



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: 3011764
Applicant Name: Doug Leigh of Mithun for Interim Community Development Association (CDA)
Address of Proposal: 424 South Main Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 7-story, 96 unit residential structure with a 6,940 sq. ft. child care center at ground level. No parking is proposed. Review includes removing 25 parking spaces and demolition of all existing structures (7,198 sq. ft.).*

*Note - The project description has been revised from the original notice of application: Land Use Application to allow a 7-story, 96 unit residential structure with a 6,645 sq. ft. child care center at ground level. Parking for 21 vehicles will be located within the structure. Review includes removing 25 parking spaces and demolition of all existing structures (6,613 sq. ft.).

The following approval is required:

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

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

This approximately 14,361 square foot (sq. ft.) proposal site is the consolidation of three tax parcels bounded by South Main Street to the south, 4th Avenue South to the west, commercially-zoned property to the north and a 16' wide alley to the east. The corner site is zoned International District Residential /Commercial (IDR/C 125/150-240) in the International Special Review District (ISR/D) and the Chinatown-International District Urban Center Village. Existing development on the site consists of two one-story with basement restaurant buildings (addressed as 216 4th Avenue South and 220 4th Avenue South) and a paved surface parking lot with 25 striped parking stalls.

Vehicular access to the existing surface paid parking lot is via the existing paved alley. South Main Street is classified as a non-arterial street and 4th Avenue South is classified as Principal Arterial street, pursuant to SMC Chapter 23.53. Also, per Map B of SMC 23.66.326, South Main Street is considered a Class II Pedestrian Street and 4th Avenue South is considered a Class I Pedestrian Street for those portions of street that abut the project site.

The topography of the property gently slopes downward 14' from the northeast to the southwest corner of the site. Existing vegetation consists of three trees at the property edges of the surface parking lot. The subject site is identified as Environmentally Critical Area (ECA)-Peat Settlement Prone Areas.

Surrounding property north, south and are also zoned IDR/C 125/150-240. The property west of the project site is zoned Pioneer Square Mixed (PSM-100/120-150). Existing development in immediate vicinity of the proposal consists of surface parking lots to the east and the north; and a nine-story apartment building to the south across South Main Street. The transit bus tunnel runs under the northeast corner of the site. Across 4th Avenue to the west the open rail lines emerge from the tunnel to the north leading to the train station to the south.

Proposal Description

The proposed project involves the construction of a seven-story, mixed-use development with 96-unit residential units and a 6,940 sq. ft. child care center at ground level. No parking will be provided onsite. The two existing commercial buildings will be demolished and the surfacing parking lot consisting of 25 parking spaces will be removed.

Grading of 7,978 cubic yards (cu. yds.) of material is anticipated to occur during the removal of soils and construction of the building foundation.

Public Comments

The required public comment period for this project ended on June 5, 2013. DPD received no written comments regarding this proposal.

Additional Information

This proposal also includes improvements to those portions of the sidewalks and existing alley that abuts the subject site. The applicant has submitted an application (#198995) to the Seattle Department of Transportation (SDOT) requesting re-grading/paving of the alley and other improvements within the adjacent right-of-ways.

SEPA ANALYSIS

Environmental review resulting in a Threshold Determination is required pursuant to the 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 12, 2013. 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 pertinent comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action may result in adverse impacts to the environment.

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

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between the City's 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.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality.

Short - term Impacts

The following temporary or construction-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during demolition, excavation, filling and transport of materials to and from the site; increased noise and vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and conflict with normal pedestrian movement adjacent to the site. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

Noise

The site abuts two streets (4th Avenue South and South Main Street) and is situated across/above the transit/rail tunnel. A residential property is situated south of the project site and located in the same zone as the project site. Vehicular traffic on adjacent streets and at the railroad tracks across 4th Avenue South is identified as an existing noise source. The applicant asserts on the SEPA checklist that construction activity will be confined to normal construction hours.

Short-term noise and vibration from construction equipment and construction activity (e.g., backhoes, trucks, concrete mixers, generators, pneumatic hand tools, engine noise, back-up alarms, etc.); demolition of the existing structures; and construction vehicles entering and exiting the site would occur as a result of construction and construction-related traffic. Compliance with the Noise Ordinance (SMC 25.08) is required.

It is the Department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance is not justified for this project on this specific site. No further conditioning or mitigation is warranted.

