



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 Number: 3010565
Applicant Name: Patrick Merritt for Keller CMS
Address of Proposal: 726 Broadway

SUMMARY OF PROPOSED ACTION

Land Use Application to demolish a three (3) story, 18,000 square foot medical office building.

The following approval is required:

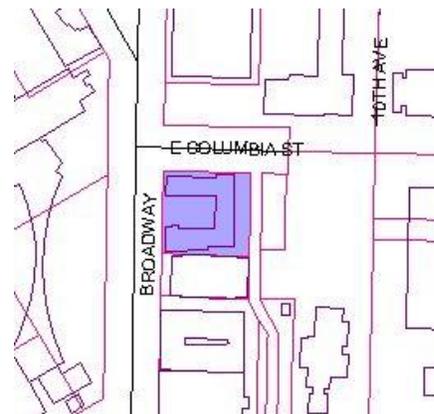
SEPA - Environmental Determination – (Chapter 25.05, Seattle Municipal Code.)

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

BACKGROUND INFORMATION

Site and Vicinity Description

The subject site is zoned Neighborhood Commercial 3 with an 85 foot height limit (NC3-85). The site is located on Broadway, north of East Cherry Street and south of East Columbia Street in the Capitol Hill Neighborhood. There is an alley in this block. The site is across the street from Swedish Medical Center and next to the Seattle University Campus. The site is located within their Major Institution Overlay (MIO 105 contract CF 300520). The lot currently has a vacant medical office building.



Proposal

The proposal is for a Master Use Permit for demolition of an existing vacant three story building. The proposal includes demolition of the 18,000 square foot medical office building, removal of asbestos and other hazardous materials followed by filling and grading of the demolition site, to include grading for required drainage and stormwater management. The proposal includes eliminating 11 parking spaces. Grading of approximately 24 cubic yards will occur; any soil export will be to remove contaminated soils from the site to an approved disposal site. The site will be graded to blend with the existing grades at East Columbia Street. Following demolition, the new use will be determined to be vacant.

Public Comments

There were no public comments submitted to the planner during the official comment period which ended December 23, 2009.

ANALYSIS - SEPA

The initial disclosure of the potential impacts of the proposed project was made in the environmental checklist dated November 10, 2009. Information in the checklist was supplemented by geotechnical report, the plans, site visits and other documentation. The information in the checklist, supplemental information and the experience of the lead agency with the review of similar projects forms the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) 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. Thus, the mitigation that may be required pursuant to SEPA authority is limited. A discussion of likely adverse impacts and how they may be appropriately mitigated follows below.

Short-Term Impacts

Codes and development regulations applicable to this proposal will provide sufficient mitigation for most impacts.

The following temporary or construction-related impacts are expected: 1) temporary soil erosion; 2) decreased air quality due to increased dust and other suspended air particulates during excavation and demolition; 3) increased noise and vibration from demolition operations and equipment; 4) increased traffic and parking demand from demolition personnel; 5) blockage of streets by demolition vehicles/activities; 6) conflict with normal pedestrian movement adjacent to the site; and 7) consumption of renewable and non-renewable resources. These impacts are not considered significant because they are temporary and/or minor in scope (Section 25.05.794, SMC). Although not significant, 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 mitigation for some of the identified impacts. Specifically these are: 1) Street Use Ordinance (watering streets to suppress dust, obstruction of the pedestrian right-of-way during demolition, demolition along the street right-of-way); 2) Building Code (demolition measures in general); and 3) Stormwater, Drainage and Grading Code (temporary soil erosion). In addition, permit requirements from PSCAA will mitigate impacts due to dust and any hazardous materials located in the building. Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts.

Construction Impacts

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.

Air Quality

Puget Sound Clean Air Agency (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 has been removed from the site. A condition shall be added requiring the applicant to submit to DPD a copy of the PSCAA Notice of Intent to Demolish prior to issuance of the DPD 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.

Noise

There will be demolition of a structure. Due to the proximity of other residential uses, college dorms and hospital uses the limitations of the Noise Ordinance are found 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), additional mitigation is warranted.

The project will be conditioned to limit the hours of any construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. Limited work on Saturdays between 9:00 a.m. and 6:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner at DPD. Such after-hours work would include emergency construction necessitated by safety or street use (traffic) concerns, 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. Limited work at other times or on Sundays may also be allowed if necessary to align with SDOT or utility requirements. Such limited after-hours work may be authorized only if the owner(s) and or responsible party(s) provide 3-days prior notice to allow DPD (holly.godard@seattle.gov) to adequately evaluate the request.

Long-term Impacts

Potential long-term impacts that may occur as a result of this project include: 1) possible soil erosion, depending on the state the newly exposed ground is left in after demolition; possible negative aesthetic impacts if the site is not rebuilt upon or adequately landscaped after the proposed demolition takes place. These long-term impacts are not considered significant because the impacts are expected to be minor in scope.

Long-term impacts such as this are typical of this type of project and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are the: Stormwater, Grading and Drainage Control Codes; and the Seattle Building Code.

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to 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.

Historic Preservation

Due to the age of the structure, a review of the proposal was forwarded to the Department of Neighborhoods, as required by SEPA policies found in SMC 25.05.675H. DON staff reviewed the historic referral and determined that it is unlikely, due in part to a loss of integrity, that the building located at the address listed above would meet the standards for designation as an individual landmark.

Other impacts not noted here as mitigated by codes or conditions are not sufficiently adverse to warrant further mitigation by condition.

DECISION - SEPA

The responsible official on behalf of the lead agency made this decision after review of a completed environmental checklist and other information on file with the department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 (2)(C).

CONDITIONS - SEPA

Prior to Building Permit Issuance

1. The applicant shall submit to DPD a copy of the PSCAA Notice of Intent to Demolish prior to issuance of the DPD demolition permit.

During Construction

During building demolition and site work:

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 waterproofing material and shall remain posted on-site for the duration of the construction.

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

2. Limit the hours of any construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. Limited work on Saturdays between 9:00 a.m. and 6:00 p.m. may be allowed if prior approval is secured from the undersigned Land Use Planner at DPD. Such after-hours work would include emergency construction necessitated by safety or street use (traffic) concerns, 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. Limited work at other times or on Sundays may also be allowed if necessary to align with SDOT or utility requirements. Such limited after-hours work may be authorized only if the owner(s) and or responsible party(s) provide 3-days prior notice to allow DPD (holly.godard@seattle.gov) to adequately evaluate the request.

Signature: _____ (signature on file) Date: January 28, 2010
Holly J. Godard, Land Use Planner
Department of Planning and Development

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