



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: 2401468
Applicant Name : Kim Baldwin for Seattle Department of Parks and Recreation
Address of Proposal: 2200 Martin Luther King Jr. Way South

SUMMARY OF PROPOSED ACTION

Master Use Permit to renovate an existing park (Martin Luther King Jr. Memorial Park) to include installation of stairs, handrails, paths and retaining walls. A Determination of Non-Significance was prepared by the Seattle Department of Parks and Recreation.

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

*A Determination of Non-Significance was prepared by the Seattle Department of Parks and Recreation. SEPA review by DPD is for SEPA conditioning.

BACKGROUND DATA

Site Description

Martin Luther King Jr. Memorial Park is located in a Single Family 5000 (SF 5000) zone in South East Seattle. The site is bounded by Martin Luther King Jr. Way South on the west, 28th Avenue South on

the east, and South Walker Street on the north. Portions of the park are mapped as environmentally critical areas due to slopes exceeding 40 percent.

Area Development

Development in the vicinity consists of a mixture of commercial and residential uses. The Alpac bottling company is located across the street to the west. A Lowe's home improvement store is located on the block to the south. There are a variety of commercial uses along Rainier Avenue South one block to the west. The Department of Parks and Recreation operates an indoor tennis court facility on the block to the north of this site. Development consists primarily of single family residences in the large SF 5000 zone to the east.

Proposal Description

The Department of Parks and Recreation proposes to construct accessibility improvements at the presently developed park site. These include concrete pathways and stairs, viewing terraces with associated retaining walls, asphalt pathways, tree replacement, pedestrian and feature light upgrades and minor irrigation upgrades. The pathways and viewing terraces will be incorporated into the existing terraced wall system.

Public Comments

No comments were received during the comment period which ended June 17, 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 March 21, 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.

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; 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 park 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

Water runoff on site will be generated through stormwater or through controlled irrigation (the existing system is in place). Stormwater running off the pathway will be absorbed by the adjacent soil and plantings picked up after infiltration through site soils by existing storm drainage systems on site (including existing wall drain and curtain drain systems). During construction, stormwater runoff will still be allowed to flow through the site as it presently does, however, inlets to storm drainage systems will be protected from silt contamination, and open work areas will be monitored for and protected against erosion. Therefore, drainage will be directed away from adjoining properties. No additional mitigation measures will be required pursuant to SEPA.

Earth

The Environmentally Critical Areas (ECA) Ordinance and Director's Rule 3-93 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with landslide potential and/or a history of unstable soil conditions. A geotechnical report was submitted with this application. The construction plan, including shoring of excavations as needed and erosion control techniques received separate review by this department's geotechnical engineers. Any additional information showing conformance with applicable ordinances and codes (the ECA Ordinance, the Stormwater, Grading and Drainage Control Code, Director's Rules 3-93 and 3-94) will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are utilized; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Plants and Animals

Songbirds and crows have been observed in the park. No threatened or endangered species are known to exist on the site. Approximately 12,300 square feet of turf will be removed. Up to ten failing cherry trees will be removed and replaced. Up to two deciduous trees will be removed due to grading work in the area. The proposed landscaping includes restoration of disturbed lawn areas and replacement of the failing cherry trees. No significant adverse impacts to plants or animals are anticipated to result from this project.

Traffic and Transportation

The Institute of Transportation Engineers (ITE) Manual estimates that public parks generate 1.59 vehicle trips per acre. However, the Department of Parks and Recreation's observations of park use indicate that vehicle trips per day average five to ten with few on most days and more during special events a few times a year. Peak volumes generally occur during daylight hours. The volume of traffic along Martin Luther King Jr. Way South is high and along 28th Avenue South and South Walker Street is moderate. Nearby intersections operate at acceptable levels. The amount of traffic expected to be generated by the park improvements and for special events several times per year is within the capacity of the streets in the immediate area, so no SEPA mitigation of traffic impacts is warranted.

Parking

The ITE Manual estimates that City parks generate a parking demand of 15 spaces per acre per day. However, this estimate is based on parks in outlying suburban areas rather than a more densely developed area located adjacent to the Sound Transit Light Rail under construction and a bus line. There is currently no parking established for this park and the project will not provide any additional parking. Onstreet parking is available on 28th Avenue South. None of the existing spaces would be eliminated. Parking is available across South Walker Street in the Amy Yee Tennis Center parking lot. Future phases of park improvements will provide designated parking on 28th Avenue South and a bus

pullout on South Walker Street. DOPAR will work with The Seattle Department of Transportation to modify "no parking" signage on Martin Luther King Jr. Way South to allow for limited parking during daytime hours to encourage park use through easier access by schools and others. Demand for parking increases for special events a few times per year. However, the intermittent increase in parking demand from these occasional events would not warrant SEPA mitigation. Therefore, no mitigation of parking impacts is necessary pursuant to SEPA.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal which is nonsignificant. However, no mitigation is warranted.

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

None.

Signature: _____ (signature on file) Date: October 13, 2005

Malli Anderson, Land Use Planner
Department of Planning and Development

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