



City of Seattle

Gregory J. Nickels, Mayor

**Department of Planning and Development**

D. M. Sugimura, Director

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

**DPD Application Number:** 3010263  
**Clerk’s File Number:** 310085  
**Applicant Name:** Grace Manzano for Seattle Public Utilities  
**Address of Proposal:** 2300 Arboretum Dr E

**SUMMARY OF PROPOSED ACTION**

Council Land Use Decision to allow a new public facility (stormwater storage facility) consisting of a 1.3 million gallon, partially below grade tank and a separate .9 million gallon above grade open stormwater storage area in the south end of Washington Park and Arboretum. Project includes 23,800 cubic yards of onsite grading and modification of the existing conveyance pipeline in the surrounding rights of way. Determination of Non-Significance issued by Seattle Public Utilities.<sup>1</sup>

The following Land Use approvals are required:

- **SEPA – [Chapter 25.05](#)** Seattle Municipal Code (substantive conditioning only)<sup>1</sup>
- **COUNCIL LAND USE DECISION – [Chapter 23.44.036](#)** Seattle Municipal Code
  - Concept Approval for City Facilities in a Single Family zone
  - Waiver or Modification of development Standards
    - *Allow a 12’ driveway where 22’ is required ([SMC 23.54.030-D.2.a](#))*

**SEPA DETERMINATION**

- Exempt    DNS    MDNS    EIS  
 DNS with conditions  
 DNS with conditions involving non-exempt grading or demolition or involving another agency with jurisdiction.<sup>1</sup>

<sup>1</sup> DNS published by SPU on 3/27/2008. SEPA addendum circulated June 22<sup>nd</sup> 2009 by SPU.

## **BACKGROUND AND PROPOSAL**

Madison Valley is located on the valley floor of a 706-acre basin. Periodic storms with heavy rains have resulted in surface flooding and sewer back-ups in the neighborhood. Through the years the City of Seattle has made a number of improvements to address these problems and then in 2004 Madison Valley experienced one of the largest storms on record.

In June 2008, the Seattle City Council and the Mayor authorized SPU, via City Ordinance, to design and construct a pipeline in the NW section of the Madison Valley basin that will collect and convey stormwater to a new storage system in Washington Park.

The Council directed that SPU generate a public involvement plan which involves requirements for public meetings, input, documenting of notified groups, public meeting schedule aligning with key project milestones, documentation of how public input will be received and how the Madison Valley business community will be involved and effects minimized. The SPU public involvement plan for the proposal is available for review, web linked here ([web link](#)). Report to Council was required at 30% design level as part of the funding approval ordinance for the project.

In 2005, Seattle Public Utilities (SPU) began a comprehensive, phased approach to address the surface flooding and sewer backups in Madison Valley. SPU purchased seven properties in the block south of E John St. and on 30<sup>th</sup> Ave. E to build an above-ground stormwater facility (grassy area) capable of retaining 1.7 million gallons of stormwater. This facility is currently nearing completion. The project team comprised of engineers, planners, modelers and with input from the community, created several alternative long-term solutions. The Mayor and City Council have now approved funding for the NW Diversion and Washington Park Stormwater Storage Alternative to be implemented. In addition to the involvement of the project team in this process, an Engineering Sub-Committee made up of Madison Valley residents was formed in 2005 to work with the City to provide input on potential flooding solutions, as well as to help develop solutions for better emergency preparedness.

The Madison Neighborhood has experienced substantial drainage problems in recent years, resulting from relatively extreme storm events and an identified lack of local capacity to store storm runoff during such events. Resultant flooding in turn caused backups of sewer lines in several homes. SPU has worked and continues to work with the community on the two project sites to provide a comprehensive solution of the storm storage solution for the area. The first phase facility has been approved and is currently nearing completion (DPD MUPs 3004117 and 3009450). The first facility site is located 5 blocks south of the proposal along the eastern side of 30<sup>th</sup> Ave E with E John St abutting to the north, E Denny Way abutting to the south and the eastern rear property lines abutting to the east.

