



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
Diane Sugimura, Director

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

Application Number: 3004092
Applicant Name : Seattle School District Number One
Address of Proposal: 4030 N.E. 109th Street

SUMMARY OF PROPOSED ACTION

Land Use Permit to allow improvements to a 164,500 sq. ft. playfield (John Rogers Elementary School) to include expansion of an existing grass play area and grading of 4,500 cu. yds. of material (1,500 cut and 3,000 fill) in an environmentally critical area. Determination of Non-Significance prepared by the Seattle Public School District.

The following approval is required:

SEPA to approve, condition pursuant to 25.05.660 SMC
(DNS prepared by Seattle Public Schools.)

SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non exempt grading or demolition or involving another agency with jurisdiction (For conditioning only).

BACKGROUND DATA

Site and Vicinity Description

John Rogers Elementary School is located at 4030 N.E. 109th St in an area of single family zoning and use. The athletic field and playground, which are to be renovated, are located on the southern half of the campus abutting the north side of N.E. 105th St. The site is bounded to the north by John Rogers Elementary School buildings, to the east and west by private residences and to the south by the N.E. 105th St. right-of-way.

A branch of Thornton Creek is located between 15 and 25 feet from the southeast corner of the site. Thornton Creek is a salmon bearing stream discharging into Lake Washington.

Proposal Description

The proposed development would remove the existing asphalt playground (approximately 50,000 sq. ft.) and incorporate the area into a reconstructed natural turf field with a "skinned" dirt softball infield of approximately 164,500 sq. ft. The existing fencing at the south end of the site would be replaced in a location approximately 8 feet further north to include a new concrete walkway outside the fence and to allow for a slightly wider roadway shoulder.

Stormwater is to be collected from surface runoff at the perimeters of the grass field and from subsurface drain system under the skinned infield areas. The runoff would then be conveyed through a biofiltration swale and then tight lined to an existing 72" public storm drain which runs across the site. Biofiltration is provided in response to public request and is not a code required feature of the proposal.

Temporary erosion and sedimentation control during the construction period will be provided in accordance with the requirements of the Seattle Construction Stormwater Control Technical Requirements Manual.

Public Comments

No public comments were received. The noticed SEPA comment period for this DPD review and conditioning action ended on March 8, 2006.

ANALYSIS - SEPA

Environmental impacts of the proposal have been analyzed and disclosed in environmental documents prepared by Seattle School District Number One dated September 1, 2005. (RCW 197-11-960) The District issued a SEPA Determination of Non-Significance (DNS) dated October 3, 2005, with a public comment period which ran until October 28, 2005. The proposed project is now under review to determine what, if any, substantive SEPA conditioning is warranted.

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

Disclosure of the potential impacts from this project was made in the environmental documents listed above. This information, supplemental information provided by the applicant (plans, written descriptions of the project, an environmental assessment, a Drainage and Temporary Erosion/Sedimentation Control Report, a field visit, public comment and the experience of this agency with review of similar projects) form the basis for 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.

Short-term Impacts

The following temporary or construction-related impacts are expected: temporary increase in noise levels, increased congestion along roadways, increased levels of fugitive dust and fumes, temporary disruption of utilities, increases in sedimentation and turbidity in stormwater runoff, and displacement of some wildlife species due to excavation and noise. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794). Although not significant, these impacts are adverse and, in some cases, mitigation may be warranted.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: Grading and Drainage Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of the pedestrian right-of-way); the Building Code (construction measures in general); the Noise Ordinance (construction noise); and State Air Quality Codes administered by the Puget Sound Clean Air Agency (air quality). Compliance with these codes and/or ordinances will lessen the environmental impacts of the proposed project. However, in some cases mitigation measures pursuant to SEPA policies will be necessary.

