments

Notice of the project application was published on May 7, 2009. Notice of the Availability of Addendum to the Environmental Impact Statement was issued on February 2, 2012. The Department of Planning and Development (“DPD”) received no public comments on the Project.

Standing Advisory Committee Comments

The University’s Standing Advisory Committee (“SAC”) was briefed on the Project in June of 2008 and May of 2009. Representatives of the University, DPD, and the Department of Neighborhoods attended the SAC meetings, as did several neighbors. The SAC representatives present expressed their support for the project as a means to reduce neighborhood impacts resulting from students parking on the street. No SAC members or other neighbors voiced opposition to the Project.

ANALYSIS – ENVIRONMENTAL CRITICAL AREAS

Areas surrounding the Project site include environmental critical areas—steep slope. However, no construction will take place within 15 feet of any steep slope. No adverse impacts to the slope are anticipated and no mitigation is necessary.

ANALYSIS – MIMP CHANGE REQUEST

The MIMP anticipated expansion of the existing Ashton parking lot through construction of a “lid.” MIMP at 28. However, the Project eliminates the lid construction in favor of a surface parking lot at substantially the same location. The Project would construct three more spaces than anticipated in the MIMP.

The applicant believes that the Project does not require a change in the MIMP because it develops a site identified in the MIMP for potential development and implements a residential use—accessory parking primarily serving the University’s residence halls—on a site designated in the MIMP for residential uses. Although the Project would create 68 new spaces, because the MIMP anticipated creation of 65 new spaces in the Ashton Hall area of campus, the applicant believes that the Project merely represents a reconfiguration of the parking already anticipated in the MIMP. In addition, the applicant points out that both the MIMP and the Seattle Municipal Code state that information provided in a master plan about potential projects “is for the purpose of starting a dialogue with the City and community about potential development, and changes to this information will not require an amendment to the master plan.” MIMP at 24-25; SMC 23.69.030.E.10.

The applicant’s views are noted, but it is unnecessary to determine whether the Project constitutes a change to the MIMP. Assuming without deciding that the Project does require a change to the MIMP, it is exempt under SMC 23.69.035.

The Major Institutions Code at Chapter 23.69 SMC directs DPD to evaluate proposed changes to adopted master plans to determine whether they constitute an exempt change, a minor amendment, or a major amendment. SMC 23.69.035.A. Exempt changes include changes to the design and/or location of a planned structure from that shown in the master plan. SMC.23.69.035.B. Exempt changes also include (1) new structures encompassing less than 12,000 square feet, (2) addition of 20 or fewer parking spaces not approved in the master plan, (3) additions to planned structures that increase the floor area less than 20% of that approved in the MIMP or 20,000 square feet, whichever is less, (4) changes in phasing of construction, or (5) any increase in below-grade floor area. *Id.*

Any “change” to the MIMP wrought by the Project is exempt under the Major Institutions Code. First, the Project involves only a change to the design and location of a potential development project in the MIMP. SMC 23.69.035.B. Rather than constructing the lid over the existing Ashton surface parking lot as mentioned in the MIMP at 28, the additional parking will now be provided by expansion of the surface lot in the same area of campus. Furthermore, the Project will add only three more spaces than anticipated in the MIMP, far fewer than the 20 permitted as an exempt change in the Code.

Based upon a review of the proposal, the criteria of SMC 23.69.035, the review and comment by the SAC, and staff review of the proposal, the request to allow the Project is hereby APPROVED as an EXEMPT CHANGE to the MIMP.

ANALYSIS – STATE ENVIRONMENTAL POLICY ACT (SEPA)

This analysis relies on the Final Environmental Impact Statement (“FEIS”) for the Seattle Pacific University Major Institution Master Plan published September 1999 and the Ashton Parking Lot Expansion Addendum to the FEIS dated February 2012 (“EIS Addendum”), as well as appendices, other technical environmental reports, and comments and responses associated with those documents. This decision also makes reference to and incorporates the project plans submitted with the project application in the spring of 2009. The information in the FEIS and EIS Addendum, 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 decision and conditioning.

