



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

Application Number: 3011038
Applicant Name: Emily Wheeler for Seattle Parks and Recreation
Address of Proposal: 8825 Rainier Avenue S (Rainier Beach Community Center)

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a one-story, 48,000 sq. ft. community center and pool (Rainier Beach). Project includes 25,500 cu. yds. of grading. Surface parking for 21 additional vehicles to be provided for a total 76 spaces. Existing community center and pool to be demolished.

The following approvals are required:

SEPA - Environmental Determination - Seattle Municipal Code (SMC) 25.05

Administrative Conditional Use – SMC 23.44.022

Variance - To exceed the maximum size limit of 25,000 sq. ft. for institutions in Neighborhood Commercial 2 zones (SMC 23.47A.004 and SMC 23.47A.010).

Variance - To allow less than the required setback required along any rear or side lot line that abuts a lot in a residential zone as follows: Ten feet for portions of structures above 13 feet in height to a maximum of 65 feet. (SMC 23.47A.014.B.2.a)

Variance - To allow blank segments of the street-facing façade between 2 feet and 8 feet above the sidewalk may to exceed 20 feet in width. (SMC 23.47A.008.A.2)

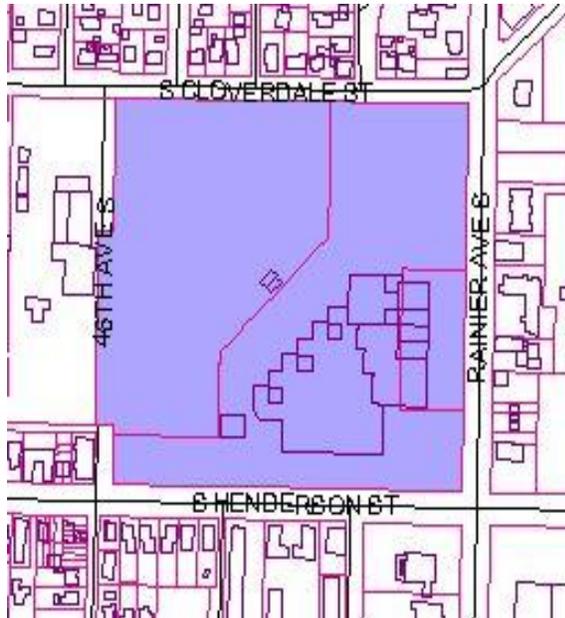
Variance - To allow less than sixty percent of the street facing façade between 2 feet and 8 feet above the sidewalk shall be transparent. (SMC 23.47A.008.B.2).

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

BACKGROUND DATA

Site and Vicinity Description

The subject site is located in the Rainier Beach neighborhood bounded by streets on three sides; Rainier Avenue South on the east, South Cloverdale Street on the north; and, South Henderson Street on the south. The Rainier Beach Community Center abuts the South Shore and South Lake Schools and the Rainier Beach Playfield. Additionally, Dunlap Elementary School abuts the Rainier Beach Playfield on the west side. A map of the site is provided below.



The site is zoned Single Family 5000 (SF 5000), Neighborhood Commercial 2 with a 30 foot height limit (NC2-30') and multifamily residential Lowrise 3 (L3). The Rainier Beach Community Center building is located within both the SF5000 and the NC2-30' zones.

Surrounding development includes single family residential to the north, multifamily residential and commercial uses to the south, Rainier Beach High School and residential and commercial uses across Rainier Ave S., to the east, and the Dunlap School and single family residential development to the west. The site provides a transition from the more intense commercial character to the south and the more residential character to the north (west of Rainier Avenue South).

Proposal Description

The project includes demolition of the existing 72,322 sq. ft. Rainier Beach Community Center building including basement and foundations, parking lot, curbs and utilities. About 25,300 cubic yards of structural fill will be imported and the site re-graded, and a new 48,000 sq. ft. community center (slab on grade) and pools, new parking lot, sidewalks, patio, exterior stairs, ramps, retaining walls, new playground area, and service drive and delivery area will be constructed.

According to information in the project file, although the structure to be demolished is larger than the proposed, much of the existing floor area is currently unusable (due to such factors as lack of heat and safety) so there will be a net gain of about 5,000 sq. ft. of usable floor area. Parking for 55 vehicles will be eliminated; parking for 76 vehicles will be provided.

