



City of Seattle

Department of Planning and Development
Diane M. Sugimura, Director

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

Application Number: 3014977

Applicant Name: Kim Young, The Miller Hull Partnership, for Seattle Academy of Arts and Sciences

Address of Proposal: 1220 E. Spring Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a five-story, 35,290 sq. ft. classroom addition to an existing institution (Seattle Academy of Arts and Sciences). Parking for 90 vehicles is provided on the campus site. Existing single family dwelling to be demolished.

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 and Vicinity Description

The site is zoned Neighborhood Commercial 3 with a 65-foot height limit (NC3-65). The project site is located on the corner of E, Spring Street and 13th Avenue. The proposal is an expansion within the existing Seattle Academy of Arts and Sciences campus, which is bordered by 12th Avenue to the west, E. Union Street to the north, 13th Avenue to the east and E. Spring Street to the south. The proposal site is currently occupied by a single-family structure and small surface parking lot. The site is located on within the Capital Hill Neighborhood and within the 12th Avenue Urban Village.

The building site fronts onto E. Spring Street with street frontage along the eastern third of the block. Properties directly to south across E. Spring Street are zoned Lowrise 3 (LR-3) as are properties to the east across 13th Avenue. Properties one block to the west, across 12th Avenue and south of E. Madison Street are located within the Major Institution Overlay of Seattle University, whose campus extends to Broadway on the west and several blocks to the south and southeast.

In general, development in the vicinity is a mix of institutional, commercial and residential structures, the latter a mix of apartments and single-family dwellings, concentrated east and south of the development site.

Proposal Description

The applicant proposes to construct a 5-story laboratory/classroom structure, identified by the institution as a STREAM building (Science, technology, robotics, engineering, arts and mathematics). The STREAM building will include eight laboratories and classrooms, studio space, faculty/staff offices, and a learning commons. Located within the 12th Avenue sub-district of the First Hill/Capitol Hill Urban Village, no parking is required under the Land Use Code for this addition to the SAAS campus. 90 vehicle parking stalls will be provided on the SAAS campus. Vehicle access to the SAAS parking stalls within an existing parking garage will be from the existing curbcut on E. Spring Street. No new vehicular access points or curbcuts are proposed.

The existing single family residence located at 1220 E. Spring Street will be demolished in order to make space for the proposed STREAM building. Some disturbance and removal of existing landscaping will be required, but the proposal includes landscaping enhancements of the subject site, including trees, street trees, a green wall, shrubs, pavers, and planted groundcover.

Public Comments

Several comment letters were received during the public comment period which was extended by request and ended on July 17, 2013. Concerns were raised regarding parking impacts, traffic congestion, compatibility of the design of the proposed building with the existing neighborhood character, height/bulk impacts, noise impacts, impacts on solar access to neighboring properties, and impacts due to light and glare emanating from the new building.

One neighbor submitted to the Department a signed petition with over 50 signatures requesting a public meeting for neighbors to voice their concerns over impending environmental impacts. On September 10, 2013, in response to the request, DPD held an evening meeting in the Vanderbilt Building Commons on the SAAS campus. Approximately 15 individuals attended the meeting, facilitated by the DPD Land Use planner. Six members of the public generally reiterated the concerns noted above. Subsequent to the meeting, an additional written comment was provided to DPD staff, raising concerns regarding landscaping. SAAS has provided a transcription of the public meeting. Written comments and responses to the concerns may be found in the project file.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist dated May 30, 2013, and supplemental information in the project file submitted by the applicant. 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.

Seattle Municipal Code (SMC) Section 25.05.665(D), the SEPA Overview Policy, clarifies the relationship among 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. Per SMC 25.05.665 D 1-7, mitigation can be considered for specified limitations and/or circumstances. Therefore, a more detailed discussion of some of the anticipated 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 construction; potential soil erosion during excavation and general site work; increased runoff; tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian and vehicular 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. Specifically these are: the Stormwater, Grading and Drainage Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards in general); and Noise Ordinance (construction noise that is permitted in the city). Compliance with these codes and ordinances will reduce or eliminate most potential adverse impacts to the environment. Specific impacts associated with air quality, noise, and construction traffic, however, warrant further discussion.

