



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:** 3010931  
**Applicant Name:** WeinsteinAU for City of Seattle Fleet and Facilities Dept.  
**Address of Proposal:** 405 M L King Jr Way S

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a new 11,235 sq. ft., 2-story public facility (Seattle Fire Department Station #6). Review includes demolition of an existing 6,802 sq. ft. warehouse and office building.

The following approval is required:

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

**SEPA DETERMINATION:**  Exempt  DNS  EIS

DNS with conditions

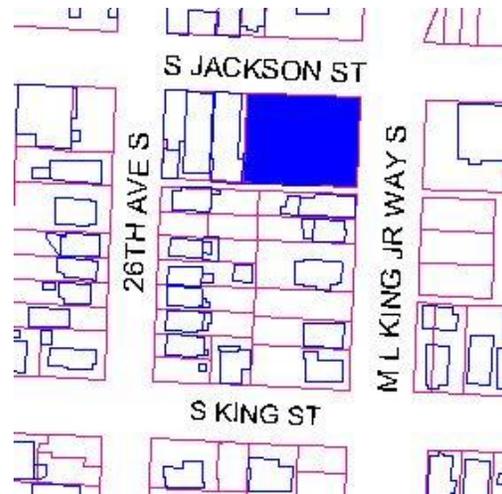
DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

**BACKGROUND DATA**

**Site and Vicinity Description**

The subject site is located at the southwest corner of S. Jackson St. and Martin Luther King Jr. Way S. The site is zoned NC2-40 (Neighborhood Commercial Two with a 40 foot height limit) and is improved with a one story building and surface parking lot.

The area of the corner site is 15,308 square feet. Surrounding zoning is also NC2-40 on each of the four corners of the intersection and along S. Jackson St. in the east and west directions. To the south, across a 10 foot wide alley, is an area of L1 (Lowrise One Multifamily) zoning with predominantly ground related multifamily uses in wood frame structures.



There are currently driveway entries onto both adjacent arterial streets.

### Proposal Description

The proposal is to build a new 11,235 square foot, 2-story, 2-apparatus bay station. Surface parking for 12 vehicles will be provided off the S. Jackson St. in a secure parking area. The station is planned to have a ground source heat pump for heating and air conditioning. It is also planned to have 800 cubic foot cistern. Approximately 1,100 sq. ft. of the site will be landscaped.

### Seattle Design Commission

This proposal is subject to review by the Seattle Design Commission (SDC) because it is a City Facility. The Commission's role is to advise the project proponents in an effort to foster well-designed civic projects. The SDC supported the overall development proposal and program. For complete SDC actions and comments, the approved minutes from the meetings are available on the City of Seattle website located at;  
[http://www.seattle.gov/dpd/Planning/Design\\_Commission/overview/](http://www.seattle.gov/dpd/Planning/Design_Commission/overview/)

### Public Comments

No public comments were received during the comment period which ended on April 28, 2010.

### ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklists submitted by the applicant dated March 26, 2010 and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 23.05.665) discusses the relationship between the City's code/policies and environmental review. 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 limitation". The Overview Policy in SMC 23.05.665 D1-7, states that in limited circumstances it may be appropriate to deny or mitigate a project based on adverse environmental impacts.

The policies for specific elements of the environment (SMC 25.05.675) describe the relationship with the Overview Policy and indicate when the Overview Policy is applicable. Not all elements of the environment are subject to the Overview Policy (e.g., Traffic and Transportation, Plants and Animals and Shadows on Open Spaces). A detailed discussion of some of the specific elements of the environment and potential impacts is appropriate.

### Short-term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition, grading and clearing and hydrocarbon emissions from construction vehicles and equipment; temporary soil erosion; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; increased noise; increases in carbon dioxide and other greenhouse gas emissions and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, some impacts warrant further discussion.

### Air

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos or other hazardous substances during demolition.

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 green house 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.

No SEPA conditioning is necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675A.

### Noise

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends. The surrounding properties are developed with housing and will be impacted by construction noise. The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. Additionally DPD will evaluate other requests on a case by case basis to allow for emergencies, safety, or street-use related situations that warrant work outside of the construction hours.

### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased height, bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; increases in carbon dioxide and other greenhouse gas emissions; and increased light and glare.

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 detention 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. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term long term impacts, although some impacts warrant further discussion.

### Height, Bulk and Scale

The SEPA Height, Bulk and Scale Policy (Section 25.06.675.G., SMC) states that *“the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies set forth in Section B of the land use element of the Seattle Comprehensive Plan regarding Land Use Categories, ...and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.”*

Less intensive zoning is present to the south; however, the proposed building exceeds code setbacks and is under height based on the allowed zone height limit of 40 feet and is across a 10 foot wide alley with an addition three feet of setback. The station will reach a height of 38 feet along the southern, alley facade. Existing development on the south side of the alley is with a two story apartment building. The height limit in the L1 zone there is 25 feet to the top of wall and up to 35 feet with a six to 12 pitched roof. The proposed setbacks of three feet, a 10 foot alley and setbacks for any redevelopment of the lot to the south would provide a measure of separation sufficient to adequately mitigate height, bulk and scale impacts. No mitigation for height, bulk and scale is needed per SEPA policy.

Noise

The project is expected to generate operational noise from fire alarms, radios, emergency generator and sirens. Emergency response vehicles (fire engines, ladder trucks and aid vehicles) will use sirens when leaving the site. Alert systems called, “klaxon bells” are also used at fire stations to alert personnel that are outside of the building performing duties. The site is close to residential uses and these operational noises will likely be heard and could be especially adverse in the early morning and in the evening. The Seattle Noise Control Ordinance exempts sounds created by fire alarms and emergency vehicles in that they are essential for a fire station. The fire department has indicated that the klaxon bells will be turned off between the hours of 10 PM and 7 AM. The emergency generator will be routinely operated for testing and drills, and will be equipped with a sound-muffling steel enclosure which will reduce some sound generation. All these noises will be intermittent and of short duration, and are unavoidable; therefore, SEPA mitigation is not appropriate.

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 traffic in the area and increased demand for parking; increased demand for public services and utilities and increased light and glare; are mitigated by codes and/or are not sufficiently adverse to warrant further mitigation by condition.

**CONDITIONS - SEPA**

During Construction

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.

1. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays<sup>1</sup> from 7am to 6pm. Interior work using equipment within a completely enclosed structure, such as but not limited to compressors, portable-powered and pneumatic powered equipment may be allowed on Saturdays between 9am and 6pm, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