Additional Information

The site for the Rainier Beach Community Center is located in both the NC2-30' zone and the SF 5000 zone. New and expanding institutions require Administrative Conditional Use approval in the SF 5000 zone. Environmental review under Seattle's SEPA Ordinance is required due to the size of the project. Certain development standards in the NC2-30' zone are not being met, requiring Variances from the Land Use Code. These project components are analyzed below.

As a public project, the proposal was also reviewed and approved by the Seattle Design Commission.

Public Comments

The initial public comment period for this project began on September 8, 2010 and ended on September 22, 2010. Public notice was provided again on November 15, 2010 and ended on November 28, 2010 to add three additional variance requests to the notice. Three public comment letters were received.

ANALYSIS - VARIANCES

Pursuant to SMC 23.40.020 C, variances from the provisions or requirements of this Land Use Code shall be authorized when all the facts and conditions listed below are found to exist. Analysis of the variance requested follows each statement of the required facts and conditions, below.

The following four variances from development standards have been requested:

- A. Required: Maximum size limit of 25,000 sq. ft. for institutions in Neighborhood Commercial 2 zones (SMC 23.47A.004 and SMC 23.47A.010)

Proposed: Portion of structure within NC2 zone will be 33,000 sq. ft.

- B. Required: Setback required along any rear or side lot line that abuts a lot in a residential zone as follows: Ten feet for portions of structures above 13 feet in height to a maximum of 65 feet. (SMC 23.47A.014.B.2.a)

Proposed: No upper level setback is proposed.

NOTE: Upon further review, it has been determined that this variance is not required. The change in zoning between NC2 and SF 5000 is internal to the site and does not occur along a lot line, so this standard doesn't apply.

- C. Required: Blank segments of the street-facing façade between 2 feet and 8 feet above the sidewalk may not exceed 20 feet in width. (SMC 23.47A.008.A.2)

Proposed: East wall is proposed at 41 feet wide.

- D. Required: Sixty percent of the street facing façade between 2 feet and 8 feet above the sidewalk shall be transparent. (SMC 23.47A.008.B.2).

Proposed: East façade is 51 percent transparent.

1. Because of unusual conditions applicable to the subject property, including size, shape, topography, location or surroundings, which were not created by the owner or applicant, the strict application of this Land Use Code would deprive the property of rights and privileges enjoyed by other properties in the same zone or vicinity; and

The subject site is split-zoned; the portion along Rainier Ave. S. is zoned NC2 -30' and most of the rest of the site is zoned SF 5000. An area along South Henderson St. is zoned L3, but the project is not located on that portion of the site. As noted above, the site is developed with the existing Rainier Beach Community Center, South Shore and South Lake Schools and the Rainier Beach Playfield, as well as accessory parking for these uses.

The existing Rainier Beach Community Center straddles the zoning line between the NC2 and SF 5000 zones (i.e., is located partially in each zone), and the replacement structure will be located in about the same location, but closer to Rainier Ave. S. The decision to move the structure closer to Rainier Ave. S. was in response to recommendations from the Design Commission (and in response to public comments received as part of that review) in order to provide more of a civic presence. The change also relocates the parking lot away from Rainier to the northern side of the building (which brings the project into better conformance with zoning requirements regarding parking location) and creates a positive orientation to the existing public plaza to the south. However, the building relocation results in a larger portion of the development being located in the NC2 zone. As a consequence, the portion of the structure in the NC2 zone (about 33,000 sq. ft.) exceeds the maximum size limit for that zone (25,000 sq. ft.). Locating more of the structure in the SF 5000 zone (which has no maximum size limits for institutions) would be less than optimal for the reasons stated above, and could cause potential conflicts with the entrance to the South Shore Middle School and existing Parks and Recreation play fields. The unusual split-zoning of the site, as well as the constraints presented by the existing development of other uses on site (parks and schools); present a property-related hardship for the applicant. This criterion is met for the variance from the maximum size limit (Variance A).

The standard described for Variance B has been determined not to apply.

