



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: 3017442
Applicant Name: Ed Linardic with LDG Architects for Port 106 LLC
Address of Proposal: 1700 West Armory Way

SUMMARY OF PROPOSAL

Land Use Application to construct a new 25,740 sq. ft. one-story retail building. Parking for 126 vehicles to be provided at grade. Existing structures to be demolished.*

*Note – The project description has been revised from the following original notice of application: Land Use Application to construct a new 25,000 sq. ft. one story, 27 ft. tall retail building. Parking for 126 vehicles to be provided at grade. Existing structure to be demolished.

The following approval is required:

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

SEPA DETERMINATION:

Determination of Non-Significance

- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal has been conditioned to mitigate environmental impacts.

BACKGROUND INFORMATION

Site and Vicinity Description

This approximately 84,030 square foot (sq. ft.) proposal site is a trapezoid mid-block lot bounded by West Armory Way to the west, commercially-zoned property to the east; and industrially-zoned property to the north and the south. The site is a split-zoned property-General Industrial 2 (IG2 U/45) and Commercial 1 (C1-40)-in the Ballard-Interbay-Northend Manufacturing Industrial Center (BINMIC) overlay. A three-story recreational building (1550 West Armory Way) and a portion (1/4) of another one-story commercial building (1570 West Armory Way) exists on the project site.

Vehicular access to existing surface parking is via existing curb cuts abutting West Armory Way. West Armory Way is classified as a Non-Arterial pursuant to SMC 23.53 and is an unimproved street with a partially paved roadway and sidewalks located on private property (2021 15th Avenue West). Consequently, vehicular access to the project site is via an access and utility easement agreement (KCR #20140207000261) which contains an existing roadway adjacent to and south of the public right-of-way.

Vegetation of the site consists of some mature trees and shrubs. The site's topography is characterized as mostly flat with landscape on the east side of the site descending gently to the west. The entire site is identified as Environmentally Critical Areas (ECA)-Abandoned Landfill and Liquefaction-prone.

Surrounding property south, north, east and west is also zoned IG2 U/45. The property east of the site is also zoned C1-40. Existing development in close proximity of the proposal consists of the City of Seattle Animal Shelter and commercial properties to the east; a grocery store (Whole Foods) and State-owned property (Washington National Guard Armory) to the south; and five commercial buildings occupied by the Northwest Center for the Retarded organization to the west and north. The City of Seattle Interbay Golf Center and P-Patch Community garden is less than a block north of the project site.

Proposal Description

The proposed project involves the construction of an approximately 25,740 sq. ft. one-story commercial retail development. Parking for 126 vehicles accessory to the retail use will be provided onsite at a surface parking area. Vehicular access to the proposed parking spaces will occur via two curb cuts abutting West Armory Way and an existing access easement. The existing three-story commercial building (1550 West Armory Way) and one-story commercial building (1570 West Armory Way) will be demolished.

Construction of the building necessitates the removal of existing ground cover, shrubs and trees. Landscaping enhancements inclusive of Street trees, trees, shrubs and ground cover are proposed.

Public Comment

The public comment period ended August 10, 2014. DPD received public comments from a City of Seattle property manager regarding the project's impacts on planned improvements within the West Armory Way right-of-way and the existing access road adjacent to the commercial properties to the east. These written comments are noted in the project file.

Additional Information

As previously noted, the proposal site is directly adjacent to a site that is comprised of two existing buildings, a portion of an existing building, and an accessory surface parking area all historically occupied by the Northwest Center for the Retarded (NCW) organization. The applicant has submitted a separate Land Use application to DPD (3017443) that is currently being reviewed. This proposal is to demolish the aforementioned existing buildings (excluding the partial building) and to construct a one-story retail building with surface parking for 103 vehicles. It is anticipated that DPD Director's decision report for this proposal will be rendered concurrently with this decision report.

The project also includes improvements to those portions of the sidewalks and roadway that abut both the subject site and the neighboring site. The applicant has submitted an application (#243205) to the Seattle Department of Transportation (SDOT) requesting improvements within the adjacent West Armory Way right-of-way.

SEPA ANALYSIS

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 (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in an environmental checklist submitted by the applicant dated June 25, 2014 and annotated by DPD. The information in the checklist, supplemental information provided by the applicant, pertinent public comments which were received regarding this proposed action during DPD's evaluation and the experience of the lead agency with review of similar projects forms the basis for this analysis and decision.

As indicated in the checklist, this action may result in impacts to the environment. But, due to their temporary nature or limited effects, these impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665.D) clarifies the relationship between City's 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 and/or circumstances (SMC 25.05.665.D.1-7) mitigation can be considered.

Codes and development regulations applicable to this proposed project will provide some 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 Ch. 15), the Seattle Building Code, the Noise Ordinance (SMC 25.08) and Regulations for Environmental Critical Areas (SMC 25.09). The Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, disruption of utilities serving the area and increases in greenhouse gas emissions. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794).