### **Public Comment**

The DPD comment period for this proposal ended on August 5<sup>th</sup>, 2009. During the public comment period, DPD received no public comments related to the project. Absence of public comment may be associated to the required public involvement the SPU executed prior to submittal of the Master Use Permit and Council Land Use Action to DPD.

### Design Commission Review

The Design Commission has reviewed the application throughout the process and recently approved the 60% design development review of the proposal with a vote of 7-1 on 9/3/09. The Design Commission does not require the proposal to return for further approvals unless the project design changes to such extent warranting additional review.

### Site and Vicinity

Location of the proposal site is on the south end of Washington Park and Arboretum, bounded by Madison St to the south, 29<sup>th</sup> Ave E to the west, Lake Washington Blvd E to the east and the existing soccer/baseball field to the north, which is to remain. In this location the area is improved with the soccer/baseball field, batting cages, paved parking area north of the field and restroom facilities all to remain. Vehicle access to the site is by E Lake Washington Blvd a collector arterial) via E Madison St a minor arterial. The area in proximity to intersection of 29<sup>th</sup> Ave E and E Madison St has experienced historical flooding, among providing for the greater Madison Valley area the proposed project will address the periodic flooding at this low point.



Figure 1: Site and Surrounding Area

The site's zoning designation is Single Family 7200 (SF 7200); single family is the predominant zoning in the area. Surrounding zoning from the site is SF 5000 to the west, to the north is SF 7200 and to the northeast SF 5000. Abutting the southwest corner of site there is a small Lowrise zone (L1) and Neighborhood Commercial 2 zoning with a forty-foot height limit (NC2-40) is found southwest and northeast along E Madison St on either side of the Park's E Madison St frontage. South of E Madison St, Lowrise 2 (L2) zoning exists then transitions into SF 5000 zoning to the south.

## Proposal

Seattle Public Utilities proposes a 1.3 million gallon, mostly below grade tank with a .9 million gallon above grade open storage area proposed to be located in Washington Park and Arboretum). As part of the development, 23,800 cubic yards of onsite grading and modification of the existing conveyance pipeline in the surrounding rights of way are proposed. Construction is anticipated to take 18 total months.

This is the 2<sup>nd</sup> phase of the storm water solution for the Madison area. In large storm events, the above grade open storm storage grassy area may fill for several hours during 50 and 100 year storm events. After the storm, the water would be drained into the proposed upgraded conveyance storm pipe. The grassy area would remain completely drained during dry conditions and average rainstorms. After construction the area of development would be open, unfenced and include pedestrian paths providing increased access to the park from 29<sup>th</sup> Ave E and E Madison St. Existing sidewalks and street trees would be removed, to be replaced with new sidewalks and plantings as necessary to facilitate construction reviewed by Seattle Department of Transportation (SDOT).

Permanent vehicle access (service access only) to the facility is proposed from 29<sup>th</sup> Ave E, at the apex of the turn from E Roy St heading east to 29<sup>th</sup> Ave E as it turns northward. After construction is complete this access will be used a few times a month for normal facility management. Existing access to the park amenities will remain unchanged during construction. Construction access to the site is proposed in two locations, one at the permanent vehicle access location noted above and the second from E Madison St approximately 180' east of the Madison Lofts condo property to the southwest. Wheel washing facilities are proposed for each of the exit locations.

As part of the tank location, construction access, vehicle access, pedestrian access and required shoring activities that are likely, 65 trees (5 exceptional) are required to be removed as part of the development. Revegetation includes a total removal of 12,755 sq. ft of invasive species area coverage and approximately 29,000 sq. ft. of new native plantings including 153 replanted trees.

Pursuant to the Tree Protection Ordinance, [SMC 25.11.030-C+D](#) "Exemptions," SPU is exempt from the provisions of the chapter<sup>2</sup>. SPU has granted an exemption from Steep Slope Environmentally Critical Area requirements pursuant to [SMC 25.09.045-A.3.b](#) and subsection [H.1+2](#)<sup>3</sup>.

