



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: 2302831
Applicant Name: Heather Leaman
Address of Proposal: 821 S. Barton Street

SUMMARY OF PROPOSED ACTION

Master Use Permit for future construction of a 32,480 sq. ft., one-story warehouse building. Existing storage buildings to be removed.

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 DATA

Site Location and Description:

The nearly one-acre site is a mid-block property along substandard South Barton Street, in the middle of an IG1 zone. The site is designated a liquefaction environmentally critical area. Two small storage structures currently occupy the site.

Proposal Description:

The applicant proposes to demolish the existing structures and construct a warehouse with accessory office. 23 parking spaces are proposed.

Public Comment:

None.

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 annotated environmental checklist and a geotechnical soils analysis. The information in the checklist and geotechnical analysis 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 analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file; and any comments which may have been received regarding this proposed action have been considered. 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 or construction-related impacts are expected: 1) temporary soil erosion; 2) decreased air quality due to increased dust and other suspended air particulates during excavation and construction, and 3) increased vibration and noise from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: 1) Street Use; 2) Building Code (construction measures in general); 3) Regulations for Environmentally Critical Areas, 4) Stormwater, Drainage and Grading Code (temporary soil erosion) and 5) the Noise Ordinance (regulates the time and amount of construction noise. Compliance with these applicable codes and ordinances will reduce or eliminate most short term impacts to the environment. However, additional analysis of noise and earth is warranted due to the amount of building activity.

Earth

The ECA Ordinance and Directors Rule (DR) 3-93 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with steep slopes, liquefaction zones, and/or a history of unstable soil conditions. Pursuant to this requirement the applicant submitted a geotechnical engineering study prepared by Professional Service Industries dated 16 November 2004. The report evaluates the soil and site conditions and provides recommendations for erosion and drainage controls, slope stability, grading and earthwork and foundation construction. The construction plans will be reviewed by DPD for compliance with all applicable codes and ordinances. Additional mitigation will not be required.

Air Quality

Excavation and grading to prepare the site is expected to temporarily add suspended particulate matter to the air. The construction contractor must comply with the Puget Sound Clean Air Agency (PSCAA) regulations, which require that reasonable precautions be taken to avoid dust emissions. These precautions may include applying water or dust-binding chemicals during dry weather. Fugitive dust impacts, however, would be limited in area and duration. Soils and dust carried out of the construction area by exiting trucks would be minimized by wheel washing and by covering dusty truckloads.

Pursuant to SEPA authority under SMC 25.05.675, the project will be conditioned to require compliance with all PSCAA regulations. This will assure proper handling and disposal of asbestos if it is encountered during the demolition of the existing buildings. A copy of any required PSCAA Demolition Permit(s) or equivalent authorization shall be submitted to DPD prior to issuance of a construction permit for this project.

Long-term Impacts

Potential long-term impacts that may occur as a result of this project include: 1) increased bulk and scale on the site, 2) increased traffic, 3) noise due to increased human activity, 4) increased light and glare, 5) increased demand on public services and utilities, and increased energy consumption. These impacts are typical of industrial development and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Land Use Code (aesthetic impacts, height, setbacks, parking); Noise Ordinance; and the Regulations for Environmentally Critical Areas, The Seattle Energy Code. Additional mitigation for the above reference impacts will not be required.

In order to provide for adequate circulation around the site, the Seattle Department of Transportation has advised the DPD of need to ensure availability of required right-of-way improvements prior to issuance of construction permits. To achieve such mitigation, project approval has been conditioned to ensure such availability.

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).

CONDITIONS – SEPA

Prior to Issuance of a Construction Permit

The owner(s) and/or responsible party(s) shall:

1. Provide the responsible party(s) within the DPD with a copy of any required PSCAA Demolition Permit(s) or equivalent authorization;
2. Ensure the five-foot pedestrian walkway is shown available for public use at the property line within the public place after the dedication and that SDOT has application/civil plans.

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

Date: July 31, 2006