Several construction-related impacts are mitigated by existing Codes and ordinances applicable to the project such as: the Noise Ordinance (construction noise), the Stormwater and Grading Codes (grading, site excavation and soil erosion), the Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of pedestrian right-of-way), and the Building Code (construction measures in general). Compliance with the applicable Codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. The following analyzes air quality, earth, construction impacts, construction-related traffic and parking impacts.

Air Quality

Demolition of the existing structures and construction activities related to this project are expected to result in short-term increases in air particulates and carbon monoxide that could temporarily affect air quality in the vicinity; however, the increase is not expected to be significant.

Demolition/construction activities that would contribute to the increase include minimal excavation, grading and operation of heavy trucks and smaller equipment (e.g., generators and compressors). Compliance with the Street Use Ordinance (SMC 15.22.060) will require the applicant and its contractors to water the site or use other dust palliatives, as necessary, to reduce dust. Additionally, should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition.

Lastly, federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the SEPA Air Quality Policy (SMC 25.05.675).

The Code, PSCAA regulations and applicable federal law are found to be adequate to mitigate the potential impacts to air quality. No further mitigation is warranted pursuant to the SEPA policies.

Earth

The City's Environmentally Critical Areas (ECA) Ordinance and Grading Code require submission of a soil study to evaluate development in a liquefaction zone, which includes the subject site. The subject site is also mapped as an abandoned landfill. The applicant submitted a geotechnical engineering report dated July 18, 2014 and prepared by Daniel A. Mays, P.E. and Kyle R. Campbell, P.E. (Earth Solution NW, LLC). The soils report evaluated the soil and site conditions and provided recommendations for general earth work, methane gas mitigation, erosion and drainage control and foundation support.

The geotechnical report has been reviewed in association with the MUP review and it has been deemed to be complete. The impacts to soils can be sufficiently mitigated through the Grading Code and Stormwater Code review by the Geotechnical Engineer and Building Plans Examiner during the Building Permit phase of review. The applicant will be required to submit geotechnical studies and any other information to determine compliance with those Codes during Building Permit review. No additional mitigation is warranted pursuant to SEPA policies.

Construction-Related Traffic and Parking

Construction activities will necessitate occasional closures of the adjacent roadway, sidewalks and access road utilized by the commercial properties east of the project site. Demolition of the existing structures is proposed. This material would be trucked from the site. Construction vehicles are expected to enter the project site from a temporary construction entrance situated along the abutting street.

Construction of the project is proposed to last for several months. The demand for parking by construction workers during construction is not anticipated to greatly reduce the supply of parking in the vicinity. Per the applicant, parking demand for construction workers will be primarily accommodated and managed onsite.

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). The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Any temporary closure of the sidewalk and/or traffic lane(s) is adequately controlled with a street use permit through the Seattle Department of Transportation (SDOT). Parking demand for construction personnel has been adequately addressed. Therefore, no further mitigation will be required.

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 public demand for public services and utilities; increased energy consumption; minor increase in light and glare; and increased traffic and parking demand.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal and historic and cultural

preservation, traffic, and parking impacts warrant further analysis. Also, given the relationship of this project and an adjacent project to the west (refer to MUP 3017443); the discussion below will consider the cumulative impacts and the need for mitigation (SMC 25.05.670 Cumulative effects policy).

Historic Preservation

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..."*

SEPA provides authority to mitigate impacts to historic buildings (SMC 25.05.675.H.2.c). In this instance, two existing buildings addressed as 1550 West Armory Way and 1570 West Armory Way are not designated as historical landmarks. However, because this proposal involves the demolition of two buildings which are more than 50 years old, historical information concerning both structures (prepared by Bola Architecture and Planning) was referred to the Department of Neighborhoods (DON) for review. The Historic Preservation Staff reviewed the information and stated, *"Based on the review of this information, we have determined that it is unlikely that either of the subject buildings would meet the standards for designation as an individual landmark, due in part to loss of historic materials and integrity."* Therefore, no further conditioning regarding preservation of the existing buildings is warranted by SEPA.

A portion of the project site (approximately 50' into the site along the southwest property line) is identified as being partially located within an Archaeological Buffer area which is property located within 200' of the US Government Meander line. For projects which include excavation within 200' of the US Government Meander line, DPD Director's Rule (DR) 2-98 requires submission of an assessment of the site's probable archaeological significance prepared by a professional archaeologist.