## **ANALYSIS – COUNCIL LAND USE ACTION**

Recommendation criteria to Council are outlined in [SMC 23.76.050-A](#) and require the Director to draft an evaluation of the proposal based on the standards and criteria for the approval sought and consistency with the applicable City policies. Seattle's [Comprehensive Plan](#) identifies policies that speak to various issues addressed by the proposed stormwater overflow basin.

### Report of the Director

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<sup>2</sup> DPD has determined that the installation of this tank is to remedy an immediate threat to public health and the proposed trails fall under the vegetation management and revegetation of public parkland and open spaces by a responsible department.

<sup>3</sup> Documentation of the ECA exemption by SPU is located in the DPD project file and on file with SPU.

*1. The written recommendations or comments of any affected City departments and other governmental agencies having an interest in the application;*

DPD transmitted the concept plans to SDOT, Seattle City Light (SCL) and Seattle Parks Department for review and comment. Below are the comments on the MUP and the related street improvement plans (SIPs) on file with SDOT (#95649). SDOT's comments are on the 60% SIP that has been circulated for initial comment. SCL commented on MUP and SIP. Parks Department did not have comments on the current project, but wants to review the future submittals to DPD. The building permit will be routed to Parks for review, which is scheduled to be submitted to DPD early in November. Parks has been and will continue to work closely with SPU through the complete design process. DPD feels there isn't a need for Council to provide conditioning on the below issues, SIP review by SDOT and SCL at 90% design plans will resolve the comments when submitted. DPD provides one comment responding to SDOT's comment on the location of the new proposed pedestrian access to the park on E Madison St.

<b>SCL</b>	<b>Comments</b>
SCL Infrastructure	There are underground electrical lines from a pole on E Madison St that run north to Washington Park through part of the "directly impacted area" of the project. Notes on the project plan state: "Electrical cabinet for field lights to be relocated." Applicant should confirm w/Seattle Parks what is served from this electrical service and coordinate relocation and electric service design several months in advance with an SCL Engineer and Electric Service Representative.
SCL Infrastructure	Around the perimeter of the project, there are SCL poles along E. Madison St and the intersection of 29th Ave E & E Valley St. Though it appears they are not directly impacted, please note that during construction: "All excavations adjacent to Seattle City Light poles or facilities (vaults, handholes, etc.) shall comply with WAC 296-155, Part N, Excavation, Trenching and Shoring. Pole protection/supporting systems used while excavating shall comply with WAC 296-155-655, General Protection Requirements, item (9) and shall not affect the structural integrity of poles while the systems are in place or after the systems have been removed."
SCL Street Lighting	The SCL pole located in front of 524 28 <sup>th</sup> Ave E may need to be relocated at the projects expense (As a result of the conveyance pipe realignment).
SCL Plan Review Team	Contact and coordinate with SCL on all proposed relocation of SCL structures.
	All excavations adjacent to City Light poles or other installations shall comply with the Washington Administration Code (WAC) safety standards for construction work, Part N. Site safety procedures and excavation protective systems shall specifically comply with WAC 296-155-650, excavation, trenching, & shoring.
	26KV high voltage in vicinity, must maintain 10' clearance to overhead high voltage lines. Contact SCL customer service representative for details.