Air Quality

Demolition of the existing structures, grading and construction activities will result in localized short-term increases in air particulates and carbon monoxide which could temporarily affect the air quality in the vicinity. Demolition/construction activities that would contribute to these impacts include excavation, grading, soil compaction, and operation of heavy trucks and smaller

equipment (i.e., generators and compressors). Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliative, as necessary, to reduce airborne dust. In addition, compliance with the Puget Sound Clean Air Agency regulations requires activities which produce airborne materials or other pollutant elements to be contained with temporary enclosure. Regarding asbestos, Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency (“PSCAA”) prior to demolition. Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the construction area by vehicle frames and tires; this soil could be deposited on adjacent streets and become airborne.

There is no indication of unusual short term adverse impacts. Current codes are adequate to provide mitigation and pursuant to the Overview Policy (SMC Section 25.05.665) and Air Quality Policy (SMC Section 25.05.675A). Therefore, no further mitigation is warranted.

Earth

Excavation of soil and the import of clean fill material will be necessary to level grades at this ECA designated (Peat Settlement-Prone) property. The maximum amount of grading proposed will consist of 7,978 cu. yds. of material. All of the onsite soil will be handled per a geotechnical engineer’s recommendations.

The ECA Ordinance and Director’s Rule (DR) 18-2011 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction/grading in potentially peat settlement soils areas. Pursuant to this requirement the applicant submitted a geotechnical engineering report dated March 11, 2013 prepared by Richard D. Luark, P.E., L.E.G. (Kleinfelder West, Inc.). This report evaluated soil and site conditions and provided recommendations for general earthwork, erosion and drainage controls, grading, earthwork and foundation/retaining wall construction.

A DPD Geotechnical Engineer has reviewed the abovementioned soils report in association with submitted MUP plans and has deemed this soils report to be relatively complete for this proposal. The abovementioned soils report, soil report addendums, construction plans, and shoring of excavations as needed, are currently being reviewed again 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 assure safe grading and excavation proceed without undue risk to the property or to adjacent properties.

No additional conditioning is warranted pursuant to SEPA policies.

Construction-Related Streets and Pedestrian Circulation

The Street Use Ordinance includes policies that regulate dust, mud and circulation within the public right-of-way. Any temporary closure of the sidewalk and/or traffic lane(s) is controlled with a street use permit through the Seattle Department of Transportation (SDOT). The sidewalks along 4th Avenue South and South Main Street are classified as pedestrian routes which should be kept open to the greatest extent possible. Construction activities may result in sidewalk closures or other obstacles to pedestrians.

Additionally, this proposal includes temporary closure of that portion of the existing alley abutting the subject site. Per the applicant, partial closure of the alley is expected to last approximately sixteen months. Currently, the adjacent surface parking lots east and northeast of the project site utilize this existing alley as secondary access to parking via South Main Street or South Washington Street. Based on the submitted plans, the current alley width (16') allows for two-way access and alley access via South Washington Street won't be compromised. However, there is a concern that the applicant's materials don't consider all possible impacts to those parking stalls at the neighboring property that are configured to be solely accessible from the alley.

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The immediate area is subject to traffic congestion during the peak hours on nearby arterials, and large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic. There are no City codes or ordinances to address the impact of large vehicles on highly congested streets. As a result, mitigation is warranted as described below.

It is the City's policy to minimize or prevent adverse traffic impacts which would undermine the stability, safety, and/or character of a neighborhood or surrounding areas (25.05.675 R). Due to construction related demand affected by construction staging, deliveries, alley closure; additional mitigation is warranted pursuant to the Construction Impacts Policy (SMC 25.05.675.B). Pursuant to this policy, a Construction Transportation Management Plan (CTMP) addressing street/sidewalk closures, truck routes and hours of truck traffic, will be required to mitigate identified impacts. Additionally, owners of the nearby parking lot properties whose parking is accessed via the identified alley shall be advised of the alley closure schedule and the construction process. The owner/responsible party must provide a contact person to address construction-related problems associated with the alley closure. Also, any temporary closure of the alley must meet with full SDOT concurrence and approval.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacturing 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 the project.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Long - term Impacts

Long term or use-related impacts are also anticipated as a result of this proposal, including: increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; increase energy consumption; loss of plant habitat; and increased light and glare. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

Historic Preservation

The proposed project lies within the International Special Review District (ISRD). In accordance with SMC 23.66 no demolition of an existing structure and/or construction of a new structure are allowed in the District without first receiving a Certificate of Approval, issued by the International Special Review District Board and the Director of the Department of Neighborhoods (DON).