The Seattle SEPA Ordinance provides authority to require mitigation of adverse impacts resulting from a proposed project (SMC 25.05.655 and 25.06.660). Mitigation, when required, must be related to specific environmental impacts identified in an environmental document and may be imposed to the extent that a given impact is attributable to the proposal, and to the extent that the mitigation is reasonable and capable of being accomplished. Additionally, mitigation may be required only when based on policies, plans and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675 inclusive (SEPA Overview Policy, SEPA Cumulative Impacts Policy, SEPA Specific Environmental Policies). In some instances, local, state or federal regulatory requirements will provide sufficient mitigation of an impact and additional mitigation imposed through SEPA would not be necessary.

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.

The FEIS considered the following environmental impacts: Land Use Patterns; Land Use – relationship to Adopted Plans, Policies and Regulations; Transportation, Circulation and Parking; Housing; Aesthetics; Historic/Cultural; Public Services/Utilities; and Construction. The EIS Addendum updated the FEIS analysis of Land Use Patterns – Existing Conditions and Relationship to Plans, Policies and Regulations. The EIS Addendum also addresses project-specific factors such as land use, energy/greenhouse gas emissions, aesthetics, historic resources, transportation and parking, and construction impacts.

Short-Term Impacts

Demolition and construction activities could result in the temporary or construction-related adverse impacts discussed below.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. 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 Street Use Ordinance requires debris to be removed from the street right-of-way, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency 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. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment.

Due to the temporary nature and limited scope of the potential impacts discussed herein, they are not considered significant (SMC 25.05.794).

Any conditions to be enforced during construction shall be posted at each street abutting 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 shall 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 construction.

Air Quality and Greenhouse Gasses

Construction associated with the Project would generate localized air pollutants as a result of fugitive dust from demolition, site work, and emissions from construction vehicles. Site development should adhere to the Puget Sound Clean Air Agency's regulations and the City's construction best practices regarding demolition activity and abatement of fugitive dust emissions.

The indirect impact of 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 due to the relatively minor contribution of greenhouse gas emissions from this project. No potential short term adverse impact to air is anticipated and therefore air quality mitigation is not necessary.

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for transportation impacts on air quality; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Construction Transportation & Parking

On-street parking in the vicinity is limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties. The owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site for the term of construction whenever possible.

Estimates indicate that the proposed project would require removal of a total of approximately 640 cubic yards of earth. This amount of earthwork is estimated to generate a total of 128 excavation truck trips (assuming a 10-yard capacity truck, 64 inbound trips with empty trucks and 64 outbound trips with loaded trucks), roughly 12-16 outbound trips each day for less than one week.

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities. Existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. Pursuant to SMC 25.05.675(B) (Construction Impacts Policy) and SMC 25.05.675(R) (Traffic and Transportation), additional mitigation is warranted. The University shall submit for review and approval a Construction Traffic and Parking Management Plan. A construction truck route should be defined to reduce impacts on the adjacent roadway systems. This plan should also include a safe route along the construction site for pedestrians and bicyclists. The truck route would rely on arterials as much as possible, thereby reducing impacts on surrounding residential neighborhoods.

While some construction-related transportation and parking impacts would be unavoidable, given the short duration of construction and the mitigation above, no significant impacts are expected.

Earthwork

Construction and excavation has the potential to produce short-term adverse environmental impacts, but these are not expected to be significant. Site preparation would include excavation of approximately 640 cubic yards of material from a portion of the site. The contractor shall employ proper erosion control measures during construction, especially if construction takes place during wet weather. With proper erosion control measures, no significant adverse environmental impacts are expected.

Noise

The FEIS for the MIMP generally addressed construction impacts of potential development, but the EIS Addendum addresses them in more detail, presenting an analysis of noise that would be generated by the Project. The construction activities associated with the Project will produce short-term noise impacts which could adversely affect the surrounding uses but will be temporary in nature.