SDOT	Comments
SDOT Traffic Ops	The proposed pedestrian access to the new facility at Lake Washington Park is attempting to take advantage of the shallow grade change. However this path alignment meets E Madison St mid-block between 29th Ave E and Lake Washington Blvd E. This new access to the park's facilities is near on-street parking, and as a result it will attract mid-block pedestrian crossings. SDOT Traffic Operations will not support the location of this proposed pedestrian facility intersecting E Madison St mid-block between 29th Ave E and Lake Washington Blvd E. To minimize the incidence of mid-block crossings, the new pedestrian park access should be relocated to the Lake Washington Blvd E/E Madison St signalized intersection. Pages showing the path, switchback and mid-block intersection with E Madison St are C-28, L-1, L-3, L-4, L-5.
DPD Comment	E Madison St is currently improved with a sidewalk to catch pedestrians from the mid-block entrance/exit location. Also, the proposed path minimizes disturbance to the Steep Slop area, provides for greater tree protection opportunity, minimizes slope of the pedestrian access and won't require significant retaining wall systems keeping with the natural design of the park. DPD supports the location of the pedestrian path as proposed by SPU.
SDOT Urban Forestry	SDOT Urban Forestry requests confirmation from SPU that the installation of underground infrastructure proposed by this project will not preclude the installation of street trees in planting strips along any street frontage within the project limits.
	SDOT Urban Forestry requests consideration for the installation of street trees in planting strips within the project limits (and secondarily within the watershed outside the project limits) where trees are not yet planted as mitigation for loss of trees associated with the project overall to benefit property owners impacted by the construction.
SDOT Traffic Control Plans	Whenever you have about 80' of construction restricting traffic to one 11' lane, you need flaggers controlling either end, with the required three advanced warning signs per approach.
	Do not use both stop signs and yield signs for the same direction of travel. These are regulatory signs.
	You cannot use yield signs for all directions entering an intersection. These are regulatory signs, not warning signs, and nobody would move if they all followed the requirement of the sign. Try "one lane road ahead" for one direction, probably for the un-barricaded side.
	Do not use detour signs on residential streets when there is no clearly better alternative. The signs are just clutter in the roadway.
	Pedestrians matter, when they are detoured, make sure they have a ramp on or off the curb.
	If you have only one lane of traffic around a corner, sign for it (see page T-4, where you have two directions coming into each other with no signing at 28th Ave E and E Mercer St.)
	Contact Traffic Signal Ops for any work within 100' of a traffic signal.
	Fences extending into the street need to be signed and lit or illuminated at night.
	Check for "crosswalk closed" rather than "sidewalk closed" signs.

2. *Responses to written comments submitted by interested citizens;*

No comments were received by DPD during the comment period held from 7.23.09 – 8.05.09. SPU's public involvement plan which included approximately seven public meetings, mailed surveys/questionnaires and other communication mediums to the public yielded many comments, which are a part of SPU's record.

3. *An evaluation of the proposal based on the standards and criteria for the approval sought and consistency with applicable City policies;*

The site is a designated City park. The tank top surface and surface storage areas are proposed to be open, grassy, and accessible to neighbors and the general public for their passive use and enjoyment. Currently this area of the park is not easily accessible due to lack of formalized connecting pedestrian access points; this proposal will provide a well landscaped and artful public project that doubles as open space. This status fits within Urban Village policies UV55 and 56.

The proposal is a necessary facility to mitigate drainage back-ups in the Madison Valley area. The facility's design as guided by the Design Commission, the extensive public input, and by Council will provide a sensitive design that reflects the neighborhood and functions well in the Arboretum surrounding. These elements comport with Land Use policies LU14 and 15.

Development standards for the proposed facility are those used for institutions in Single Family zones found under [SMC 23.44.022](#). The proposed tank will be mostly buried with one exposed side facing east. Few standards in the subsection apply to the proposal due to nature of the facility and its buried profile. As reviewed by DPD, the proposal is compliant with all standards found in the subsection.

Related to the proposal's function as a utility, open space and the Council's required public involvement, the project meets Comprehensive Plan policies U3 and U4 (maintenance of utilities, reliability, and improvements to deficiencies in utility service), as well as policy U17 (coordination with community representatives) and U19 (incorporation of accessible open space).

4. *All environmental documentation, including any checklist, EIS or DNS*

DPD's SEPA for conditioning decision, Recommendation on the City facility with waiver of the driveway width development standard, SPU's issued SEPA DNS, original SEPA checklist, SPU's SEPA Addendum, SPU's revised SEPA checklist, the geotechnical analysis, SPU's ECA exemption, Public Involvement Plan, Design Commission Minutes (9.3.09) and the Master Use Permit plans are part of this report and will be transmitted to Council.