Section 25.05.675.H of the SEPA code describes the City's policies for protecting historical sites. *"It is the City's policy to maintain and preserve significant historic sites and structures and to provide opportunity for analysis of archeological sites.....For projects involving structures or sites which are not yet designated as historical landmarks but which appear to meet the criteria for designation, the decisionmaker or any interested person may refer the site or structure to the Landmarks Preservation Board for consideration.....On sites with potential archaeological significance, the decisionmaker may require an assessment of the archaeological potential of the site."*

SEPA provides authority to mitigate impacts to historic buildings (SMC 25.05.675.H.2.c). In this instance, the two commercial buildings addressed as 216 and 220 4th Avenue South respectively are not designated as historical landmarks. However, because this proposal involves the demolition of three buildings which are more than 50 years old and are located in a special review district, DPD consulted directly with DON. The DON ISRD Coordinator explained that the historical assessment report (prepared by Historical Research Associates) will be reviewed by the ISRD Board as part of the application for a Certificate of Approval. Also, the Board will make a determination on the contributing status of the buildings once the application for demolition and Preliminary Design (or Final Design) is complete.

It has been confirmed that the demolition and construction activities associated with future development at the project site has been presented to the ISRD Board. The Board has reviewed the proposed design, commenting on how the design will be best integrated into the International District. Given the review by this designated body, no further conditions pursuant to SMC 25.05.675 are warranted.

Traffic and Transportation

Heffron Transportation, Inc. prepared a Transportation Impact Analysis report (dated September 12, 2013) for the subject site referenced in the report as the "Hirabayashi Place" project. This report offers the expected trip generation for the site, estimates project-related changes to the local traffic, and evaluates potential parking impacts. The analysis in this report is based on a development consisting of a seven-story building with 96 affordable work-force apartment units and 6,445 sq. ft. of commercial space to be office and/or daycare uses. It also considers no parking will be provided onsite.

Trip generation for the project was determined using the Institute of Transportation Engineers (ITE) Trip Generation Manual (8th edition) for the following categories: Apartments (ITE Land Use Code 220) and Day Care (ITE Land Use Code 565). These rates were further adjusted to reflect the higher level of transit and non-automobile mode use. Based on this information, the proposal is estimated to generate an increase in daily trips (50), AM peak hour trips (8), and PM peak hour trips (18) compared to conditions with the existing buildings (two restaurants) on site.

It is projected that the proposed project could increase overall traffic volumes in the neighborhood. However, these trips aren't expected to adversely impact the surrounding roadway network. Given the net increase in vehicle trips for this site is minimal, it is expected that the amount of traffic generated by this proposal is within the capacity of the streets in the immediate area. Thus, no SEPA mitigation of traffic impacts is warranted.

Parking

The proposal site is situated within a downtown zoning area (IDR/C 125/150-240) and the Chinatown-International District Urban Center Village. No parking is required for the project per the Land Use Code (SMC 23.49.019). The submitted MUP plans indicate no parking will be provided onsite.

A parking analysis was included with the Transportation Impact Analysis Report prepared by Heffron Transportation, Inc. (dated September 12, 2013) to assess the expected parking demand and supply. This parking analysis focused on both proposed uses - the apartment and day care uses. The traffic consultant concluded that, based on analysis of the proposed uses, the project could generate some overnight parking demand on-street or in nearby surface lots. The project is not expected to result in significant adverse impacts to parking in the vicinity since it is being developed to rely heavily on the nearby transit service.

Although SEPA Policy 25.05.675M recognizes that increased parking demand associated with development projects may adversely affect the availability of parking in an area, Policy 25.05.675M2b states no SEPA authority is provided for the decision maker to mitigate the impact of development on parking availability in the Downtown Urban Centers, as in this case. Therefore no mitigation is required.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's 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.

No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

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.

- [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).

SEPA CONDITIONS

Prior to the Issuance of the Demolition, Grading or Building Permit

1. In order to address construction related transportation and parking impacts, the responsible party shall submit a Construction Transportation Management Plan (CTMP) to be reviewed and approved by Seattle Department of Transportation in consultation with DPD. A construction transportation plan for workers and truck deliveries/routes shall be prepared to minimize disruption to traffic flow on adjacent streets and roadways. This plan shall include a requirement that truck trips be scheduled to avoid peak periods of 7:00-9:00 a.m. and 4:00-6:00 pm, Monday through Friday. The plan shall consider the need for special signage; flaggers; haul route definitions; street cleaning; identification of potential street and/or sidewalk closures; vehicle, bicycle and pedestrian circulation and safety; coordination with Metro Transit relative to construction activity that could affect transit service proximate to the project site. The plans shall also include a notification process associated with the alley closure explaining schedule/process and person(s) to contact (including contact's phone number) concerning issues.

Signature: (signature on file) Date: December 12, 2013
Tami Garrett, Senior Land Use Planner
Department of Planning and Development