



City of Seattle

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: 3010871

Applicant Name: Matthew Swope for North Seattle Community College

Address of Proposal: 9600 College Way North

SUMMARY OF PROPOSED ACTION

Land Use Application to provide two new Metro King County bus stops and to allow paving and striping of the existing gravel parking lot (127 spaces). Project includes on-site stormwater infiltration including bioswales. Site is located in an environmentally critical area.

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 DATA

Site Location: The subject site is located on the North Seattle Community College (NSCC) campus, along vacated N. 95th St., near the center of the NSCC campus.

Zoning: Properties east of College Way N. between N. 92nd St. and N. 103rd are located on campus. Campus properties near the project site are zoned Lowrise Three and Lowrise One multifamily residential development (L3 and L1) within the Major Institution Overlay District (MIO with variable height limits). Properties west of College Way N. are zoned single family (SF 5000). The properties are also located within the Northgate Overlay District.

Parcel Size: The NSCC Campus has an area of about 779,000 sq. ft. The area where the proposed work will occur is project site is much smaller, consisting of the paving of an existing 127 space parking area (roughly 30,000 sq. ft.) and the addition of speed bumps and drainage improvements.

Existing Use: The subject site is located entirely within the NSCC Campus and includes an existing 127 space gravel parking area and existing campus roadways. No change of use is proposed.

Proposal Description: The proposal includes the addition of two new Metro King County bus stops on either side of (vacated) N. 95th St. on the campus interior, as well as paving and striping of an existing gravel parking lot (127 spaces). The project also includes on-site stormwater infiltration including bioswales. Environmental review under Seattle's SEPA Ordinance is required due to the presence of environmentally critical areas (steep slopes, wetlands and peat soils) on site.

Public Comment: One person requested that the public comment period be extended. The extended comment period ended May 23, 2010.

ANALYSIS - SEPA

The proposal site is located in on a property with environmentally critical areas (steep slopes, wetlands and peat soils), thus the application is not exempt from SEPA review. However, SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes identifying additional mitigation measures which may be needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

Exemptions were granted from the ECA requirements for steep slopes and wetlands on January 11, 2010, and March 2, 2010, respectively. The Director has also determined that the project complies with the regulations for peat settlement areas.

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated March 30, 2010. The information in the checklist, supplemental information in the project file, public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed and annotated 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, this action will result in

adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

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, and 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. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

Short-term Impacts

The following temporary or construction-related impacts are expected: 1) temporary soil erosion; and 2) increased vibration from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

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; 2) Building Code (construction measures in general); 3) Regulations for Environmentally Critical Areas, and 4) Stormwater, Drainage and Grading Code (temporary soil erosion). 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.

Earth

The ECA Ordinance and Directors Rule (DR) 3-93 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with steep slopes, liquefaction zones, and/or a history of unstable soil conditions. Pursuant to this requirement the applicant submitted a geotechnical engineering study prepared by Otto Rosenau & Associates, Inc., March 11, 2010. The report evaluates the soil and site conditions and provides recommendations for erosion and drainage controls, slope stability, grading and pavement design. Additional information required showing conformance with the Environmentally Critical Areas Ordinance will be required prior to issuance of building permits.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Long-term Impacts

Potential long-term impacts that may occur as a result of this project include: 1) increased surface water runoff from greater site coverage by impervious surfaces, and 2) increased demand on public services and utilities. Proposed bioswales and infiltration techniques will provide mitigation for these impacts. Drainage systems are designed to continue to provide water to the nearby wetland area while avoiding storm surges.

Additional mitigation for long-term impacts will be provided by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (storm water runoff from additional site coverage by impervious surface; and the Regulations for Environmentally Critical Areas.

These long-term impacts are not considered significant because the impacts are minor in scope.

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.

- 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

None required.

Signature: _____ (signature on file) Date: August 5, 2010
Scott Kemp, Land Use Planner
Department of Planning and Development

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