Non-University-owned residential structures border the Project site to the west, south, and east (across 5th Avenue W). Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B), mitigation is warranted. The EIS Addendum recommends several mitigation measures to address construction noise impacts. These measures would adequately mitigate the expected adverse impacts and are adopted below as conditions of approval as necessary:

Construction activities that would produce noise levels in excess of 60dBA are limited to the hours of 7:00 AM to 10:00 PM on non-holiday weekdays. Quieter construction activities, such as daily cleanup and other activities not exceeding the 60 dBA limit of the Noise Code, may take place until midnight on non-holiday weekdays. Additionally, the use of noise impact-type equipment, such as pavement breakers, pile drivers, jackhammers, sand blasting tools and other impulse noise sources shall be restricted to the hours of 8:00 AM and 5:00 PM on weekdays. Because some occasions may arise where critical construction activities of an emergency nature related to safety or traffic issues may necessitate completion after the regular construction hours mentioned above, DPD may approve waivers of timing restrictions. Such waivers must be requested at least three business days in advance and approved by DPD on a case-by-case basis prior to such work.

Whenever appropriate, the contractor shall substitute hydraulic impact tools with electric models to further reduce demolition and construction-related noise and vibration. On-site workers shall limit loud talking, music, or other miscellaneous noise-related activities. Where appropriate, all operating equipment shall be fixed with properly sized and maintained mufflers, engine intake silencers, and where necessary, engine enclosures. Operators shall avoid excessive idling.

Light and Glare

Construction may produce light- and glare-related impacts from both stationary and mobile sources. Stationary sources of light are necessary during times of low light levels to meet safety requirements. While noticeable, these impacts are not expected to be significant. Additionally, no significant light and/or glare-related impacts are anticipated in conjunction with mobile sources such as construction vehicles entering or exiting the site. These impacts will not be significant, and no additional mitigation is required.

Long-Term Impacts

Long-term or use-related impacts are also anticipated as discussed below.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts including but not limited to the Stormwater Code. The MIMP and the Land Use Code control site coverage, setbacks, and allowable use and contain 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 that are not considered significant, and no additional mitigation is required.

Land Use

The Project site is zoned MIO with a 65 foot height limit and the underlying zoning is Lowrise-2, or “LR2.”¹ The Project site is located immediately east of the existing Ashton Hall parking lot and contains four vacant duplexes, 32 surface parking stalls, and the vacated West Etruria Street. The primary on-campus land use adjacent to the Project site is Ashton Hall. The primary off-campus uses within several blocks of the Project site include single-family residences and apartments to the east and the Mount Pleasant Cemetery to the south.

While the pattern of land use on the Project site would change from an area of low density campus housing and surface parking to that of surface parking, this change is not expected to greatly affect land uses proximate to the site. Since a similar campus parking use is already adjacent to this site, the proposed project would entail an expansion of an existing use. This expansion was envisioned in the MIMP for this area of campus.

No significant land use impacts are anticipated from the Project and no mitigation is necessary.

Air Quality

Although Seattle’s air quality is adversely affected primarily by vehicular emissions, the proposed project is expected to have a minimal impact on air quality relative to the existing and projected background traffic. Parking spaces are not in and of themselves trip generators, so the integration of the Project into the campus is unlikely to affect existing levels of vehicular activity around the campus. Current federal and state regulations will likely provide adequate mitigation for impacts on air quality through restrictions on vehicular emissions. No further mitigation pursuant to SEPA authority at SMC Section 25.05.675.A is warranted.

The number of vehicular trips associated with the Project is not expected to increase from the amount anticipated in the MIMP EIS, and the Project’s overall energy consumption is not expected to increase beyond that assumed in the MIMP EIS. No significant air impacts are expected from this project and no additional mitigation is required.

Although the project will produce greenhouse gas emissions (“GHG”) over its lifetime, the scale of global climate change is so large that the impacts of a project can only be considered on a “cumulative” basis. It is not anticipated that a single development project would have an individually discernable impact on global climate change. The project’s GHG emissions would likely combine with emissions across the City, County, and State and planet to cumulatively contribute to global climate change. The EIS Addendum contains a table with estimated greenhouse gas emissions from the proposed action. EIS Addendum Appendix B.