Pursuant to DR 2-98 and the SEPA Historical Preservation Policies, the applicant submitted an archaeological assessment dated December 3, 2014 prepared by Earth Solutions NW LLC that included written correspondence from the Washington State Assistant Archaeologist (Gretchen Kaehler) at the State Office of Archaeology and Historic Preservation (OAHP). Based on input from OAHP, Earth Solutions NW LLC concluded that there is no indication of any existing or past archaeological significant findings on the site. Also, the project proposes a foundation type that will minimize subsurface disturbance but some ground disturbance will occur on the site. To ensure that no adverse impacts occur to an inadvertently discovered archaeologically significant resource, additional mitigation is warranted pursuant to SMC 25.05.675.H.2. As conditioned in the decision below, the applicant shall be required to adhere to the requirements of DR 2-98, including providing a cultural monitoring and discovery plan (CMDP) for DPD's review and approval prior to the issuance of a MUP for the project and implementing the CMDP during excavation in the event of an inadvertent discovery of potential culturally significant

Traffic and Transportation

Geralyn Reinart Traffic and Transportation Engineering Services (G. Reinart) provided a Transportation Impact Analysis (TIA) (dated November 2014) and an addendum (dated February 2015) for the subject site and the retail proposal west of the subject site-referenced as the “Port 106 project.” The TIA and requested addendum describes current traffic and transit conditions; evaluates expected trip generation for the project; and estimates project-related changes to the local traffic. G. Reinart’s analysis was based on a development consisting of two 25,000 sq. ft. retail buildings (“Total Wine” store and “West Marine” store) with parking provided for 229 vehicles onsite.

Trip generation for the project was determined using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition for the category of Specialty Retail (LU 826). These trips were further reduced to reflect trips associated with the removal of existing commercial land uses and trips diverted from 15th Avenue West as part of another shopping trip or work-to-home trip. Based on this information, the report estimated the project is anticipated to generate an increase in daily trips (1624) and weekday PM peak hour trips (70).

Level of service (LOS) analysis was performed for three nearby signalized intersections. The LOS analysis for the “future with-project” scenario showed that, during the weekday PM peak hour, the addition of the project traffic in the PM peak hour evaluated, results in the same LOS values as without the project for two intersections. The remaining intersection (15th Avenue West/West Armory Way) is forecasted to degrade from a LOS A to a LOS B. The analysis also indicated, with the addition of project traffic, that the average PM peak hour delays would increase by 1.9 seconds or less, reflecting a minimal project impact on traffic operations. All intersections are forecasted to operate at a LOS C or better.

In summary, it is anticipated that the project could increase the overall traffic volumes in the vicinity of the subject site. Because the new increase in vehicular trips for the project is minimal and the LOS operations are unchanged and/or will operate at an acceptable LOS, it is expected that the amount of traffic generated by the project is within the capacity of the roadway network within the immediate vicinity. Therefore, no additional mitigation pursuant to SEPA authority is warranted.

Parking

Both proposal sites (subject site and 1500 West Armory Way) are situated within industrial (IG2 U/45) and commercial (C1-40) zones; and identified on the DPD mapping system as being located near a frequent transit service corridor. The Land Use Code (SMC 23.54) requires a total of 91 parking spaces and two loading berths for the entire development: 46 parking spaces and one loading berth for the retail building (subject site); and 45 parking spaces and one loading berth for the neighboring retail building (1500 West Armory Way). The submitted MUP plans indicate a total of 229 parking spaces (126 stalls for the retail use at subject site and 103 stalls for the retail use at the “1500” site) and three loading berths (two at the subject site and one at the “1500” site). Per the applicant, reciprocal access and parking agreements between the property owners of the subject site and the site to the west will allow for parking to be shared between the various users.

The parking demand analysis for the combined project was determined using the ITE Parking Generation Manual, 4th Edition for the following categories: Liquor Store (LU 859) and Sporting

Goods Superstore (LU 861). The ITE manual estimates a peak parking demand rate of 2.98 vehicles per for every 1,000 sq. ft. of liquor store building area and an average parking demand rate of 4.4 vehicles per for every 1,000 sq. ft. of sporting goods retail building area. Using these multipliers, the estimated parking demand would be 77 parking spaces based on approximately 25,740 sq. ft. of liquor store building area and 110 parking spaces based on approximately 24,930 sq. ft. of sporting goods retail building area. Therefore, the estimated parking demand for both retail proposals would be 187 parking spaces based on approximately 50,670 sq. ft. of retail area. A combined total of 229 parking spaces will be provided onsite.

Based on the amount of parking being provided, it is determined that there will be adequate on-site parking spaces to accommodate anticipated parking demand. Therefore, no mitigation of parking impacts is necessary pursuant to SEPA.

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 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 Issuance of the Master Use Permit (MUP)

1. The owner and/or responsible parties shall provide DPD with a statement that the contract documents for their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 26.53, 27.44, 79.01, and 79.90 RCW, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.

During Construction

2. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:
 - Stop work immediately and notify DPD (Tami Garrett (206)233-7182) and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAHP). The procedures outlined in Appendix A of Director's Rule 2-98 for assessment and/or protection of potentially significant archeological resources shall be followed.
 - Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.

Signature: retagonzales-cumnetabby for _____ Date: July 27, 2015
Tami Garrett, Senior Land Use Planner
Department of Planning and Development

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered "approved for issuance". (If your decision is appealed, your permit will be considered "approved for issuance" on the fourth day following the City Hearing Examiner's decision.) Projects requiring a Council land use action shall be considered "approved for issuance" following the Council's decision.

The "approved for issuance" date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled (SMC 23-76-028). (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.