5. *The Director's recommendation to approve, approve with conditions, or deny a proposal.*

SPU seeks one waiver to allow the majority of the proposed two-way service only driveway to be 12' in width where 22' is required ([SMC 23.54.030-D.2.a](#)). Some portions of the driveway are wider (18') at the mouth and turnaround areas. The driveway is proposed to provide vehicle access for facility service vehicles only, which are anticipated to access the site sparingly, once or twice a month. A hammer head is proposed near the south end of the tank to allow the

facility's service vehicles to safely turnaround and leave the site without backing onto 29<sup>th</sup> Ave E. Reduced road width will minimize disturbance of the steep slope area which the road is proposed to access through and will also minimize disturbance to foster tree retention. The road is anticipated to have a 17% slope at its steepest section, within code requirements. The road will also double as pedestrian access from the Single Family residential area to the west. Because of the limited frequency of use and the minimum disturbance a reduced access provides, DPD recommends *approval* of this waiver.

The facility proposal is consistent with the City's applicable land use policies, in that it seeks to develop a public facility that is appropriately sited and designed to afford passive recreational opportunities while also offering protection from further flooding in the area.

### **RECOMMENDED DECISION – COUNCIL CONCEPT APPROVAL**

DPD recommends that Council *grant* the proposal to place the storage tank, overflow area and driveway width waiver on the subject site.

### **ANALYSIS - SEPA**

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), [WAC 197-11](#), and Seattle's SEPA Ordinance ([Seattle Municipal Code Chapter 25.05](#)).

Disclosure of the potential impacts from this project is made in the environmental checklist submitted by the applicant dated March 21<sup>st</sup>, 2008 and an SPU issued SEPA Addendum dated June 22, 2009 that includes a revised environmental checklist. DPD has analyzed the environmental checklist and addendum, reviewed the project plans and the supporting information in the file and referenced by SPU. As indicated in the information, this action may result some in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant with conditioning. A discussion of these impacts, short and long term, is warranted.

### **Short - Term Impacts**

#### *Construction Impacts*

Construction activities (grading, tank construction, landscaping, pipe realignment construction) for project could result in the following adverse impacts: construction dust, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers' vehicles. Several construction related impacts are mitigated by existing City codes and ordinances applicable to the project, such as: Noise Ordinance; Street Use Ordinance; Grading and Drainage Code; Noise Ordinance; Environmentally Critical Areas Ordinance; Tree Protection Ordinance, Land Use Code and Building Code. Following is an analysis of the applicable SEPA policies.

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Seattle Department of Transportation.

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

An issue not addressed in other city code requirements is dirt/dust created by excavation materials onto the adjacent street system. Considering the 23,800 cubic yards grading proposed in concert with the fact that trucks will be maneuvering near or on the site and in the area for a substantial time during construction (approx. 18 months). SEPA conditioning is warranted to mitigate the impact of dust particulates in the air: Repeated wetting of the soils during grading activities and in uncovered trucks to keep dirt and dust impacts to a minimum and in the surrounding street system by requiring wheel washing facilities for trucks leaving the site (conditions #2 and #3).

#### Construction Noise

Noise associated with excavation could adversely affect surrounding uses in the area, which include residential uses. Due to the proximity of the project site to residential uses, DPD finds the limitations of the Noise Ordinance 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.

The hours of all work should be limited to between 7:30 AM and 6:00 PM on non-holiday weekdays to mitigate noise impacts (condition #6). Limited work on weekdays between 6:00 PM and 8:00 PM and on Saturdays between 9:00 AM and 5:00 PM may be allowed if prior approval is secured from the undersigned Land Use Planner or DPD's noise abatement team.

Such after-hours work is limited to emergency construction necessitated by safety concerns, project complication, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be considered only when the contractor provides three (3) days prior notice to allow DPD to evaluate the request. No further mitigation is warranted in this regard.

In addition, SPU's required public involvement plan ([link](#)) includes provisions to minimize construction impacts as much as possible. These provisions include: dedicated project email address, phone hotline, public contact log for complain tracking, project fact sheet, project newsletter, project web page, construction notices to affected residents, and construction signage at affected areas (duration, impacts and contact information). Here is the link to SPU's website that archives all project information:

[www.seattle.gov](http://www.seattle.gov), Keywords: *Madison Valley Flooding*

Conditioning is warranted to ensure that the public involvement plan developed by SPU is continued through the finish of construction in accordance with Council Bill 116203 and Ordinance Number 122699 (condition #8).

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy ([Section 25.05.675 SMC](#)).