No significant impacts are anticipated and no additional mitigation is necessary.

Noise

The proposed parking lot is not anticipated to produce significantly more noise than the existing parking lot. The noise associated with the Project will not create significant long-term negative environmental impacts.

¹ At the time of application, the underlying zoning was “L-2.” On December 20, 2010, however, the Mayor signed Ordinance 123495 consolidating the City’s lowrise zones and re-naming the new Lowrise 2 to “LR-2.” This ordinance took effect on January 19, 2011.

Aesthetics

The Project will improve the aesthetics of the area by removing dilapidated, vacant duplexes and adding landscaping to the parking lot. The light and glare related impacts created by the Project are expected to be minimal. The Project will adhere to applicable City Land Use Code requirements and provisions of the MIMP. No significant long-term impacts to aesthetics are expected and no additional mitigation is necessary.

Historic Preservation

The EIS Addendum presents a Historic Resources Report regarding the four vacant duplexes to be demolished. All four duplexes were constructed in 1957 on behalf of the University. The buildings are a simple interpretation of the ranch style of housing and are relatively intact. None of them, however, is a significant representation of an architectural style, associated with a historically significant person, or a significant part of the development of the history of Seattle. None of the buildings appears to meet the criteria necessary for designation as a City of Seattle Landmark. No significant impacts to historic resources are anticipated and no mitigation is necessary.

Transportation & Parking

The FEIS for the MIMP provided an analysis of transportation and traffic related impacts associated with the Project. The Project will generate no additional trips beyond those anticipated in the MIMP.

The Project will add 100 new parking spaces while demolishing a 32-stall surface parking lot, for a net gain of 68 (3 more than anticipated in the MIMP). Major institution parking requirements are based on campus-wide demand SMC 23.54.016. Even with the additional stalls, the University will remain within its code-mandated limits on parking.

The site is served by King County Metro busses. Three routes serve the site during the week, two on the weekends. These routes have adequate additional capacity to accommodate additional ridership.

As part of the 2000 MIMP approval, the University was required to develop and maintain a Transportation Management Plan (“TMP”). SMC 23.54.016(C)(6) requires review of the TMP when a major institution applies for permits under its MIMP. As a TMP goal, the University is to achieve a 50% maximum single occupancy vehicle (“SOV”) rate, excluding employees whose work requires the use of a private automobile. This TMP was designed to ensure that the number of trips, including PM peak trips, as well as available parking, is within acceptable limits as analyzed in the FEIS. To accomplish this goal, the University has implemented a number of TMP requirements, including:

- Establishing a Transportation Coordinator to promote and maintain the program, including annual evaluations;
- Providing periodic promotional events supported by King County Metro and the Seattle Department of Transportation;

- Construction of Commuter Information Centers, including ridesharing and transit information;
- Providing Ridematching service coordination;
- Review of parking fees and residential parking zones;
- Provide online program information;
- Subsidize transit passes—100% for employees and 30% for students;
- Subsidize carpool/vanpool and provide preferential parking;
- Work with other area employers and community leaders to improve transit service;
- Provide covered bicycle parking;
- Provide free parking to motorcycles;
- Sponsor a guaranteed ride home program for carpool/vanpool participants;
- Encourage telecommuting and distance learning opportunities;
- Construct sidewalks and pathways and provide safety escorts to encourage walking;
- Coordinate with area businesses to promote ridesharing;
- Allow for flexible scheduling arrangements for employees;

A 2009-2010 update of the TMP efforts was conducted, including a survey of travel modes. The update demonstrates that the University has come close to meeting the 50% SOV goal; it has achieved a rate of approximately 52%. Since MIMP adoption, the University has continued efforts to increase the number of on-campus student housing units, which reduces the number of commuting students. It currently has permits pending for development of a new student housing project at the Irondale Site. The University shall continue its efforts to reduce SOV commutes through implementation of the TMP elements. Implementation of these elements, combined with efforts to increase on-campus housing, constitute substantial progress toward achievement of the TMP goal pursuant to SMC 23.54.016C6.