The third and fourth variances requested (Variances C and D) are closely related in that they are both asking for relief from code limitations on blank facades and from requirements for transparency for street-facing facades between two and eight feet above the sidewalk. The relocation of the structure closer to Rainier Ave. S. and the orientation of the parking to the north of the structure and public plaza to the south are described above. The property slopes from north to south. The elevation at the parking lot is about 48 feet, which becomes the elevation for the floor plate throughout the building to accommodate barrier-free access at all entries. At the south end of the building the 48-foot elevation is about four feet above the public plaza, which creates a public terrace and stage adjacent to the plaza, and about seven feet above the sidewalk. The seven-foot difference in elevation between the sidewalk and the building makes compliance with transparency and blank facades standards for facades “within two to eight feet above sidewalk grade” problematic. However, the intent of the code is met through extensive use of glazing throughout the structure allowing views into and out of the building. According to the applicant, glazing provided is at the maximum permitted by the energy code. In addition, the rain garden and other landscaping along the Rainier Ave. façade also support the intent of the limits on blank façades. Due to the topography and other site constraints discussed above, this criterion is met for both Variances C and D.

2. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located; and

The redevelopment of the site is the minimum necessary to accommodate the Rainier Beach Community Center programmatic needs. As described above, the site presents many constraints on development, including split-zoning and the need to accommodate existing development and other uses on site. For these reason, the granting of the four variances does not constitute a represent a grant of special privilege. This criterion is met for all three of the variances requested.

3. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located; and

The granting of the three variances in this case provides a public benefit in the expanded and improved community center and pools.

4. The literal interpretation and strict application of the applicable provisions or requirements of this Land Use Code would cause undue hardship or practical difficulties; and

As described above, the strict application of the code in this case presents several practical difficulties. The location of the structure predominantly in the NC2 zone is dictated by the split-zoning and existing development (Variance A), and the topography and building location (due to site constraints) also make compliance with the blank façade and transparency requirements impractical (Variances C and D). This criterion is met for all three variances.

5. The requested variance would be consistent with the spirit and purpose of the Land Use Code regulations for the area.

The Neighborhood Commercial and Single Family development standards seek to ensure that the scale of uses is compatible with the character and function of the commercial and residential areas. The redevelopment of the Rainier Beach Community Center will enhance recreational and community services in the Rainier Beach neighborhood. The requested variances would not detract from the character of the surrounding commercial and residential community. Granting the variances would be consistent with the spirit and purpose of the Land Use Code regulations.

DECISION - VARIANCE

A variance to allow an institution greater than the maximum size permitted in the NC2 zone is **GRANTED**.

A variance to allow blank segments of the street-facing façade between 2 feet and 8 feet above the sidewalk to exceed 20 feet in width is **GRANTED**.

A variance to allow less than the required sixty percent of the street facing façade between 2 feet and 8 feet above the sidewalk to be transparent is **GRANTED**.

VARIANCES – CONDITIONS

None.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE

The Seattle Land Use Code (SMC 23.44.022.A) provides that institutions such as community centers, child care centers, private schools, religious facilities, public or private libraries, and existing institutes for advanced study or other similar institutions may be permitted as conditional uses in single family zones. Sections 23.44.022 D through M sets forth criteria to be used to evaluate and/ or condition the proposal. The applicable criteria are discussed below.

D. General Provisions

New or expanding institutions in single family zones shall meet the development standards for uses permitted outright in Section 23.44.008 through 23.44.016 unless modified elsewhere in this subsection or in a Major Institution Master Plan.

According to the plans submitted with the application, the proposal meets the applicable development standards enunciated in Section 23.44.008 through 23.44.016.

E. Dispersion

The lot line of any proposed new or expanding institution, other than child care centers locating in legally established institutions, shall be located six hundred (600') or more from any lot line of any other institution in a residential zone, with certain exception.

The Rainier Beach Community Center is co-located on the same property as two public schools, and is nonconforming with respect to the dispersion criterion. The lot boundaries are not expanding, so the existing nonconforming status remains unchanged.

F. Demolition of Residential Structures.

No residential structure shall be demolished nor shall its use be changed to provide for parking.

The proposed work does not include demolition of any residential structures.

G. Reuse of Existing Structures.

Existing structures may be converted to institution use if the yard requirements for institutions are met. Existing structures which do not meet these yard requirements may be permitted to convert to institution use, provided that the Director may require additional mitigating measures to reduce impacts of the proposed use on surrounding properties.

This criterion is not applicable.