Air Quality

Demolition of the existing structure, 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. Compliance with the Street Use O (SMC 15.22.060) will require the contractors to water the site or use other dust palliative measures a necessary to reduce airborne dust. In addition, compliance with 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, Other potential sources of dust may 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. Pursuant to SEPA Air Quality Policy (SMC 25.05.676.A) current Codes are adequate to provide air quality mitigation and ,therefore, no further mitigation is warranted or required.

Greenhouse Gas Emissions

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.

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 the weekends. Compliance with the Noise Ordinance (SMC 25.08) is required and will limit the use of equipment registering 60 dBA (not including construction equipment exceptions in SMC 25.08.425) or more at the receiving property line or 50 feet to the hours between 7:00 a.m. and 7:00 p.m. on weekdays, and between 9:00 a.m. and 7:00 p.m. on weekends and holidays.

Since some of the surrounding properties are developed with housing and will be impacted by construction noise, the limitations provided in the Noise Ordinance are not sufficient to mitigate short-term noise impacts. Pursuant to SEPA authority, the applicant shall be required to limit periods of construction activity (including but not limited to grading, deliveries, framing, roofing and painting) to non-holiday weekdays from 7:00 a.m. to 6:00 p.m. and non-holiday Saturdays between 9:00 a.m. and 6:00 p.m., unless modified through a Construction Noise Management Plan, to be determined prior to issuance of demolition, grading or building permit, whichever is issued first. No construction activities, except those of an emergency nature shall be permitted on Sundays.

This condition may be modified by DPD to allow work of an emergency nature or allow low noise interior work after the exterior of the structure is enclosed. This condition may also be modified to permit low noise exterior work (e.g., installation of landscaping) after approval from DPD.

Construction Parking and Traffic

Demolition of the existing structure and grading is proposed. This material would be trucked from the site. During construction, parking demand is expected to increase due to additional demand created by construction personnel and equipment. The SEPA Construction Impacts Policy (SMC 25.05.675.B) is to minimize temporary adverse impacts associated with construction activities.

The immediate area is subject to traffic congestion during the PM peak hours, including the non-arterials adjacent to the development site. Large trucks turning onto E. Spring or 13th Avenue would be expected to further exacerbate the flow of traffic. The area includes restricted parking zones and metered on-street parking. Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking.

Pursuant to the SEPA Construction Impacts Policy (SMC 25.05.675.B), additional mitigation is warranted.

To mitigate construction hauling impacts, the applicant shall submit a Construction Hauling Plan that will identify truck routes and hours of truck traffic for approval by the Seattle Department of Transportation. This plan shall be review by DPD prior to the issuance of a demolition or grading permit, which is issued first.

To mitigate construction parking impacts, the applicant shall submit a Construction Parking Plan for approval by DPD. This plan shall demonstrate the location of the site, the peak number of construction workers on site during construction, the location of nearby parking stalls per parking lot identified, and a plan to reduce the number of construction workers driving to the site. This plan shall be reviewed by DPD prior to issuance of demolition, grading or building permit, whichever is issued first.

Pursuant to the SEPA Overview Policy (SMC 25.05.665) and the specific SEPA Policies (SMC 25.05.675), no further conditioning or mitigation is warranted.

Long - Term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased bulk and scale on the site; minor increase in ambient noise due to increased human activity; increased demand on public services and utilities; and increased energy consumption. Compliance with applicable codes and ordinances will be adequate to reduce or eliminate most adverse long-term or use-related impacts to the environment.

Height, Bulk and Scale

SEPA provides authority to mitigate impacts of substantially incompatible height, bulk and scale (SMC 25.05.675.G). The proposed building is located in the vicinity a variety of institutional, commercial and multi-family residential and single-family uses. As an institutional use, the proposed building is not subject to design review (SMC 23.41.004). The applicant voluntarily reduced the proposed building below the NC3-65 permitted height and voluntarily set back the eastern façade along 13th Avenue and southern ground-level Spring Street façade to facilitate transition to the adjacent LR3 zones. A DPD Zoning Plans Examiner has reviewed the project and determined that it meets all applicable Land Use Code requirements (height, setback, parking, etc.).

