



City of Seattle

Gregory J. Nickels, 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: 3003018
Applicant Name: Bill Fuller for Interbay Urban Investors LLC
Address of Proposal: 2021 15th Avenue West

SUMMARY OF PROPOSED ACTION

Land Use Permit for future demolition of four office and warehouse buildings totaling 112,177 square feet.*

*Note: The initial notice for the proposed application read: “Land Use Permit to approve one, one-story, 6,000 sq. ft. retail building and one, two-story, 44,317 sq. ft. indoor participant sports facility. Parking for forty-seven (47) vehicles to be provided within the structure. Parking for 205 vehicles to be provided in a two-story garage. Project includes demolition of existing structure. Related Projects 3003017 and 3002988.” The project description has been revised from the original notice of application to reflect the following changes in project scope: the two-story, 44,317 sq. ft. indoor participant sports facility is no longer proposed.

The following approval is required:

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

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

DNS involving non exempt grading or demolition or involving another agency with jurisdiction.

BACKGROUND INFORMATION

Site and Vicinity Description

This approximately 704,609 square foot (sq. ft.) site is located in an Industrial General (IG-2 U/45) zone, situated on the northwest corner of West Amory Way and 15th Avenue West. The following are four (4) existing buildings situated on the development site: two (2) warehouse buildings (addressed as 1827 15th Avenue West and 2001 15th Avenue West respectively) and two (2) office/warehouse buildings connected by an access bridge (addressed as 1907 15th Avenue West). The subject site is accessed via several curb cuts along 15th Avenue West and West Amory Way. Existing railroad tracks are located near the subject site's western and northeasterly boundary lines.

15th Avenue West is an improved street with curbs, sidewalks, gutters and street trees positioned in front of the subject site. It is classified as a principal arterial street, pursuant to SMC Chapter 23.53. West Amory Way is a non-arterial unimproved street in which the paved roadway and portions of the sidewalk are located on private property (the subject site).

The entire site is identified as Environmentally Critical Area (ECA)-Liquefaction Prone and a portion of the site is identified as being located in the a methane buffer area.

Adjacent zoning surrounding the site is as follows:

North	Commercial 1 (C1-40')
East	Industrial Buffer & Industrial Commercial (IB U/45 & IC-45')
South	General Industrial 2 (IG2 U/45)
West	General Industrial 2 (IG2 U/45)

Adjacent uses are as follows:

North	Animal Control Shelter (City of Seattle Animal Shelter)
East	Mixed-use residential building/Gas station/Carwash, Mini-warehouse
South	Warehouse
West	Military (National Guard Amory) Building and Port of Seattle warehouse buildings

Proposal

The proposal is to demolish four (4) buildings containing a total of approximately 112,177 sq. ft. of floor area. Per the applicant, the buildings will be removed in a way that minimizes any disturbance to the soil. This demolition is in preparation for the creation of four separate development sites (Parcels "A", "B", "C" and "D") through a Lot Boundary Adjustment (LBA) platting action (DPD #2505852).

The LBA application (#2505852) is currently being reviewed by DPD. This LBA proposal includes adjusting the property lines to create the following property areas: Parcel A: 77,120 sq. ft., Parcel B: 33,628 sq. ft., Parcel C: 145,741 sq. ft. and Parcel D: 95,816 sq. ft. It is expected that the LBA will be recorded with King County prior to the issuance of this application.

Ultimately, three (3) separate development sites will be created. It is anticipated by the applicant that future development activity at the subject site will include the construction of a one-story retail building on Site "A" and a one-story with mezzanine grocery store on Sites "B" and "C". No development is proposed for Site "D". The applicant has submitted Master Use applications (#3002988 and #3003017) for the previously mentioned proposals.

Public Comments

The required public comment period ended on September 14, 2005. DPD received no written comments regarding this proposal.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated December 23, 2005. The information in the checklist and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has reviewed and annotated the environmental checklist submitted by the project applicant, and reviewed the project plans and any additional information in the file. As indicated in the checklist, this action will result in adverse impacts to the environment. However, due to their temporary nature and 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. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

Short-term Impacts

The following temporary demolition activities on this site could result in the following adverse impacts: demolition 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, and a small increase in traffic and parking impacts due to demolition related vehicles. Several demolition-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of demolition-related noise, air quality, streets and sidewalk impacts.

Noise

Noise associated with demolition of the buildings on the subject site could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of demolition activities. Compliance with the Noise Ordinance (SMC 22.08) is required and will limit the use of loud equipment, registering 60 dB(A) or more at the receiving property line or a distance of 50 feet from the equipment; to the hours between 7:00 a.m. and 10:00 p.m. on weekdays, and between 9:00 a.m. and 10:00 p.m. on weekends and holidays.

Although compliance with the Noise Ordinance is required, due to the proximity of the project site to nearby residential uses, additional measures to mitigate the anticipated noise impacts may be necessary. The SEPA Policies at SMC 25.05.675.B and 25.05.665 allow the Director to require additional mitigating measures to further address adverse noise impacts during construction. Pursuant to these policies, it is the Department's conclusion that limiting hours of demolition beyond the requirements of the Noise Ordinance may be necessary on this site. Therefore, as a condition of approval, the proponent will be required normally to limit the hours of demolition activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. (Work would not be permitted on the following holidays: New Years Day, Martin Luther King Jr.'s Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day following Thanksgiving Day, and Christmas Day).

Air Quality

Demolition on this site will create dust, leading to an increase in the level of suspended air particulates, which could be carried by wind out of the demolition area. Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliative, as necessary, to reduce airborne dust. In addition, compliance with the Puget Sound Clean Air Agency regulations requires activities which produce airborne materials or other pollutant elements to be contained with temporary enclosure. Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the demolition area by vehicle frames and tires; this soil could be deposited on adjacent streets and become airborne.

Construction traffic and equipment are likely to produce carbon monoxide and other exhaust fumes. Regarding asbestos, Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency ("PSCAA") prior to demolition. Thus, as a condition of approval prior to demolition, the proponent will be required to submit a copy of the required notice to PSCAA. If asbestos is present on the site, PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos.

Streets and Sidewalks

This proposal includes the demolition of several buildings. 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.). No additional mitigation under SEPA is necessary.

Long-term Impacts

Some long-term impacts are expected as a result of the proposed building demolition. Since the existing buildings will be demolished in a way that will minimize any disturbance to the soil, compliance with applicable Building Code standards will provide adequate mitigation for potential safety-related issues. Any other long-term impacts are not significant in scope and/or are adequately mitigated by existing codes and regulations. Therefore, additional mitigation under SEPA is not necessary.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

The responsible official on behalf of the lead agency made this decision after review of a completed environmental checklist and other information on file with the 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).

CONDITIONS - SEPA

Prior to the Issuance of the Building Permit

1. The owner(s) and/or responsible party(s) will be required to submit a copy of the Puget Sound Clean Air Agency notice of construction. If asbestos is present on the site, PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos.

During Construction

The following condition(s) 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 proponent will be required to limit the hours of demolition activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. (Work would not be permitted on the following holidays: New Years Day, Martin Luther King Jr.'s Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day following Thanksgiving Day and Christmas Day).

Signature: (signature on file)
Tamara Garrett, Land Use Planner
Department of Planning and Development

Date: May 25, 2006