



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

Application Number: 3010512
Applicant Name: Matt Edwards
Address of Proposal: 1207 Westlake Avenue North

SUMMARY OF PROPOSED ACTION

Land Use Application to demolish six existing structures of varying sizes totaling 76,727 square feet in an environmentally critical area.

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 DATA

Site Description

The site is located in the South Lake Union neighborhood, between Dexter Avenue North and Westlake Avenue North, to north of Highland Drive. Eighth Avenue North joins Westlake at the south end of the site. Westlake Avenue North is a principal arterial, Dexter Avenue North is a minor arterial, and 8th Avenue North is a nonarterial. Highland Drive is a nonarterial. It is developed with six structures and is interrupted by a steep slope, approximately 30 feet from top to toe, with no pedestrian access. The vicinity slopes down to the east toward Lake Union. The property is located in the South Lake Union Hub Urban Village. The site is zoned Seattle Mixed with a 65 foot base height limit (SM 65'). The site is a rectangular shaped corner lot with most of it street frontage located along Highland Drive, Dexter Avenue North, and Westlake Avenue. The site measures approximately 170 feet from north to south and 248.93 feet from east to west. There is no alley. The majority of the site is flat, roughly level with Westlake Avenue North. The western edge of the site rises steeply, about 30 feet, to Dexter Avenue North. Portions of the site are designated as Environmentally Critical Areas on City maps (steep slope, liquefaction area). On Dexter and Westlake Avenues North, there are existing curbs and sufficient width to accommodate full sidewalk improvements, but the sidewalk is not currently improved to City standards. Most of

Highland Drive adjacent to the site is paved, but there is no sidewalk. The site is served by public transit. Metro routes 17 and 74 pass by the site along Westlake Avenue North. Routes 16, 26, and 28 pass by the site along Dexter Avenue North.

Area Development

Properties to the north, south, and west of the site are also zoned SM 65'. Land to the east across Westlake Avenue North is zoned Commercial 2 with a 40 foot base height limit. Some nearby properties are within 200 feet of the shoreline, in the Urban Stable (US) shoreline environment, but the subject site is outside the shoreline. Development in the vicinity reflects its zoning, though it does not approach the full zoning potential, suggesting that the area could experience substantial future redevelopment. The Westlake Avenue North corridor is characterized primarily by low commercial buildings in varying states of repair, water-related retail businesses, restaurants, and newer midrise office building. Several businesses have large accessory surface parking lots. The Associated General Contractors (AGC) building is across Westlake Avenue North to the northeast of the site, and South Lake Union Park is located about 400 feet to the southeast of the site. The Dexter Avenue North corridor is characterized primarily by newer midrise office buildings (Casey Family Program, Battelle Memorial Institute) on its east side, and on the west side a mixture of low commercial buildings and newer midrise mixed use and residential buildings (The Dexter, The Nautica). Dexter Avenue North is also a principal route for bicyclists.

Proposal Description

The applicants propose to demolish six structures on three adjacent parcels.

Public Comment

One comment letter was received from a neighboring firm during the comment period which ended January 6, 2010 expressing support for demolition of the buildings due to vacancy, dilapidation, a blight on the neighborhood, and an increase in petty crime.

ANALYSIS-SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated November 17, 2009) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

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, 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/circumstances (SMC 25.05.665) mitigation can be considered.

Short-Term Impacts

Demolition activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from demolition 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 demolition workers' vehicles. Existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code, would mitigate several demolition-related impacts. Following is an analysis of the air, water quality, streets, parking, and demolition-related noise impacts as well as mitigation.

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) would be adequately controlled with a street use permit through the Engineering Department, and no further SEPA conditioning would be needed.

