



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

**Application Number:** 3015968  
**Applicant Name:** Steve Moore, Heery International, for Seattle Public Schools  
**Address of Proposal:** 3701 SW 104<sup>th</sup> Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow demolition of a 47,630 sq. ft. existing school (Arbor Heights Elementary School). Project includes 20,000 cubic yards of grading. Environmental Impact Statement prepared by Seattle Public Schools.\*

The following approval is required:

**SEPA** – For conditioning only - Chapter 25.05, Seattle Municipal Code.

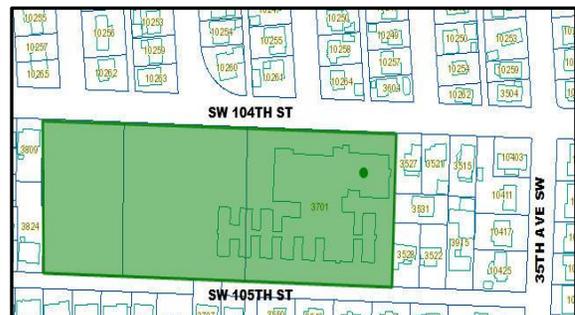
**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS\*  
 DNS with conditions  
 DNS involving non-exempt grading or demolition, or another agency with jurisdiction.

\*Environmental documents prepared by Seattle Public Schools: Arbor Heights Elementary School Replacement, SEPA Addendum to Building Excellence Phase IV Capital Improvement Program Programmatic EIS (SPS, 2012).

**BACKGROUND DATA**

Site Location

Arbor Heights Elementary School is located on an approximately five and one half (5.6) acre site in Southwest Seattle at 3701 SW 104th Street. The



site is bound by SW 104th Street on the north, SW 105<sup>th</sup> Street on the south and by private property on the east and west. There are two areas of steep slope Environmentally Critical Area (ECA) mapped on the site.

### Zoning

The proposal is located in a Single Family (SF 7200) zone.

### Proposal Information

Seattle Public Schools (SPS) proposes to demolish the existing 47,630 square foot school (Arbor Heights Elementary School). The demolition of the building is the subject of this review. Review of the construction permit is being conducted under Project No. 3016830 and documents are available on the city website.

Environmentally Critical Area review is required at this site. Based on a review of the submitted information and the City GIS system, DPD concludes that the ECA Steep Slope Areas at the site have been created by previous legal grading activities (per SMC 25.09.180 B2b) associated with construction of the elementary school and subsequent improvements on the property. For this reason, an ECA Steep Slope Area Variance is not required for this project. The project therefore has been given a limited ECA exemption.

### Previous SEPA Related Actions

Prior to application for a Master Use Permit, the District exercised its prerogative to act as lead agency. A Determination of Non-Significance (DNS) was issued by Seattle Public Schools on March 26, 2014. An appeal was registered. On May 15, 2014 the DNS was recommended to be affirmed by the Hearing Examiner Pro Tem. The Seattle School District submitted their MUP application to DPD for review. For the purposes of this permit application, exercise of substantive SEPA authority by DPD is limited to conditioning only for impacts previously identified by SPS. Conditioning pursuant to this authority will rely on the threshold DNS issued by the District and on environmental documents prepared by the District.

### Public Comments

Several comment letters were received during the official extended public comment period which ended on March 26, 2014. They can be viewed in the public electronic file at the following link <http://www.seattle.gov/dpd/> under the project number.

### **ANALYSIS - SEPA**

The proposal's environmental impacts have been analyzed in environmental documents prepared by the Seattle School District. Documents include a SEPA Checklist dated February 2014 and a Determination of Non-Significance (DNS) issued by Seattle School District dated March 26, 2014.

Seattle Municipal Code (SMC) Section 25.05.660 provides that proposals can be conditioned in order to mitigate environmental impacts. All conditions must be related to impacts identified in the environmental documents, based on adopted policies, and must be reasonable and capable of being accomplished. This proposal is reviewed under that substantive SEPA authority.

The Department is reviewing the environmental impacts of the proposal in order to impose further conditions, if necessary. Disclosure of the potential impacts from this proposal was made in the environmental documents listed above. This information, supplemental information provided by the applicant (plans, written descriptions of the project, geotechnical report, transportation and parking report, construction requirements, arborist reports and renderings) and the experience of this agency with review of similar proposals form the basis of this analysis and conditioning.

