City of Seattle
Edward B. Murray, Mayor

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: 3016428

Applicant Name: Timothy Rohleder for Rohleder Borges Architects

Address of Proposal: 66 South Hanford Street

SUMMARY OF PROPOSED ACTION

Land Use Application to change the use of 5,126 sq. ft. of the second floor of an existing building from warehouse to office in an environmentally critical area. (11,716 sq. ft. of warehouse to remain on the first floor and mezzanine.)

The following approval is required:

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

Special Exception – to allow office use within the Duwamish Manufacturing/Industrial Center to exceed the maximum size limit. (SMC Section 23.50.027C)

DPD SEPA DETERMINATION:

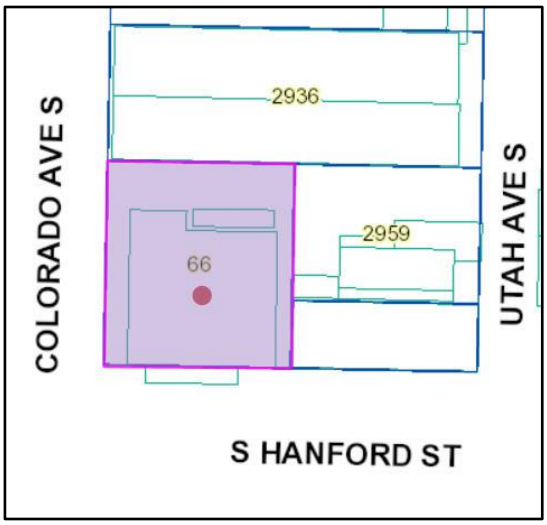
Determination of Non-significance

☒ No mitigating conditions of approval are imposed.

☐ Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts

BACKGROUND DATA

Site Location: The project site is located on the northeast corner of the intersection of Colorado Avenue South and South Hanford Street.



Zoning: The site is located in a General Industrial 1 zone (IG-1) with an 85-foot maximum height limit and is within the Greater Duwamish Manufacturing/Industrial Center as designated in Seattle's Comprehensive Plan.

Project Site: The site is approximately 29,710 square feet. The site is relatively flat and classified as a liquefaction zone.

Street Access: Access to the site is via either Colorado Avenue South or South Hanford Street.

Existing Use: The property is developed with one two-story structure. The building is the SODO Commerce Building which was built in 1937 and renovated in 2007. The lower floor is a two-story space with a mezzanine. The top floor, or second story, is half occupied by a law firm, an office use; the other one half is vacant space and the subject of this proposal. A sales and service use occupies the ground floor.

Zoning in Vicinity: Zoning in the area is IG1 U/85 like the subject site. Industrial General 2, (IG2 U/85) zoning is across Utah Avenue South. The property is within an Environmentally Critical Area (ECA) liquefaction zone.

Uses in Vicinity: There is a mix of various commercial and industrial uses in the vicinity.

Proposal Description: The current occupant, on the top floor, is proposing to expand their office use to occupy the full story. They are currently using 9,584 (10,474 with common lobby space added) square feet as office space and they propose to occupy the remaining 5,126 square feet and a portion of common stair and elevator lobby serving this floor for a total of 15,600 square feet (including common use area) ; the entire third floor. SMC 23.50.027A, Table A sets the IG1 zone office use limits at 10,000 square feet. The applicant is therefore

looking for a special exception to change and occupy 5,600 square feet of office use over the use limits. The proposal would also bring the office use over the 12,000 square foot SEPA threshold for the first time, so environmental review under Seattle's SEPA ordinance is required.

Public Comments

The official extended DPD public comment period ended April 2, 2014. One comment letter was received.

