



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

Application Number: 3017765
Applicant Name: Mary Murphy
Address of Proposal: 5409 Ohio Avenue South

SUMMARY OF PROPOSED ACTION

Land Use Application to establish use for outdoor storage in an environmentally critical area. Project includes demolition of three structures.

The following approval is required:

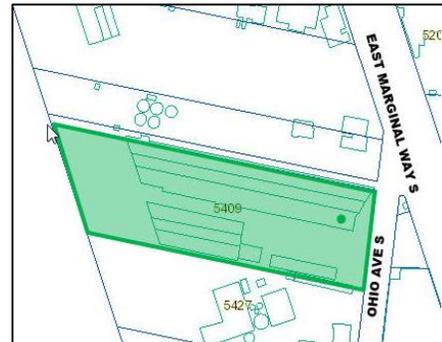
SEPA – Environmental Threshold Determination (SMC Chapter 25.05)

SEPA DETERMINATION

- Exempt DNS MDNS EIS
 DNS with Conditions
 DNS involving non-exempt grading or demolition, or involving another agency with jurisdiction

BACKGROUND

The project received a shoreline exemption approval consistent with SMC 23.60.020.C, therefore a Shoreline Substantial Development Permit is not required. The project was reviewed by Seattle DCI land use planners and found consistent with applicable use and development standards in the Shoreline Master Program.



SITE AND VICINITY

Location: The project is an interior lot on Ohio Ave S, bounded on west by the Duwamish River.

Site Zone: Industrial General One (IG1 U/85)

Parcel size: 203,375 sq. ft.

Environmental Critical Areas: Peat Settlement Prone, Fish & Wildlife Habitat Area, Shoreline Habitat, Shoreline Habitat Buffer, Liquefaction Prone.

Existing Conditions: The site is bisected east to west by a railroad spur. The north side of the site contains a one story warehouse. South of the railroad spur, the site contains three one-story structures and outdoor storage. The proposal is for the area of the site south of the railroad tracks.

PUBLIC COMMENT:

The public comment period ended on April 26, 2015. No comments were received.

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 (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 1/6/2015. The Seattle Department of Construction and Inspections (SDCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered. 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.

The SEPA Overview Policy (SMC 25.05.665 D) 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.

Under such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

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, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, the Shoreline Master Program (SMC 25.60A), and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality.

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. While these impacts are adverse, they are not expected to be significant, therefore, no further mitigation is warranted pursuant to SMC 25.05.675.F

Earth/Soils

The applicant submitted a geotechnical engineering study (*Geotechnical Consulting Services Liquefaction Evaluation, Building Demolition, 5409 Ohio Avenue*). The study will be reviewed by SDCI'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 existing Grading and Stormwater Codes are anticipated to sufficiently mitigate adverse impacts to the ECAs. No additional conditioning is warranted pursuant to SEPA policies (SMC 25.05.675.D).

Environmental Health

Grading and filling activities pose some potential of contamination of groundwater and surface water at and adjacent to the site. The applicant submitted a drainage report (*Stormwater Pollution Control & Spill Prevention Plan, Rhine Demolition & Abatement, Submitted 4/6/2015*). This report includes a Spill Prevention, Control and Countermeasure Plan (SPCCP) that will be implemented to prevent, prepare for, and respond to any incidental spills that may occur during the project. The report also includes a Temporary Erosion and Sediment Control (TESC) Plan that addresses erosion control. These strategies are expected to adequately mitigate the adverse environmental impacts from the proposed development. Therefore, no further mitigation is warranted for impacts to environmental health, per SMC 25.05.675.F.

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. The City acknowledges PSCAA's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination.

These strategies are expected to adequately mitigate the adverse environmental impacts from the proposed development. Therefore, no further mitigation is warranted for impacts to environmental health per SMC 25.05.675.F.

Long -term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; parking; and possible increased traffic in the area. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment. However, greenhouse gas emissions; historic preservation; and cultural resources warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction 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, therefore, no further mitigation is warranted pursuant to SMC 25.05.675.F

Historic Preservation

The existing structure on site is more than 50 years old. Seattle Department of Neighborhoods reviewed the existing structure and determined that it is not likely to be eligible for historic landmark designation (Landmarks Preservation Board letter, reference number LPB 54/16). No further mitigation is warranted for historic preservation impacts to the existing structures on site.

Cultural Resources

The project is within the U. S. Government Meander Line buffer that marks the historic shoreline – an area with the potential for discovery of pre-contact and early historic period resources. Pursuant to Director's Rule 2-98, an assessment of the site's probable archaeological significance is required for proposals which include excavation located within 200 feet of the US Government Meander line or in other areas where information suggests the potential for archeologically significant resources. The applicant has conferred with the Department of Archaeology and Historic Preservation, which determined that the project proposal will not have an impact on any archaeological resources ("Request for Archaeological Determination," Gretchen Kaehler, 8/25/2014). No excavation is proposed for the project, therefore, no further mitigation is warranted pursuant to SMC 25.05.675.H.

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).
- 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).

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 OF APPROVAL

None.

Katy Haima, Land Use Planner Date: April 7, 2016
Seattle Department of Construction and Inspections

KH:bg

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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 Seattle DCI 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.