Pursuant to the SEPA Height, Bulk and Scale Policy (SMC 25.05.675.G) , DPD determines that no significant adverse height, bulk and scale impacts will occur and no mitigation is warranted.

Traffic and Transportation

The applicant submitted a Transportation Impact Analysis (TIA) prepared by Heffron Transportation, Inc., on May 29, 2013. This report evaluates existing traffic conditions in the study area and estimates the total amount of new traffic to be generated by this project. The project is expected to generate no new trips because it would not increase student capacity or add new faculty or staff. DPD's Transportation Planner has reviewed the TIA and determined that the project does not result in additional trips. The applicant implements a Transportation Management Program ("TMP") to actively manage existing transportation impacts, including but not limited to hiring off-duty police for traffic management during high-capacity SAAS events, limiting simultaneous high-capacity SAAS events and coordinating with Temple De Hirsch Sinai to limit simultaneous high-capacity events. Pursuant to the SEPA Traffic Policy (SMC 25.05.675.R), the project does not contribute significant adverse traffic and transportation impacts and no mitigation is warranted.

Parking

The SEPA Parking Policy (SMC 25.05.675.M) is to minimize or prevent adverse parking impacts associated with the development. The development site is located in a commercial zone within the 12th Avenue Urban Center Village. No vehicle parking minimum is required for the project (SMC 23.54.015, Table C).

The TIA, prepared by Heffron Transportation, Inc., on May 29, 2013, contains a parking supply and demand analysis of the project. The project is expected to eliminate up to eight (8) stalls associated with the existing development. 90 parking stalls will be provided on campus. SAAS also currently leases over 100 off-site parking stalls in the vicinity.

The surrounding on-street parking is generally metered or restricted by a Restricted Parking Zone (“RPZ”). There are a few limited areas of non-metered, non-restricted, non-RPZ parking within the vicinity. DPD observations indicate that these limited on-street spaces are typically occupied and there is not available on-street capacity to accommodate additional long-term parking demand.

The applicant actively manages parking through an existing TMP. Key TMP elements include: (1) pricing all long-term parking in SAAS’s owned and leased parking facilities; (2) pricing incentives for student carpooling; (3) provision of school buses; (4) an ORCA reimbursement program for SAAS faculty and staff; and (5) student parking pass waiting lists. Because long-term (all day) on-street parking is not an option, the project is not expected to generate new trips and the applicant will continue to implement its existing TMP to balance parking demand. The project’s elimination of up to eight (8) off-street parking stalls is not expected to create a parking overflow.

Circumstances attending a prior Master Use Permit (MUP) Decision regarding the construction of a gymnasium on the SAAS campus, adjacent the current proposal site, require further comment and analysis of parking impacts. In 2001, the City’s Hearing Examiner conditioned the MUP so that SAAS “shall maintain the number of off-street parking spaces it controls at a level at least equal to that considered here (including the underground spaces proposed with the gymnasium).” (See, *In re Matter of Harry Green*, Hearing Examiner Decision MUP-01-030(W) (Nov. 5, 2001) at 7). The MUP cited control of 149 parking spaces, but excluded 20 stalls associated with the Vanderbilt Building staff parking area.

The Project will result in a total of 90 on-campus stalls. Currently, SAAS controls 119 off-campus parking spaces. The Hearing Examiner excluded the 20 Vanderbilt stalls because they were for staff parking and unavailable for gymnasium events users. Applying the Hearing Examiner’s logic to exclude Vanderbilt Building stalls, SAAS still controls 70 on-campus stalls. Even subtracting for these Vanderbilt related parking stalls, SAAS remains in compliance with the Hearing Examiner’s decision because it expects to control approximately 70 on-campus and 119 off-campus stalls for a minimum total of 189 parking stalls, which exceeds the total of the prior MUP condition.

The DPD Land Use Planner and DPD Traffic Planner have reviewed the TIA and determined that the project does not result in significant adverse parking impacts. DPD staff has reviewed the Hearing Examiner decision of November 5, 2001, all pertinent comments and conducted field observations of the site and adjacent vicinity and concur that the project is not anticipated to result in significant adverse parking impacts. Pursuant to the SEPA Parking Policy (SMC 25.05.675.M), no additional mitigation is warranted.