Environmental Health

The Puget Sound Clean Air Agency has jurisdiction over air quality and environmental health impacts resulting from demolition of the structures, but there is no reliable means of triggering their involvement other than by requiring the proponent to notify the agency of the proposal. Hence, project approval has been made contingent upon such notification.

The indirect impact of 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 due to the relatively minor contribution of greenhouse gas emissions from this project. No potential short-term or long-term, significant adverse impact to air is anticipated and therefore air quality mitigation is not necessary.

DECISION – SEPA

The application is **APPROVED, with conditions** as referenced below.

SEPA - CONDITIONS

Prior to Issuance of any Grading or Construction Permit

The owner(s) and/or responsible party(s) shall:

1. Submit for review and approval a Construction Traffic and Parking Management Plan to DPD for concurrent review and approval with Seattle Department of Transportation. The plan shall:
 - a. Identify management of construction activities including construction hours, parking, shuttle operations, traffic and issues concerning street and sidewalk closures;
 - b. Show the location of all parking for construction workers, shuttle pick up areas and parking for related construction equipment, as well as the location of ingress/egress for construction equipment and trucks;
 - c. Provide for appropriate and reasonable screening for all construction parking for workers and for construction related equipment;
 - d. Direct installation of signage to reinforce truck delivery routes; and
 - e. Specify a safe route along the construction site for pedestrians and bicyclists.

These conditions shall be posted at the construction site for the duration of construction activity.

During Construction

The following condition(s) are to be enforced during construction and shall be posted in a location on the property line that is visible and accessible to the public and construction personnel from the street right-of-way. If more than one street abuts the site, conditions will 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 will be laminated with clear plastic or other weatherproofing material and will remain in place for the duration of construction. It is the proponent's responsibility to ensure that the sub-contractors are informed of the conditions listed below:

2. Construction noise and vibration impacts shall be minimized wherever feasible by shielding noisy equipment, avoid excessive idling, locating equipment away from sensitive receivers, such as residential uses, and adequate muffling of equipment; scheduling particularly noisy operations to avoid conflicts; providing acoustical screens or enclosures where necessary; assembling building components off-site to the greatest extent possible; identifying a 24 hour contact person to receive noise complaints; and coordinating construction mitigation.
3. Wherever feasible, special measures for noise control of unusually loud equipment or activities shall be used during construction. This equipment shall include special mufflers for machine engine exhausts or air powered equipment and acoustical screens or enclosures to be used as needed.

4. The applicant and all contractors shall use the newest equipment available and shall keep construction equipment in good working condition. In addition, the University shall reuse demolition materials to the greatest extent possible and take steps to ensure that long periods of construction equipment idling are avoided.
5. The hours of construction activity shall be limited. Construction hours shall be limited to non-holiday weekdays between 7:00 a.m. and 10:00 p.m. Additionally, the use of noise impact-type equipment, such as pavement breakers, pile drivers, jackhammers, sand blasting tools and other impulse noise sources shall be restricted to the hours of 8:00 AM and 5:00 PM on weekdays. This limitation is subject to minor revisions at the discretion of DPD to allow work of an emergency nature, work required due to obstruction of street rights-of-way, and minor work of low noise impact.
6. The applicant shall provide for safe pedestrian and vehicular circulation adjacent to construction sites through the use of temporary walkways, signs, and manual traffic controls (flaggers) as needed.
7. Implement the measures in Construction Management Plan approved by DPD and Seattle Department of Transportation (SDOT).

Life of the Project

8. The Applicant shall continue to comply with all of the requirements of the approved MIMP and TMP.

Signature: _____ (signature on file) Date: May 31, 2012
Colin R. Vasquez, Senior Land Use Planner
Department of Planning and Development

CRV:bg

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