Noise

Construction of the proposed athletic field improvements will be accomplished to a large extent through the use of diesel powered equipment such as front loaders, dump trucks, back hoes and graders. While the Seattle Noise Ordinance does provide some level of protection to neighboring properties, it does

not prohibit construction activities at any time, instead applying a lower noise ceiling during nighttime hours. It is very possible that, in the large, unobstructed proposal site, the limitations of the noise ordinance could be met while still running construction equipment at all hours. Because of the unusual situation presented by this large construction project overlooked by residential uses it is found likely that the Seattle Noise Ordinance does not provide adequate protection and SEPA based conditioning is necessary.

Therefore, the use of powered grading, digging, and soils transportation equipment for construction of the project will be limited to weekdays between the hours of 7:30 a.m. and 5:00 p.m. and to Saturdays between 9:00 a.m. and 4:00 p.m. This limitation may be waived by DPD in situations where construction related emergencies or overriding scheduling necessities mandate it.

Water Quality

The close proximity of the site to Thornton Creek places added importance on the adequacy of erosion control measures employed during construction. The Seattle Stormwater, Grading and Drainage Code can do, however, provide for implementation of adequate measures to insure that stormwater leaving the site is both clear and at controlled flow rates. A sedimentation pond and turbidity control measures are already proposed and will be required. The details of the erosion control plan will be shown on the plan sheets for the grading permit and are required to be followed during the construction phase. DPD inspectors will insure these measures are properly implemented and maintained. No further mitigation of construction-related water quality impacts is warranted.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal and include: increased storm water impacts on surrounding properties and City storm facilities; increased on-street parking demand, and increased vehicle traffic. These long-term impacts are not considered significant because the impacts are minor in scope.

The potentially most substantial long-term impacts are storm water impacts and those related to parking and traffic and additional consideration of these is warranted.

Parking and Traffic

Although the proposal site is currently used by both the School District and by the Seattle Department of Parks and Recreation the functional utility of the field will improve upon completion of the project in that soccer and lacrosse games will be playable there in addition to baseball and t-ball. The highest parking demand will continue to be generated when there are four baseball, or t-ball games occurring simultaneously. This condition occurs currently at the field and would continue to occur in the future. At these times on street parking within 800 feet of the south entrance to the field is conservatively (high estimate) to be 90.5% utilized. The next lower level of parking utilization is generated when there are

three baseball or t-ball games occurring and a 67.9% utilization rate is predicted. All other combinations of uses generate substantially lower parking demands.

The parking study mentions that the four baseball or t-ball game condition occurs currently and would not be the result of the proposed action. Because the proposed improvements to the playfield will not create any new periods when on-street parking is overutilized, SEPA authority cannot be used to impose conditioning of parking impacts.

Storm Water

Drainage from the improved areas subject to this permitting action would be collected in a series of catch basins on the perimeter of the field and via subsurface drains in the infield. The runoff would then be conveyed through a biofiltration swale and then tight lined to an existing 72" storm drain which empties into Thornton Creek. Seattle code limits discharge to this culvert to 0.2cfs per acre for the 25 year storm and 0.5 cfs per acre for the 100 year storm. These protections are likely to be adequate to protect Thornton Creek and other areas off the site from storm water impacts for the proposal and no further conditioning pursuant to SEPA policy is warranted.

Other Impacts

Several adopted Codes and Ordinances and other Agencies will appropriately mitigate the other use-related adverse impacts created by the proposal. Specifically, these are the Puget Sound Air Pollution Control Agency (increased airborne emissions); and the Seattle Energy Code (long-term energy consumption). The other impacts not noted here as mitigated by codes, ordinances, or conditions (increased ambient noise; increased pedestrian traffic, increased demand on public services and utilities) are not sufficiently adverse to warrant further mitigation by conditions.

Conditions of Approval During Construction

The following condition to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

1. The use of powered grading, digging, and soils transportation equipment for construction of the project shall be limited to weekdays between the hours of 7:30 a.m. and 5:00 p.m. and to Saturdays between 9:00 a.m. and 4:00 p.m. This limitation may be waived by DPD in situations where construction related emergencies or overriding scheduling necessities mandate it.

Signature: _____ (signature on file) Date: June 29, 2006

Scott Kemp, Senior Land Use Planner
Department of Planning and Development

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