### Construction Vehicles

Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. The development area of the site abuts 29th Ave E, E Madison St, 31st Ave E and Lake Washington Blvd E and traffic impacts resulting from the truck traffic associated with most grading will be of short duration (20 weeks) and mitigated in part by enforcement of SMC [11.62](#). Prior to construction approval SDOT will review and approve a haul route for and traffic control plan for the project including: sidewalk closures, removal of street parking, traffic flaggers, construction fencing, pedestrian access and changed traffic signage.

City 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 minimizes the amount of spilled material and dust from the truck bed en route to or from a site.

According to the submitted information, the tank and surface area storage portions of the project are likely to generate 2,840 truck trips during the construction period, to remove approximately 15,000 cubic yards of excavated soils. This work is anticipated to take 20 weeks. SPU proposes to only have truck hauling activities to occur between 9 AM – 4 PM. SPU may limit on their own truck haul trips until 9 AM, but may have occurrences based on project needs. The work in the right of way for the new pipe conveyance and other improvements could generate between 1,250 and 3,500 haul truck trips, depending on the method of pipe conveyance, trenchless or open cut. SPU has indicated the current plan is to convey the new pipe with trenchless technology to minimize construction impacts. The construction activities will require the removal and deposit of material from the site and can be expected to generate truck trips to and from the site. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations. Work zones in the right of way will be reduced during non-work hours to alleviate as much as possible, traffic circulation impacts.

East Madison’s traffic congestion during the PM peak hours paired with large grade hauling trucks turning onto arterial streets would further exacerbate the flow of traffic. Pursuant to SMC [25.05.675 B](#) (Construction Impacts Policy) and SMC [25.05.675 R](#) (Traffic and Transportation) additional mitigation is warranted to limit large truck hauling during peak PM traffic times.

For the duration of the grading activity, DPD recommends that the contractor be required to cease grading truck trips during the hours between 4 PM and 6 PM on weekdays (condition #7). This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity.

### Long - Term Impacts

The following long-term or use-related impacts, slight increase in demand on public services and utilities; and increased energy consumption are not considered adverse; furthermore, other City Departments will review in detail the service requirements needed to meet the project impacts/demand. Additional land use and parking/traffic impacts which may result in the long-term are analyzed below.

### Environmentally Critical Areas (ECA)

Contained in the development area are four ECAs: Steep Slope, Peat Settlement (Cat. 2), Abandoned Landfill, and Liquefaction. Aspect Consulting, LLC prepared a geotechnical study for work in the right of way: the new conveyance pipe line; other local improvements and on-site work: storage facility and above grade surface storage. The report asserts that “the project as proposed is feasible from a geotechnical engineering perspective, provided that our recommendations for design and construction are incorporated.” DPD has reviewed the preliminary report and approved the project conceptually at the MUP stage. Further review on a more detailed geotechnical report updated with any project changes will be required and reviewed by DPD at building and grading permit review stage. DPD sees no issues at this time with geotechnical feasibility of the proposed structure. With the exemption granted for steep slope disturbance and geotechnical review by DPD, impacts to ECA are regulated by the existing codes and no conditioning is needed.

### Air Quality and Environmental Health

Operational activities, primarily vehicular trips associated with the project and the projects’ energy consumption, are expected to result in small 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 small contribution of greenhouse gas emissions from this project due to its function and nature.

### Plants and Animals

The location of the project and disturbance area will require removal of trees on site as a result of the following factors: required size of the facility, service vehicle access, construction access, required shoring and pedestrian access paths. The project has been reviewed at major milestones with Parks Department, Design Commission and affected citizens consulted. Comments were also taken from Friends of Olmstead Parks group and Green Footprints groups. Of the 105 trees surveyed in the project 65 trees (5 exceptional) are required to be removed as part of the development. The remaining 40 trees to be saved represent the largest trees and provide the most function and screening. The trees to be preserved are mostly located along the perimeter of the project area. Preservation area is along E Madison St moving west and north around the project area which will maintain the street profile along E Madison St. The preservation area extends north along the western slope of the project area, maintaining the natural landscape buffer to the westerly single family zone.