The SEPA Overview Policy (SMC 25.05.665) establishes the relationship between codes, policies, and environmental review. Specific policies for specific elements 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.

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, and city ECA regulations.

Environmental impacts were identified in the Seattle Public School environmental documents which can be found in the city’s electronic file for projects 3015968 and 3016830. Impacts include impacts on earth, air, plants, construction noise, aesthetics, light and glare, cultural preservation, and transportation. The identified impacts are subject to additional mitigation as described below.

### Short Term Impacts

The following temporary or demolition-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during demolition; filling and transport of materials to and from the site; increased noise and vibration from 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.

Earth

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 in landslide prone areas. Pursuant to this requirement the applicant submitted a geotechnical engineering study. The study has been reviewed and approved by DPD's geotechnical experts, who will require what is needed for the proposed work to proceed without undue risk to the property or to adjacent properties.

The project will require grading/excavation and construction permits. The existing Codes (The City of Seattle Stormwater Code, SMC 22.800, Regulations for Environmentally Critical Areas (ECA) SMC 25.09, and the City of Seattle Grading Code SMC 22.170) provide authority to require appropriate mitigation for this project. Surface water controls (i.e. temporary interceptor swales, check dams, silt fences, etc.) will be constructed simultaneously with clearing and grading for project development. Surface water and erosion control measures will be relocated or new measures will be installed so as site conditions change, erosion control measures remain in accordance with City of Seattle Best Management Practices (BMP) requirements during the construction period. No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Grading/Excavation

During demolition, grading and excavation activities City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires 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 in route to or from a site.

The contractor will obtain the City of Seattle's Department of Planning and Development (DPD) approval that erosion control measures are in place and functioning and will maintain erosion control measures as earthwork and utility construction commences in accordance with City of Seattle standards, as part of building permit review. The project documents state that SPS will create a construction management plan (CMP) that will address traffic and pedestrian control during school construction and will define truck routes, land closures, walkway closures and parking disruptions as necessary. No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Air Quality

Demolition, grading and construction activities each may create adverse air quality impacts in the surrounding area. The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Stormwater Code (SMC 22.800-808) and the Grading Code (SMC 22.170) regulate on-site grading activities and require that soil erosion control techniques be initiated for the duration of the work. Demolition and construction activities will include several measures to minimize impacts to air quality. The contractor chosen for the proposed project would be required to comply with Puget Sound Clean Air Agency (PSCAA) regulations. Regulations that apply to the proposed project include Regulation I, Section 9.11

prohibiting the emission of air contaminants that would or could be injurious to human health, plant or animal life, or property; and Regulation I, Section 9.15 prohibiting the emission of fugitive dust, unless reasonable precautions are employed to minimize the emissions. SPS has indicated in their documents measures to avoid and mitigate adverse air quality impacts. No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

#### Construction Noise

There will be noise associated with building demolition and excavation required to prepare the building site and foundation. The limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted, see SEPA conditions at the end of this document.

#### Construction Vehicles

There will be a variety of construction vehicles required to demolish the building and prepare the building site. The applicant has anticipated this and has proposed mitigation described in the SEPA checklist. Construction vehicles will not be parked in traffic lanes. Walkways leading past the site will remain clear of construction vehicles and debris and will remain passable. Flaggers will be provided as required. No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

#### Construction Traffic and Parking

During demolition, traffic and parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with demolition and construction activities. Construction workers can be expected to arrive in early morning hours and to leave in the mid-afternoon. Surrounding residents generate their peak need for on-street parking in the evening and overnight hours when construction workers can be expected to have departed. In addition, most of the uses in the surrounding area include enough on-site parking such that street parking is not an issue. No further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. Traffic impacts resulting from the truck traffic associated with the removal of the existing building will be of short duration and mitigated in part by enforcement of SMC 11.62. The findings in the Heffron *Traffic Impact Analysis* prepared for this project note that truck traffic associated with construction (including earthwork) will likely be noticeable, but would not result in significant impacts to traffic operations. Construction vehicle traffic to and from the site will be minimized during peak traffic hours. SPS will require the selected contractor to develop a construction management plan (CMP) that addresses traffic and pedestrian control during school demolition. It will define truck routes, lane closures, walkway closures, and parking disruptions, as necessary. To the extent possible, the CMP will direct trucks along the shortest route to arterials and away from residential streets to avoid unnecessary conflicts with resident

and pedestrian activity. It will also include measures to keep adjacent streets clean on a daily basis at the truck exit points (such as street sweeping or on-site truck wheel cleaning) to reduce tracking dirt offsite. The CMP will also identify parking locations for the construction staff, which to the extent possible, should be contained on-site. No conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

### 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 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).

SPS has proposed mitigation to address short term impacts as described above. The measures outlined in their environmental documents adequately address impacts. Except for noise conditioning listed at the end of this document, no further conditioning of the short term impact elements of the project is warranted pursuant to SEPA policies.