Noise

Noises consistent with an urban institutional building in the 12th Avenue Urban Center Village may be generated as a result of this project. The applicant submitted an Environmental Sound Analysis prepared by BRC Acoustics on March 30, 2013. This analysis showed that the project is within the City’s daytime and nighttime noise limits without noise mitigation. The applicant’s operations are subject to the Noise Control Ordinance. Pursuant to the SEPA Noise Policy (SMC 25.05.675.L), noise generation as a result of the project is not expected to be significant and no mitigation is warranted.

Light/Glare

The SEPA Light/Glare Policy (SMC 25.05.675.K) is to minimize or prevent hazards and other adverse impacts created by light and glare. The project lighting is consistent with urban institutional buildings in the 12th Avenue Urban Center. The project interior lighting will be designed to include fixtures to diffuse light and reduce glare. Exterior lighting is adjustable and will be directed towards the building or louvered to avoid direct exposure. The project's interior and exterior lighting will be programmed to automatically turn off in a manner that is consistent with City code and SAAS operations and activities. Pursuant to the SEPA Light/Glare Policy, light generation as a result of this project is not expected to be significant and no mitigation is warranted.

Shadows on Open Spaces

The SEPA Shadows on Open Spaces Policy is inapplicable to private residences (SMC 25.05.675.Q). In response to a comment regarding the project's potential impact on adjacent solar collectors, however, the applicant voluntarily conducted a solar/shadow impact study, which may be found in the project file. The applicant's solar/shadow impact study, modeling both June 21st and January 21st shadow impacts, demonstrated that the project is not expected to significantly impact adjacent solar arrays.

Greenhouse Gas Emissions

Operational activities, primarily the project's energy consumption, is 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 gases from this project.

Pursuant to the SEPA Overview Policy (SMC 25.05.665) and the specific SEPA Policies (SMC 25.05.675), no further conditioning or mitigation is warranted.

The long-term impacts identified above are typical of development in neighborhoods where commercial and institutional uses are located cheek by jowl with residential uses and are not considered significant because they are either within the scope of those impacts anticipated by the zoning and/or relatively minor in scope. The use is consistent with the current zoning and compatible with the surrounding residential and commercial uses. Codes and development regulations applicable to this proposed project will provide sufficient mitigation of long term impacts and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.030).

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency and was based on 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 43.21.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).

This DNS is issued after using the optional DNS process in WAC 197-11-335 and early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

The proposed action is **APPROVED WITH CONDITIONS.**

CONDITIONS – SEPA

Prior to issuance of any Construction, Shoring or Grading Permits

1. The applicant shall submit a Construction Hauling Plan that will identify truck routes and hours of truck traffic for approval by Seattle Department of Transportation. This plan shall be review by DPD prior to the issuance of a demolition or grading permit, which is issued first.
2. The applicant shall submit a Construction Parking Plan for approval by DPD. This plan shall demonstrate the location of the site, the peak number of construction workers on site during construction, the location of nearby parking stalls per parking lot identified, and a plan to reduce the number of construction workers driving to the site. This plan shall be reviewed by DPD prior to issuance of demolition, grading or building permit, whichever is issued first.

During Excavation, Demolition, and Construction

3. The applicant shall be required to limit periods of construction activity (including but not limited to grading, deliveries, framing, roofing and painting) to non-holiday weekdays from 7:00 a.m. to 6:00 p.m. and non-holiday Saturdays between 9:00 a.m. and 6:00 p.m.. No construction shall be allowed on Sundays. Non-noise generating activities such as site security, monitoring, weather protection, etc. shall not be subject to this condition. The applicant may request modification through a Construction Noise Management Plan, approved by DPD to be determined prior to issuance of demolition, grading or building permit, whichever is issued first.
4. Debris and exposed areas shall be sprinkled as necessary to control dust; a truck wash and quarry spall areas shall be provided on-site prior to the construction vehicles exiting the site if scoop and dump excavation is not used; and truck loads and routes shall be monitored to minimize dust-related impacts.

Signature: (signature on file) Date: December 2, 2013
Michael Dorcy,
Senior Land Use Planner