H. Noise and Odors

For the purpose of reducing potential noise and odor impacts, the Director shall consider the location on the lot of the proposed institution, on-site parking, outdoor recreational area, trash and refuse storage areas, ventilating mechanisms, sport facilities, and other noise generating and odor-generating equipment, fixtures or facilities. The institution shall be designed and operated in compliance with the Noise Ordinance, Chapter 25.08.

In order to mitigate identified noise and/or odor impacts, the Director may require measures such as landscaping, sound barriers or fences, mounding or berming, adjustments to yard or parking development standards, design modifications, setting hours of operation for facilities or other similar measures.

The proposed community center will replace an existing center, therefore, operational noise levels are anticipated to remain or increase slightly when compared with the existing condition. There will be increased noise related to the construction. These noise levels will be regulated by the city's Noise Ordinance. Noise impacts are also discussed in the SEPA analysis, below. No odor impacts are anticipated to occur as a result of this proposal.

I. Landscaping.

Landscaping shall be required to integrate the institution with adjacent areas, reduce the potential for erosion or extensive stormwater runoff, reduce the coverage of the site by impervious surfaces, screen parking from adjacent residentially zoned lots or streets or to reduce the appearance of bulk of the institution.

Landscaping and erosion control is being provided as shown on pages L3, L3.1, C2 and C2.1. The existing ball field and schools on site will also provide buffering to the surrounding residential neighborhoods. Therefore, no changes to the proposed landscaping are needed.

J. Light and Glare

Exterior lighting shall be shielded or directed away from adjacent residentially zoned lots. The Director may also require that the area and intensity of illumination, the location or angle of illumination be limited.

The existing ball field and schools on site will also provide buffering of any light impacts to the surrounding residential neighborhoods. Therefore, no additional mitigation is needed.

K. Bulk and Siting

Lot Area: If the proposed site is more than one (1) acre in size, the Director may require the following and similar development standards:

a. For lots with unusual configuration or uneven boundaries, the proposed principal structures be located so that changes in potential and existing development patterns on the block or blocks within which the institution is located are kept to a minimum.

This proposal does not impact development patterns therefore, this criterion is not applicable.

b. For lots with large street frontage in relationship to their size, the proposed institution reflect design and architectural features associated with adjacent residentially zoned block faces in order to provide continuity of the block front and to integrate the proposed structures with residential structures and uses in the immediate area.

Although the project is partially located within a single family zone, property immediately abutting the project within the SF 5000 is developed with other institutional uses (parks and schools) not residential uses. The large street frontage for this project is located within the NC2 zone, where this criterion does not apply.

Yards: Yards of institutions shall be as required for uses permitted outright in Section 23.44.008, provided that no such structure other than freestanding walls fences, bulkheads or similar structures shall be closer than ten feet (10') to the side lot line. The Director may permit yards less than ten feet (10') but not less than five feet (5 ft.) after finding that the reduced setback will not significantly increase impacts, including but not limited to noise, odor and comparative scale, to adjacent lots zoned residential and there will be a demonstrable public benefit.

No reduced setbacks or yards are requested for this project.

Institutions Located on Lots in More Than One (1) Zone Classification: For lots which include more than one (1) zone classification, single-family zone provisions shall apply only to the single-family-zoned lot area involved.

The subject site is located within both the SF5000 and NC2-30 zones. The single family zone provisions have been applied only to the single-family zoned portion of the lot.

Height: Religious symbols for religious institutions may extend an additional twenty-five (25') above the height limit.

The proposal is not a religious institution; therefore this criterion is not applicable.

For gymnasiums and auditoriums that are accessory to an institution the maximum height shall be thirty-five (35) feet if portions of the structure above thirty-five (35) feet are set back at least twenty (20) feet from all property lines. Pitched roofs on a gymnasium or auditorium which have a slope of not less than three to twelve (3:12) may extend ten (10) feet above the thirty-five (35) foot height limit. No portion of a shed roof on a gymnasium or an auditorium shall be permitted to extend beyond the thirty-five (35) foot height limit under this provision.

The structure does not exceed the 35-foot height limit for gymnasiums.

Façade Scale: If any facade of a new or expanding institution exceeds thirty feet (30') in length, the Director may require that facades adjacent to the street or a residentially zoned lot be developed with design features intended to minimize the appearance of the bulk. Design features which may be required include, but are not limited to, modulation, architectural features, landscaping or increased yards.