### Long Term Impacts

Few long term or use-related impacts are anticipated as a result of this proposal. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment from demolition of the school.

### Earth

There are two steep slope areas that run along the edge of the site along SW 105<sup>th</sup> Street and at the west edge of the site next to the playground area. Approximately 13,000 cubic yards of excavated material will be transported off site and approximately 4,000 cubic yards of fill will be imported. Temporary erosion and sedimentation control best management practices (BMPs) and construction water treatment measures will be installed to minimize erosion and to treat stormwater runoff during demolition. No long term impacts are expected and no further mitigation is necessary or warranted beyond what is stated in the SPS environmental documents.

### Air

No long term impacts to air quality, other than greenhouse gas emissions, are identified during the demolition phase of the project. Therefore, no long term impacts are expected and no further mitigation is necessary or warranted beyond what is stated in the SPS environmental documents.

### Greenhouse Gas Emissions

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

### Plants

The site is largely developed with playfields and buildings. Plants are mostly restricted to the perimeter of the site. There is a mix of young conifers and deciduous trees. Two trees, a Pacific madrone and a Paper birch are located on the south slope of the site. The trees meet the city of Seattle criteria for Exceptional trees. SPS will be dedicating 10 feet of property to the city for street right of way along SW 105 Street. The trees are located in the dedication area. Therefore, SDOT gains jurisdiction to manage the trees in the newly dedicated right of way. SDOT will assess the trees' health and location and determine if they will remain in the right of way or will be removed. SPS will follow standard best practices for plants and trees during construction that are scheduled for retention. No additional conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

### Environmental Health

A Phase I Abatement and Finishes Removal process will be conducted to identify and remove any toxic materials, such as asbestos containing materials, PCB containing light ballast, mercury containing fluorescent lighting tubes and switches, in advance of school demolition activities. Three underground oil storage tanks will be removed in compliance with standard industry procedure. Project specifications require adherence to all applicable local, state and federal regulations governing hazardous materials removal and disposal, eliminating public exposure. No additional conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

### Noise

No long term noise impacts are identified as a result of the school demolition phase of the project. Therefore, no mitigation measures are required.

### Light and Glare

No long term light and glare impacts are identified as a result of the school demolition phase of the project. Therefore, no mitigation measures are required.

*Historic Preservation*

The City of Seattle has determined that preserving historic buildings and districts is important to the citizenry for retaining a living sense and appreciation of the past, and has established the Landmarks Preservation Board to determine the historical and cultural significance of individual buildings and sites. A Landmark Nomination was prepared for the Arbor Heights School and subsequently submitted to the Board for its review and approval. At the September 4, 2013 meeting the Board voted to deny nomination of the Arbor Heights Elementary School building. The SPS documents state that according to the Washington State Department of Archaeology and Historic Preservation (DAHP), there are no recorded archaeological sites or cemeteries within or adjacent to the project location. SPS documents state that in the event that historic or cultural resources are inadvertently discovered during the project, construction would be temporarily halted in the immediate vicinity of the identified resources and the City, DAHP, and affected Tribes would be notified. Mitigation and/or avoidance measures would be negotiated with the City, DAHP, and other stakeholders. No additional conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

*Traffic and Transportation Impacts*

No long term traffic or transportation impacts are identified during the demolition phase of the project. Therefore, no mitigation measures are required.

**DECISION - SEPA**

The application is **CONDITIONALLY GRANTED**.

**CONDITIONS – SEPA**

*During Demolition*

1. All demolition and construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 7pm. Interior work that involves noisy construction equipment, including electrical compressors, may be allowed on Saturdays between 9am and 7pm if the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the undersigned Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

Signature: \_\_\_\_\_ (signature on file) Date: June 22, 2014  
Holly J. Godard  
Land Use Planner  
Department of Planning and Development

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