ANALYSIS – SPECIAL EXCEPTION

C. Special Exceptions for Office Use.
1. Office Uses that are not Public Facilities Operated for Public Purposes by Units or Instrumentalities of Special or General Purpose Government or the City.
a. The Director may permit an office use to exceed the size of use limits as a special exception pursuant to Chapter 23.76, Master Use Permits and Council Land Use Decisions, provided that the total gross floor area devoted to the uses limited in Table A for 23.50.027 shall not exceed an area equal to the area of the lot in an IG1 zone or 2.5 times the area of the lot in an IG2 or IB zone, and either the office is on the same lot as, and accessory to, a permitted use not listed in Table A for 23.50.027; or the office is a principal use on the same or another lot within 1 mile distance of a permitted use not listed in Table A for 23.50.027 and is directly related to and supportive of that use.
b. The Director shall use the following characteristics to determine whether to approve, approve with conditions or deny a special exception:

1) Characteristics that make a lot more appropriate for office uses are:

a) The presence of well-defined boundaries, buffers, edge conditions or circulation patterns that separate office uses from industrial activity;
b) The likelihood that the proposed use will provide or encourage improvements that will directly support industrial activity in the area;
c) The likelihood that the proposed use, because of its type, size and location, will operate without substantial conflicts with the industrial function of the area;
d) A sufficiently large industrial area such that the proposed use would not undermine the area's industrial character.

2) Characteristics that make a lot less appropriate for office uses are:

a) The presence of heavy industrial uses that would conflict with office use;
b) The presence of any special features, such as access to the water, rail and the regional highway systems, that make the land especially well-suited to industrial use.

A discussion of the characteristics follows:

1) Characteristics that make a lot more appropriate for office uses are:

a) The presence of well-defined boundaries, buffers, edge conditions or circulation patterns that separate office uses from industrial activity;

The lot is bounded by well-defined boundaries on three sides; Colorado Avenue South, the BNSF railroad coupling yard to the west across Colorado Avenue South, and South Hanford Street, an arterial, borders the property to the south. To the north, the property shares a property line with an industrial use. These boundaries separate the office use from industrial activities and create defined edge conditions on three of four edges.

b) The likelihood that the proposed use will provide or encourage improvements that will directly support industrial activity in the area;

According to information provided by the applicant, the current office use occupying the top floor is an attorney's office specializing in construction practices and real estate. They work with general contractors and building material suppliers in the area. They have numerous clients in the SODO neighborhood and offer legal assistance specific to construction and trade businesses. They directly support the industrial businesses in the area.

c) The likelihood that the proposed use, because of its type, size and location, will operate without substantial conflicts with the industrial function of the area;

Because the proposed use will support industrial users in the vicinity, it is unlikely to conflict with industrial functions. Further, the second floor location reduces the likelihood of physical conflicts with ground level industrial users. It is unlikely that expansion of the top floor office use will conflict with the industrial function of the area.

d) A sufficiently large industrial area such that the proposed use would not undermine the area's industrial character.

The industrial zoned areas IG1 and IG2 are very large in this vicinity extending for 10 to 12 blocks in all directions. The proposed office expansion will not undermine the area's industrial character.

2) Characteristics that make a lot less appropriate for office uses are:

a) The presence of heavy industrial uses that would conflict with office use;

Part of the BNSF railroad coupling yard is located to the west across Colorado Avenue South. The railroad is considered to be a heavy industrial use; however, it does not appear that the use will interfere with daily activities of an office use at this location. Trains will pass by, there will be noise and vibration during coupling, yet it is a passing interruption. The fact that the existing office is proposing to expand their use indicates that the location is satisfactory to their requirements, and that conflicts area not expected to occur.

b) The presence of any special features, such as access to the water, rail and the regional highway systems, that make the land especially well-suited to industrial use.

There is access to the highway systems I-5 and Highway 99 at this location. Access to water is not available at this site. True rail access is not adjacent to the site; however the rail access is not directly opposite this site nor is water access.

The land is suited to industrial use, but does not appear to be distinctly suited nor uniquely suited to industrial use. The upper level office expansion will blend with the area industrial uses while the lower level warehouse uses will maintain industrial functions at this site. Therefore the special exception is granted.

DECISION – SPECIAL EXCEPTION

The requested special exception to exceed the maximum office size limit is **GRANTED**.

ANALYSIS - SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle 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. 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 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; 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. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

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 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 traffic in the area and increased demand for parking; increased demand for public services and utilities. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment.

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.

Traffic and parking
There will be increased traffic due to the enlarged office area and potential new employees using that space. The current number of parking spaces will be maintained and will accommodate additional staff of approximately 10. The surrounding street system has enough capacity to manage the increase in traffic.

No 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.

☒ 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 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

CONDITIONS – SEPA

None required.

Signature: (signature on file) Date: July 21, 2014
Holly J. Godard, Land Use Planner
Department of Planning and Development

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