Revegetation includes a total removal of 12,755 sq. ft of invasive species (blackberry, holly, ivy, laurel) area coverage and approximately 29,000 sq. ft. of new mostly native plantings including 153 replanted trees (68 native evergreens). The plans include a full tree inventory, tree protection plan and revegetation plan, prepared by Nakano Associates. As a result of the exemption from the tree protection ordinance in concert with the design process SPU executed, DPD feels the removal of the trees is justified and has been minimized to the greatest extent considering the project elements and scale. No conditioning is warranted or necessary.

### Historic Preservation

Cited in the SEPA checklists, there are indications that native people existed in the vicinity. The Madison Street Landfill and the historical East Madison Street cable car route are two historical areas that bolster the likelihood of the presents of cultural or historical artifacts at the site. As a result, conditioning is warranted per City of Seattle [Director's Rule 2-98](#) to require any city or contracted employee should be made aware of what cultural resources might be encountered pursuant to [Director's Rule 2-98](#) as well as if resources of potential archaeological significance are encountered during construction or excavation (see conditions #1 and #4).

### Summary

In conclusion, adverse effects on the environment resulting from the proposal are anticipated to be non-significant. Meeting the conditions stated below and analyzed above, the project will be compliant with SEPA policies.

Existing codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy ([SMC 25.05.665](#)).

### **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 43.21.030(2) (C).

### **RECOMMENDED CONDITIONS – COUNCIL CONCEPT APPROVAL.**

None.

## **RECOMMENDED CONDITIONS - SEPA**

### *Prior to Issuance of the Grading or Building Permits*

1. The owner and/or responsible parties shall provide DPD with a statement that the contract documents for their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 26.53, 27.44, 79.01, and 79.90 RCW, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.

### *During Construction*

The following 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 the construction.

2. During grading activities, watering of the site and uncovered materials in trucks shall be required to reduce construction dust.
3. Construction vehicles leaving the construction site shall make provisions to wash vehicle tires, wheels and exteriors in order to prevent spillover of particulates into the adjacent rights of way.
4. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:
  - Stop work immediately and notify DPD (Lucas DeHerrera 206.615.0724) and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAHP). The procedures outlined in Appendix A of Director's Rule 2-98 for assessment and/or protection of potentially significant archeological resources shall be followed.
  - Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.
5. The contractor and any responsible party shall limit the hours of all work to between 7:30 AM and 6:00 PM on non-holiday weekdays<sup>4</sup> to mitigate noise impacts. Limited work on weekdays between 6:00 p.m. and 8:00 p.m. and on Saturdays between 9:00 AM and 5:00 PM may be allowed if prior approval is secured from the undersigned Land Use Planner (Lucas DeHerrera 206.615.0724) or the Noise Abatement Team (David George 206.684.7843 or Jeff Stalter 206.615.1760).

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<sup>4</sup> Holidays recognized by the City of Seattle are listed on the City website, <http://www.seattle.gov/personnel/services/holidays.asp>

Such after-hours work is limited to emergency construction necessitated by safety concerns, project complications, work of low noise impact; landscaping activity which does not require use of heavy equipment (e.g., planting), or work which would substantially shorten the overall construction timeframe. Such limited after-hours work will be strictly conditioned upon whether the contractor or responsible party provide three (3) days prior notice to allow DPD to evaluate the request.

Non-Holiday Work Hours							
	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
7:00 am							
8:00							
9:00							
10:00							
11:00							
12:00 pm							
1:00							
2:00							
3:00							
4:00							
5:00							
6:00							
7:00							
8:00							

Table 1 Non-Holiday Work Hours: Un-shaded work hours shown above are permitted outright. For certain types of work, DPD can approve work in the shaded hours upon request by the contractor.

- For the duration of grading activity, the contractor or responsible party shall cease grading activity truck trips to and from the project during the hours between 4 PM and 6 PM on weekdays.
- Continue to execute the referenced Public Involvement Plan as mandated by Council.

Signature: \_\_\_\_\_ (signature on file)  
Lucas DeHerrera, Senior Land Use Planner  
Department of Planning and Development

Date: November 9, 2009