The portions of the structure within the SF 5000 zone have facades which exceed 30 feet in length; however, these facades are located several hundred feet away from any residential uses and are buffered by existing parks and schools. No impacts associated with bulk and scale will be perceived by neighboring properties and no additional mitigation is warranted.

L. Parking and Loading Berth Requirements

c.) SMC 23.44.022.L provides that the Director may modify the parking and loading requirements of Section 23.54.15, required parking, and the requirements of Section 23.44.016, parking location and access, on a case by case basis using the information contained in the transportation plan prepared pursuant to Subsection M of this section. The modification shall be based on adopted City Policies and shall:

- i. *Provide a demonstrable public benefit such as, but not limited to, reduction of traffic on residential streets, preservation of residential structures, and reduction of noise, odor, light and glare; and*
- ii. *Not cause undue traffic through residential streets nor create a serious safety hazard.*

Parking calculations on shown on page T2.1 of the plans. As shown, the project is meeting the code requirement for 76 spaces. No modification of parking or loading spaces or parking location and access has been requested.

M. Transportation Plan

A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions which are larger than four thousand (4,000) square feet of the structure area and/or required to provide twenty (20) or more spaces.

The applicant has provided a Transportation Management Plan with the following elements:

- 1) Install a Commuter Information Center and include bus and light rail schedules as well as a map showing the stops relative to the community center.
- 2) Provide an on-site shower and locker facilities.
- 3) Provide more bicycle parking than required by code. At least half will be covered bicycle parking.
- 4) Appoint a Building Transportation Coordinator (BTC) to be knowledgeable about the transit options and to make sure that bus and light rail schedules are up to date and report to the City as required.
- 5) Provide a commuter information packet (CIP) which includes bus schedules for users of the community center, employees, and at special events.
- 6) Require employees to understand the TMP and participate if possible.
- 7) In the parking lot, 4 of the 76 spaces will be designed for hybrid or electric vehicles.

The Transportation Management Plan will be required as a condition of the Administrative Conditional Use approval.

Conditional Use (23.44.018) General Provisions

- C. A conditional use may be approved, conditioned or denied based on a determination of whether the proposed use meets the criteria for establishing a specific conditional use and whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*

The Department recognizes the public benefit achieved by providing improved and updated community centers in single family zones, but utilizes the conditional use process as a mechanism for the screening and mitigation of likely impacts related to the uses. Based on the proposed design, scale, and location, the proposal is determined to not be detrimental to the public welfare nor injurious to the properties in the vicinity.

D. *In authorizing a conditional use, the Director or Council may mitigate adverse negative impacts by imposing requirements and conditions deemed necessary for the protection of other properties in the zone or vicinity in which the property is located.*

No additional requirements or conditions are imposed because the scope of this expansion will not result in the need for such measures to protect other properties.

Summary

The proposal is consistent with Administrative Conditional Use criteria and the Land Use Policies which allow this type of use to be established or expanded in single family zones.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The proposed action is **CONDITIONALLY GRANTED.**

CONDITIONS - ADMINISTRATIVE CONDITIONAL USE

See below.

ANALYSIS – SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated July 7, 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 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 certain limitations/circumstances (SMC 25.05.665 D 1-7) 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 suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; conflict with normal pedestrian movement adjacent to the site; increased noise; 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. The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency 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. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment, however, given the timeframe identified for demolition and construction (about 15 months), the quantity of grading (approximately 25,800 cubic yards), and the proximity of residential uses, additional discussion of specific impacts is warranted.

Due to the fact that demolition of an existing building will occur and that considerable grading will be undertaken during construction additional analysis of noise, air quality and grading impacts is warranted. Also, on-street parking can be somewhat limited in the vicinity due to the nature of land uses and the street system, thus additional analysis of construction worker parking is warranted.

Noise

The project is expected to generate loud noise during demolition 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 (7:00 PM in NC zones) on weekdays and 9:00 AM and 10:00 PM (7:00 PM in NC zones) on weekends. The surrounding properties are developed with single family and multifamily 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 demolition, grading, deliveries, framing, roofing, and painting) to non-holiday weekdays between 7:00 AM to 6:00 PM, and on Saturday between the hours of 9:00 AM to 5:00 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 unforeseen construction, safety, or street-use related situations that warrant work outside of the construction hours.