The proposal site is located adjacent to a residential area where construction of this scale would impact the noise levels. The SEPA Noise Policy (Section 25.05.675B SMC) lists mitigation measures for construction (including demolition) noise impacts. It is the department's conclusion that limiting hours of demolition beyond the requirements of the Noise Ordinance is necessary to mitigate impacts that would result from the proposal on surrounding properties, because existing City ordinances do not adequately mitigate such impacts. This is due to the density of residential units in the area and the proximity of these structures to the proposal site. The proposal is, therefore, conditioned to limit demolition activity to non-holiday weekday hours between 7:00 A.M. and 6:00 P.M. and Saturdays from 9:00 A.M. to 6:00 P.M. The department may modify this condition to allow work of an emergency nature or which cannot otherwise be accomplished during these hours by prior written approval of the Land Use Planner.

Air

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). No unusual circumstances exist which warrant additional mitigation, per the SEPA Overview Policy.

Greenhouse gas emissions associated with development come from multiple sources; the extraction, processing, transportation, construction and disposal of materials and landscape disturbance (Embodied Emissions); energy demands created by the development after it is completed (Energy Emissions); and transportation demands created by the development after it is completed (Transportation Emissions). Short-term impacts generated from the embodied emissions results in increases in carbon dioxide and other greenhouse gases thereby impacting air quality and contributing 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 specific project. The other types of emissions are considered under the use-related impacts discussed later in this document. SEPA conditioning is not necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675A.

Long-Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions and environmental health. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. 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. Additional land use impacts which may result in the long-term are discussed below.

Greenhouse Gas Emissions and Other Impacts

Emissions from the generation of greenhouse gases due to the increased energy and transportation demands may be adverse but are not expected to be significant due to the relatively minor contribution of emissions from this specific project. The other impacts such as but not limited to, increased ambient noise, and increased demand on public services and utilities are mitigated by codes and are not sufficiently adverse to warrant further mitigation by condition.

Drainage

No drainage will be directed to the adjoining streets. Verification of an appropriate stormwater control system and its proposed location of connection to the public system will be required to be shown on the demolition plans. The geotechnical report addresses drainage issues as well. No additional mitigation measures will be required pursuant to SEPA.

Earth

The site is located in an environmentally critical area due to slopes exceeding 40 percent and liquefaction. An environmentally critical area exemption was because the extent of the proposed demolition could affect the stability of adjacent slopes. A geotechnical report was submitted with this application and reviewed by this department's geotechnical engineer. The geotechnical report and addendum to the report provided recommendations for slope stabilization. The DPD geotechnical engineer reviewed the geotechnical report and recommended conditions. Compliance with these conditions and the requirements of the ECA Ordinance will be required prior to issuance of the demolition permit. Therefore, no mitigation of earth or drainage impacts will be required pursuant to Section 25.05.675 of the Seattle SEPA Ordinance.

Historic Preservation

A Cultural Resources Assessment was submitted with this application and reviewed by the Landmarks Preservation Board Coordinator at the Department of Neighborhoods (DON). DON determined that it is unlikely, based in part on loss of integrity, that the five buildings located at the addresses listed above would meet the standards for designation as individual landmarks. Therefore, no mitigation is necessary pursuant to Section 25.05.675H of the Seattle SEPA Ordinance regarding historic preservation of the structures proposed for demolition.

SUMMARY

In conclusion, several adverse effects on the environment are anticipated resulting from the proposals which are nonsignificant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the 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.

- 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 with respect to transportation, circulation, and parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030(2)(C).

SEPA CONDITIONS

During Construction

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

The following condition(s) to be enforced during 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. If more than one street abuts the site, conditions shall 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 shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

1. All demolition activities are subject to the limitations of the Noise Ordinance. Demolition activities shall be limited to non-holiday weekdays from 7:00 am to 6:00 pm and Saturdays from 9:00 am to 6:00 pm. Non-noisy activities, such as site security, monitoring, and weather protection shall not be limited by this condition.

Demolition activities outside the above-stated restrictions may be authorized by the Land Use Planner when necessitated by unforeseen safety or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner 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: May 17, 2010
Malli Anderson, Land Use Planner
Department of Planning and Development