



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: 3010080, 3010081, 3010082, 3010083 and 3010084

Applicant Name: Jeff Bertram for City of Seattle Department of
Transportation

Address of Proposal: 800 Mercer Street

SUMMARY OF PROPOSED ACTION

Land Use Application to demolish a 27,230 sq. ft. building to facilitate the Mercer Corridor Improvements. Environmental Review includes demolition of four additional buildings at 601 Westlake Ave N (3010081), 1000 Mercer St (3010082), 1104 Mercer St (3010083) and 613 Fairview Ave N (3010084) for a total of 128,880 sq. ft. of demolition for five structures. Mitigated Determination of Non-Significance dated January 2009 has been prepared by the City of Seattle Department of Transportation.

The following approval is required:

SEPA - Environmental Determination for conditioning only - Chapter 25.05, Seattle
Municipal Code

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

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

*The Seattle Department of Transportation adopted the December 30, 2008 Mercer Corridor Improvements Project Environmental Assessment prepared by the Federal Highway Administration, Washington State Department of Transportation and the City of Seattle, and issued a Mitigated Determination of Nonsignificance on January 23, 2009.

BACKGROUND DATA**Site and Project Description**

The subject sites are located on the north side of Mercer Street between Dexter Avenue North on the west and Fairview Avenue North on the east in the South Lake Union neighborhood. The two west parcels at 800 Mercer and 601 Westlake Avenue North are zoned Seattle Mixed with a 40 foot height limit (SM-40). The three remaining parcels located at 1000 Mercer Street, 1104 Mercer Street and 614 Fairview Avenue North are zoned Seattle Mixed with a 65 foot height limit (SM-65).

Project #	Building address	Tax Parcel #	Square footage
3010080	800 Mercer St	2249000006 2249000040	27,230
3010081	601 Westlake Ave N	Partial of 408803385*	17,100
3010082	1000 Mercer St	1983200416	44,644
3010083	1104 Mercer St	1983200505	23,994
3010084	613 Fairview Ave N	1983200485	15,916

*The building located at 601 Westlake Avenue North is companion to an adjacent building to the east at 609 Westlake Avenue North and together they are known as the William O McKay buildings (Pacific McKay building and Ford McKay building), site of a former automobile dealership and designated Historic Landmarks. These buildings are the subject of a Master Use Permit application number 3009234 for redevelopment and include the demolition of the east showroom buildings (and preservation of portions of the façade) by the current owner, City Investors XX, LLC.

Ordinance 122505 was passed by the Seattle City Council on September 24, 2007 authorizing the Seattle Department of Transportation (SDOT) to acquire the subject properties for the purpose of widening Mercer Street. The street is being widened primarily on the north side of Mercer Street requiring the purchase or condemnation of approximately 70 feet of property. Nine buildings in all will be demolished as a result of the project. However, only the above five structures are subject to SEPA review because they exceed the 12,000-square-foot threshold for review in accordance with SMC Chapter 25.05. The demolition of the five subject buildings is part of the larger project known as the Mercer Corridor Project being undertaken by SDOT. The project involves replacing the current one-way Mercer Street with a widened two-way right-of-way with three lanes in each direction, widened sidewalks, on-street parking and a landscaped median with left-turn lanes.

The demolition of the five buildings requires review under the State Environmental Policy Act as administered by SMC Chapter 25.05. The Seattle Department of Transportation, acting as SEPA lead agency, issued a Final Environmental Impact Statement in March of 2000.

Public Comment

The public comment period ended July 15, 2009. No written comments were received.

ANALYSIS – SEPA

The Seattle Department of Transportation, acting as lead agency, has disclosed the environmental impacts of the proposed demolition in an environmental checklist dated January 22, 2009. This document supplements a National Environmental Policy Act (NEPA) Environmental Assessment which was prepared by the Federal Highway Administration, the Washington State Department of Transportation and the City of Seattle for the entire Mercer Corridor Improvement Project. The information in the Environmental Assessment and the environmental checklist, supplemental

information provided by the applicant (plans, further project descriptions), and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. Therefore, all review required under the State Environmental Policy Act has been completed for this application.

The Department of Planning and Development is reviewing the environmental impacts of the proposal in order to impose further conditions if necessary. This proposal is reviewed under substantive SEPA authority. Disclosure of the potential impacts from this proposal was made in the environmental documents listed above. This information, supplemental information provided by the applicant and the experience of this agency with review of similar proposal form the basis of this analysis and conditioning.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship among 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 such limitations or circumstances (SMC 25.05.665 D), mitigation can be considered. The project is anticipated to have some short-term impacts; thus, a more detailed discussion of some of the impacts is appropriate.

Short Term Impacts

The following temporary or demolition-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates, such as asbestos, during demolition; increased noise and vibration from demolition operations and equipment; increased traffic and parking demand from demolition personnel; tracking of mud onto adjacent streets by demolition vehicles; and vehicle/pedestrian conflicts adjacent to the site. These impacts are not considered significant because they are temporary and/or minor in scope. Although not significant, some of the impacts are adverse and certain mitigation measures are appropriate as specified below.

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 right-of-way during demolition).

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.

Air Quality

Demolition will create dust, leading to an increase in the level of suspended particulates in the air, which could be carried by winds out of the construction area. The Street Use Ordinance (SMC Chapter 15.22) requires watering the site, as necessary, to reduce dust. In addition, the Puget Sound Clean Air Agency (PSCAA regulation 9.15) requires that reasonable precautions be taken to avoid dust emissions. In addition to spraying water or chemical suppressants, this may require activities that

produce air-borne materials or other pollutant elements to be contained within a temporary enclosure. Demolition could require the use of heavy trucks and smaller equipment such as generators and compressors. These engines would emit air pollutants that would contribute slightly to the degradation of local air quality. Since the demolition activity would be of short duration, the associated impact is anticipated to be minor, and does not warrant mitigation under SEPA.

PSCAA, Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. However, no permit process exists that ensures that PSCAA has been notified of the proposed building demolition and that asbestos and lighting features has been removed from the site. A condition shall be added requiring the applicant to submit to DPD a copy of the PSCAA demolition permit prior to issuance of master use and/or demolition permit. This condition is imposed pursuant to SEPA authority to mitigate air quality, construction and environmental health impacts, SMC 25.05.675 A, B, and F.

Streets and Sidewalk

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation impacts. Any temporary closures of the sidewalk and/or traffic lane(s) would be controlled with a street use permit through the Seattle Department of Transportation.

The other impacts not noted here as mitigated by codes or conditions (e.g., increased traffic and parking demand from demolition personnel) are not sufficiently adverse to warrant further mitigation by conditioning.

SEPA – CONDITIONS

Prior to the Issuance of Construction and/or Demolition Permits

1. The owner(s) and/or responsible party(s) shall submit a copy to DPD of any required PSCAA Demolition Permit(s).

Signature: _____ (signature on file) Date: July 27, 2009

Marti Stave, Land Use Planner
Department of Planning and Development
Land Use Services

MS:bg