Air Quality - 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 (if any) during demolition. The owner and/or responsible party(ies) are required to comply with the PSCAA rules pertaining to demolition of projects with or without asbestos. This will ensure proper handling and disposal of asbestos, as well as demolition of structures without asbestos. No further SEPA conditioning is necessary.

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.

Earth/Soils -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. However, given the quantity of grading proposed, additional discussion of grading impacts is warranted.

Grading – Approximately 25,800 cubic yards (500 cut, 25,300 fill) of grading is proposed. Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near a major arterial and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated by enforcement of SMC 11.62. Large trucks turning onto Rainier Ave S. could exacerbate the flow of traffic during the afternoon commute. Pursuant to SMC 25.05.675 B (Construction Impacts Policy and SMC 25.05.675 R (Traffic and Transportation) additional mitigation is warranted. For the duration of the grading activity, the applicant/responsible party shall cause grading truck trips to cease during the hours between 4 p.m. and 6 p.m. on weekdays. This condition will assure that truck trips do not interfere with daily p.m. peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC 11.62.

City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

The construction plans, including shoring of excavations as needed and erosion control techniques will be reviewed by the DPD Geotechnical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to show conformance with applicable codes. Therefore, no further conditioning for soils or grading activities is warranted pursuant to SEPA policies.

Construction Worker Parking - To assure that construction vehicles and equipment do not limit on-street parking availability, the applicant/responsible party shall assure that construction vehicles and equipment are parked on the proposal site for the term of construction (SEPA Construction Impacts Policy [SMC 25.05.675 B]) to the greatest extent practical.

Long-Term Impacts

Long-term or use-related impacts are also anticipated from the proposal and include: increased traffic and increased parking demand; possible increase in light and glare; increased bulk and scale of the building; increased ambient noise due to increased human activity; increased demand on public services and utilities; increased energy consumption; and decreased air quality. These long-term impacts are not considered significant because most impacts are minor in scope; however, parking and traffic impacts and air quality warrant further discussion.

Parking and Traffic

The proposed work adds approximately 5,000 square feet of floor area. A traffic analysis was provided by Heffron Transportation, Inc. (via email dated May 18, 2010 and in the SEPA Checklist), which was based on an assumed increase of about 6,000 sq. ft. According to that analysis, an increase of about 6,000 sq. ft.:

“ . . . could generate approximately 140 additional trips per day (70 in, 70 out). Of these new daily trips some are expected to occur during the morning and evening peak hours of the adjacent street system. Based on the published ITE (Institute of Transportation Engineers’ *Trip Generation*) rates, about 10 new trips (6 in, 4 out) would occur during the AM peak hour (one hour between 7 and 9 A.M.) and about 9 new trips (3 in, 6 out) would occur during the PM peak hour (one hour between 4 and 6 P.M.).”

According to information in the SEPA Checklist, also attributed to Heffron Transportation, Inc.:

“Recent (2008) Seattle Department of Transportation information notes 21,700 Average Annual Daily Traffic (AADT) trips on Rainier Avenue South in the project vicinity. Given the surrounding traffic volumes, the additional AM and PM Peak trips indicated above are unlikely to be noticeable.”

Seventy-six vehicular and sixteen bicycle parking spaces are provided, meeting Land Use Code requirements. The site is well served by transit and light rail, and additional mitigation for parking impacts is not warranted.

Air Quality

Longer term impacts including 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.

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.

- [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 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

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. The applicant shall be required to limit periods of construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) to non-holiday weekdays between 7:00 AM to 6:00 PM, and on Saturday between the hours of 9:00 AM to 5:00 PM. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. DPD will evaluate other requests on a case by case basis to allow for unforeseen construction, safety, or street-use related situations that warrant work outside of the construction hours.
2. The applicant/responsible party ensure that there are no grading truck trips permitted during the hours between 4 and 6 p.m. on weekdays.
3. The applicant/responsible party shall assure that construction vehicles and equipment are parked on the proposal site for the term of construction to the greatest extent practical.

CONDITIONS – ADMINSTRATIVE CONDITIONAL USE

For the Life of the Project

4. The applicant has provided a Transportation Management Plan (as described on page 10) which is required as a condition of approval of this project.

