



City of Seattle

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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:** 2407587  
**Applicant Name:** John Kennedy for Wing Luke Museum  
**Address of Proposal:** 725 South King Street

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to change the use of a four story building from restaurant, apartments, and community center to a 56,000 square foot museum.

The following approvals are required:

**SEPA - Environmental Determination** - Chapter 25.05 SMC

**SEPA DETERMINATION:**       Exempt    DNS    EIS  
  
    DNS with conditions  
  
    DNS involving non-exempt grading or demolition or  
   involving another agency with jurisdiction

**BACKGROUND DATA**

Site Description

The site is located on the southeast corner of King Street and 8<sup>th</sup> Avenue South in the International District in an International District Mixed zone with a 75/85 foot height limit (IDM 75'/85'). A 16 foot wide alley named Canton Alley South adjoins the west side of the property. The site is developed with a 1910 building. The building was formerly used as a residential hotel with a restaurant and retail space on the ground floor.

### Area Development

Development in the vicinity consists of older mixed use buildings within the Historic International District. Interstate 5 is located one block to the east.

### Proposal Description

The project will be a renovation of an existing primarily vacant building into a museum with an area of 57,630 square feet and an 800 square foot retail space. The project will include community spaces, exhibition galleries, classrooms, storage for collections, administrative offices, a museum store, leasable commercial space, exhibit design, and shipping and receiving areas. The only site work will consist of a curb cut and driveway to a loading dock area.

### Public Comments

No comments were received during the comment period which ended June 8, 2005.

### **ANALYSIS - SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant's agent (dated May 18, 2005) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant, 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) clarifies the relationship between 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 such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

### Short - Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, 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 construction workers' vehicles. Several construction-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. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Seattle Department of Transportation (SDOT), and no further SEPA conditioning is needed.

Interior construction and exterior restoration of the building is proposed to last for several months. Parking utilization along streets in the vicinity is high and the demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. The scale of the project is moderate in size and the temporary demand for on-street parking in the vicinity due to construction workers' vehicles would be of short duration. The museum has agreed in principle with the neighboring property owners for a construction easement at both the 8<sup>th</sup> Avenue South side and the Canton Alley side for staging of materials and parking of construction equipment.

There are residential uses in the vicinity of the proposal site where construction would impact the noise levels. The SEPA Noise Policy (Section 25.05.675B SMC) lists mitigation measures for construction noise impacts. It is the department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance is necessary to mitigate impacts that would result from the proposal on surrounding properties, because existing City ordinances do not adequately mitigate such impacts. This is due to the density of residential units in the area and the close proximity of these structures to the proposal site. The proposal is, therefore, conditioned to limit demolition and construction activity to non-holiday weekday hours between 7:30 A.M. and 6:00 P.M. and on Saturdays from 9:00 AM to 6:00 PM. Interior construction may be done in compliance with the noise ordinance. The department may modify this condition to allow work of an emergency nature or which cannot otherwise be accomplished during these hours by prior written approval of the Land Use Planner. The department may also modify this condition upon approval of an applicant-prepared noise mitigation plan.

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). No unusual circumstances exist which warrant additional mitigation, per the SEPA Overview Policy.

#### Long - Term Impacts

Long-term or use-related impacts are also anticipated from the proposal: surface water runoff from impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of a museum and will in part be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (stormwater runoff from impervious surface); Land Use Code (height; setbacks;

parking); and the Seattle Energy Code (long-term energy consumption). Additional land use impacts which may result in the long-term are discussed below.

### Drainage

Rain water on the roof and on the driveways are the major sources of water runoff on the site. The rain water on the roofs will be collected in gutters and connected to the storm drainage system. Therefore, drainage will be directed away from adjoining properties. No additional mitigation measures will be required pursuant to SEPA.

### Plants

No threatened or endangered species are known to exist on the site because the existing building covers the entire site. The existing street tree will be retained and new street trees will be planted along 8<sup>th</sup> Avenue South after construction is completed. No significant adverse impact to vegetation is anticipated to result from this project.

### Housing

The project will not result in the demolition or conversion of any housing units because the single residence occupant (SRO) units on the second, third, and fourth floors of the building have been unoccupied for many years. The proposed change of use in the building is not expected to have any adverse housing impacts.

### Height, Bulk and Scale

There are no sensitive height, bulk or scale impact issues which have not been addressed because the project involves changing the use of the interior of an existing 1910 structure and restoring the exterior including the former balcony along the top floor. In addition, the International District Board's review and conditions will address any of the more detailed height, bulk and scale issues which could remain. Therefore, no additional height, bulk, or scale SEPA mitigation is warranted pursuant to the SEPA height, bulk and scale policy.

### Historic and Cultural Preservation

The building is located in the International District and is known as the Kong Yick East building. Historic buildings are protected by the Landmarks Preservation Ordinance, as administered by the Landmarks Preservation Board. The proposal includes reconstructing the original balcony along the top story facing South King Street as funding becomes available to accomplish the reconstruction. All other tenant improvements would occur within the existing structure. Section 25.05.675H of the Seattle SEPA Ordinance provides the authority to mitigate impacts to historic buildings and historic districts in Seattle. The International District Special Review Board will issue a certificate of approval after their review of the project. No further SEPA mitigation will be required.

Traffic and Transportation

The availability and proximity of transit to downtown and other destinations will likely minimize the number of vehicle trips. The volume of traffic along South King Street and 8<sup>th</sup> Avenue South is moderate and nearby intersections operate at acceptable levels. The amount of traffic expected to be generated by the proposed project is within the capacity of the streets in the immediate area, so no SEPA mitigation of traffic impacts is warranted.

Parking

There is a loading dock along the alley on the west side of the building to accommodate trucks and deliveries. However, no parking is provided for this project because the building was constructed prior to code required parking. When a use within an existing building that has a parking deficit is changed to a different use, a credit is given to the existing use for the number of parking spaces currently required. The proposed museum use does not trigger a requirement to make up the parking deficit, so the existing deficit can be carried over from the previously established residential, restaurant, and retail uses. There is the potential for parking demand to exceed the parking available onstreet and in nearby commercial parking lots during special events at the museum. However, the intermittent increase in parking demand from these occasional events would not warrant mitigation. No mitigation of parking impacts is warranted pursuant to SEPA.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal which are nonsignificant. 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**

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**

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 weatherproofing material and shall remain in place for the duration of construction.

1. In order to further mitigate the noise impacts during construction, the owner(s) and/or responsible party(s) shall limit the hours of construction to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. and on Saturdays from 9:00 a.m. to 6:00 p.m. This condition may be modified by the Director to permit work of an emergency nature or to allow low noise exterior work after approval from the Land Use Planner. Interior work may proceed at any time in compliance with the Noise Ordinance. The Director may also modify this condition upon approval of a construction noise mitigation plan.

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

Date: October 6, 2005