



City of Seattle

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**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:** 3010806  
**Applicant Name:** Michael Dodd  
**Address of Proposal:** 4819 West Marginal Way SW

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a new 3,444 sq. ft. canopy accessory to a 9,530 square foot general manufacturing building and an attached 1,800 square foot office building, in an environmentally critical area. Existing structures to remain.

The following approval is 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 and area description

The 34,432 square-foot site is located in a Industrial (IG2 U/85) zone at a mid-block property on West Marginal Way SW between SW Edmonds St and Puget Way SW. Nearby zones include residential to the west (SF 7200) and Industrial to the east (IG1 U/85). Nearby development includes primarily industrial uses along West Marginal Way SW, with residential development uphill to the west of the site.

The site slopes from the west down to the east. A steep slope area is located along the western border of the site, and continues to the north and the south of the site. A retaining wall and

private driveway separate the steep slope from the developed portions of the site, which are relatively flat. The site is located in an Environmentally Critical Area (ECA) due to the presence of the steep slope, potential slide, and liquefaction areas on the parcel. The site is mapped as a riparian corridor ECA, but DPD review determined that there is no regulated riparian corridor on this site.

### Proposal Description

The applicant proposes to construct a new 1,835 square foot roof cover over a paved outdoor storage area and a separate 240 square foot roof cover over another paved area. Included in the review is a previously unpermitted one-story roof structure (1,369 square feet). The existing one story manufacturing building is 9,530 square feet with some attached covered roof areas (528 square feet) and a concrete hopper plant structure (114 square feet). An existing attached two story office structure is 1,800 square feet. The proposed additions would bring the total area of structures above the SEPA threshold of 12,000 square feet for this zone; therefore SEPA review must include the existing and proposed structures.

The site includes 10 existing parking stalls and 3,444 square feet of staging area for manufacturing.

### Public Comments

The public notice was issued on May 24, 2010. No public comment letters were received.

### ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist (April 20, 2010), and supplemental information in the project file submitted by the applicant's agent. The information in the checklist, the supplemental information, 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 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 such limitations/circumstances (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during demolition and construction; increased noise and vibration from construction operations and equipment; and increased traffic and parking demand from construction personnel. These impacts are not considered significant because they are temporary and/or minor in scope.

Compliance with existing ordinances, such as the Street Use Ordinance and the Noise Ordinance will provide sufficient mitigation for most impacts. The other impacts not noted here as mitigated by codes or conditions are not sufficiently adverse to warrant further mitigation by conditioning. These impacts are not considered significant; however some of the impacts warrant further discussion and review.

### Air Quality

Demolition of structures and surface paving and transport for 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 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. 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.

### Construction Impacts

Construction activities include construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials. These activities 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 and do not warrant mitigation under SEPA.

### Earth

The proposal has been reviewed for geotechnical concerns under application #6229286. The DPD reviewer noted, *“Given that the project is solely a canopy, no geotechnical engineering report is required if SBC bearing value of 2,000 psf is used for design.”* To comply with this requirement the applicant has included the a note on the plan set stating *“Project site is mapped as potential landslide due to geologic conditions and liquefaction prone ECAs so Seattle Building Code Bearing Value of 2000 psf is to be used for design.”*

The construction plans, including shoring of excavations as needed and erosion control techniques will received separate review by DPD geotechnical engineers. Any additional

information showing conformance with applicable ordinances and codes (ECA ordinance, The Stormwater, Grading and Drainage Control Code, DR 33-2006, and 3-2007) will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are utilized; therefore, no additional conditioning is warranted pursuant to SEPA policies.

### Noise

Demolition of existing buildings and excavation will be required to prepare the site and foundations for the new structure. Additionally, as development proceeds, noise associated with construction of the building could adversely affect the nearby residential uses. Due to the proximity of neighboring residential 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), mitigation is warranted. The hours of construction activity shall be limited, subject to the conditions listed below.

### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased bulk and scale on the site; increased traffic in the area; increased demand for parking; increased noise; and increased demand for public services and utilities.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tight line release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development; the City Noise Control Ordinance which will regulate hours and level of noise. 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, except as noted below.

### Parking

Parking demand below is analyzed for existing structures and proposed structures for total potential adverse impacts from the development. The site has 10 existing parking spaces, with limited parking available on nearby streets.

The Institute of Transportation Engineers (ITE) Parking Manual indicates that the proposed mix of uses would generate peak demand for approximately 14.7 vehicle parking spaces:

- 1.02 spaces per 1,000 sq. ft. manufacturing use x 10,172 sq. ft. = 10.4
- 2.4 spaces per 1,000 sq. ft. office use x 1,800 sq. ft. = 4.3

The site is located in an industrial area and is not near any transit lines, but is close to a trail that offers pedestrian and bicycle opportunities. The ITE Parking Manual is based on suburban assumptions that often do not include nearby pedestrian-oriented environments, bicycle facilities, or carpooling opportunities. For the remaining spillover parking demand of people driving to the site for these uses, there are some off-site parking opportunities nearby, including a paved area on the lot to the north. Although the impact of spillover parking would likely be adverse, it is not expected to be significant. No further conditioning is warranted by SEPA policies.

### Traffic

The total existing and proposed development is expected to generate approximately 10 to 15 additional traffic trips per day, per an estimate from the applicant.

The Institute of Transportation Engineers (ITE) Manual indicates that the total existing and proposed mix of uses would generate approximately 35.1 total trips per day, and 9.7 total trips per peak hour of traffic:

#### Total Trips/Day

- 1.5 trips per day, per 1,000 sq. ft. manufacturing use x 10,172 sq. ft. = 15.3
- 11.01 trips per day, per 1,000 sq. ft. office use x 1,800 sq. ft. = 19.8

#### Total Trips/Peak Hour

- 0.68 trips per peak hour, per 1,000 sq. ft. manufacturing use x 10,172 sq. ft. = 6.9
- 1.55 trips per day, per 1,000 sq. ft. office use x 1,800 sq. ft. = 2.8

The site is adjacent to West Marginal Way SW, a four lane arterial with a center turn lane. The anticipated number of vehicle trips per hour and per day would not significantly exacerbate traffic congestion in this area during peak hours of travel. Seattle Department of Transportation will review any sidewalk or street closures and will review construction vehicle staging and travel. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), no additional conditioning is warranted.

### Summary

The Department of Planning and Development has reviewed the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file; and any comments which may have been received regarding this proposed action have been considered. As indicated in the checklist and this analysis, this action will result in probable adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

**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 requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public 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 2C.
  
- 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 2C.

**CONDITIONS – SEPA**

During Construction

1. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner (Shelley Bolser, [shelley.bolser@seattle.gov](mailto:shelley.bolser@seattle.gov) or (206) 733-9067) when necessitated by unforeseen construction, 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: August 12, 2010  
Shelley Bolser AICP, LEED AP, Senior Land Use Planner  
Department of Planning and Development