

May 31, 2019

MEMORANDUM

To: Planning, Land Use and Zoning Committee
From: Ketil Freeman, Council Central Staff
Subject: Clerk File 314413 – Seattle Police Department North Precinct Improvements

On Wednesday, June 5, the Planning, Land Use and Zoning Committee (Committee) will hold a hearing, discuss, and may make a recommendation on [Clerk File \(CF\) 314413](#). CF 314413 is an application by the Department of Finance and Administrative Services (FAS) for Council concept approval of improvements to the North Precinct and modification of a development standard related to the location of accessory parking.

This memorandum: (1) provides background on this Council decision and (2) sets out a proposed Findings, Conclusions and Decision document granting conceptual approval and modifying the parking location development standard.

Background

FAS proposes to add approximately 3,400 square feet of space to the current North Precinct by locating three portable buildings on the site and by renovating the interior spaces of the existing structure. The portable buildings will contain a community room, storage, and break room. Those spaces are currently within the existing structure. Part of the project includes tenant improvements to the existing building to fit out vacated space for operational purposes and adding and reconfiguring the surface parking lot. The improvements are necessary to accommodate precinct growth while the City makes decisions on planning and design for a long-term facility or facilities.

The approximately 2.9-acre North Precinct site is located at 10049 College Way North just west of North Seattle College. The site is zoned Single-family 7200 and contains a wetland environmentally critical area. On May 6, 2019, the Seattle Department of Construction and Inspections (SDCI) issued a State Environmental Policy Act (SEPA) threshold determination and recommended that the Council grant conceptual approval and waive development standards to allow the surface parking location in a required front yard, subject to SEPA conditions mitigating construction impacts. See Attachment A for more details.

Action

Establishment and most expansions of a public facility in a Single-family zone requires approval by the Council. Council action is required because the proposed expansion to this City facility is located in a Single-family zone and the proposal requires modification of a development standard. If the Committee recommends approval of the expansion and development standard

modification, the Committee should move the proposed Findings, Conclusions and Decision for CF 314413. See Attachment B.

Attachments:

- A. SDCI SEPA Decision and Recommendation
- B. Proposed Findings, Conclusions, and Decision

cc: Kirstan Arestad, Central Staff Director
Aly Pennucci, Supervising Analyst



**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

Project Number: 3031508-LU
Council File Number: 314413
Applicant Name: Duncan Thieme for the Department of Finance and Administrative Services (FAS)
Address of Proposal: 10049 College Way N

SUMMARY OF PROPOSED ACTION

Council Land Use Action to allow to three modular buildings accessory to existing police station. Project also includes interior alterations to existing building. An additional 13 parking spaces are proposed for a total of 103 parking spaces.

The following approval(s are) required:

Council Land Use Action - for concept approval and to waive or modify development standards for a City facility - (SMC Chapter 23.51A.002 and 23.44.036)

SEPA - Environmental Determination (Seattle Municipal Code Chapter 25.05)

SEPA DETERMINATION:

Determination of Non-significance

- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.05.660, conditions are recommended to mitigate environmental impacts

SITE AND VICINITY

The project is located on a block bound by N 103rd Street to north, College Way N to the east, Wallingford Avenue N to the west and N 100th Street to the south. The site is zoned Single Family 7200 (SF7200) and contains 125,655 square feet of area. The site is developed with the Seattle Police Department North Precinct. The existing Seattle Police Department North Precinct provides approximately 14,114 square feet of usable space and 90 parking spaces accessed from N 103rd Street and College Way N. The 90 parking spaces include fleet vehicle parking, staff parking and visitor parking.

The site abuts city right-of-way along all property lines. N 100th Street, N 103rd Street, College Way N and Wallingford Avenue N are all improved with roadway, curb, gutter, and sidewalk. College Way N is a minor arterial street.

The surrounding zoning is Single Family zones to east and south, Lowrise zones to the north and a Major Institution overlay to the east.

The site slopes approximately 20 feet with the south lot line as the high point and the northeast corner as the low point. The site is further depressed at the location of the wetland. The site contains wetland and peat Environmentally Critical Areas (ECA). The site contains mature landscaping and large trees. One Exceptional tree, a native willow, has been identified on site. The Exceptional tree will be maintained with proposed development.

Proposal Description

The proposed project includes improvements to the existing Seattle Police Department North Precinct building and site to accommodate the existing and anticipated staff. To make room for additional space inside the precinct building, there are several existing functions that will be moved to the three proposed modular buildings.

The total scope of improvements includes:

- A community meeting room sized for approximately 30 people
- Two private report taking rooms at the public lobby
- Expansion of the existing roll call room
- Expansion of the report writing area
- A dedicated room for evidence storage and handling
- Room for storage and maintenance of bicycle officer gear
- Additional lockers
- Additional parking spaces

Seattle Design Commission

The Seattle Design Commission has elected to not review the subject proposal.

Public Comment

The public comment period ended on October 10, 2018. Comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to loss of green space, maximizing the retention of existing trees, light, noise, wetland, traffic, and parking impacts.

I. ANALYSIS — COUNCIL CONCEPT APPROVAL

Public facilities, including police stations, may be permitted in Single Family zones as a council conditional use pursuant to Seattle Municipal Code (SMC) sections 23.44.036 and 23.51A.002. Development standards for public facilities in Single Family zones are found in SMC 23.44. Section 23.76.064 includes provisions for the City Council to grant concept approval and to waive or modify applicable development standards, accessory use requirements, special use requirements or conditional use criteria for City Facilities. SMC 23.76.064 classifies this decision as a legislative action (Type V). The Finance and Administrative Services Department seeks a Council Concept Approval under SMC 23.76.064 to modify one development standard, as follows:

Table A		
Development Standard	Required	Proposed
SMC 23.44.016	Parking is prohibited in the required front yard.	Parking is proposed in the front yard located along College Way N.

SMC 23.76.050 requires the Seattle Department of Construction and Inspections (SDCI) Director to prepare a written report on Type V application, which includes the following analysis and information:

1. The written recommendations or comments of any affected City departments and other governmental agencies having an interest in the application;

No written recommendations or comments were received from affected City departments and/or other governmental agencies have an interest in the application.

2. Responses to written comments submitted by interested citizens;

Multiple public comments were received during the public comment period that ended on October 10, 2018. The modular building and fleet vehicle parking have been located to minimize impacts to the wetland, maximize retention of existing trees, and screened to help mitigate light and noise impacts to the adjacent residential structures. A lighting study has been provided to demonstrate that light spillage will be limited to the property boundary and outside of the wetland boundary. Parking and traffic impacts are discussed within the SEPA analysis in Section II.

3. An evaluation of the proposal based on the standards and criteria for the approval sought and consistency with applicable City policies;

Seattle Municipal Code (SMC) 23.51A.002 B includes standards and criteria for the proposed public facility use.

The proponent of any such use shall demonstrate the existence of a public necessity for the public facility use in a single-family zone. The public facility use shall be developed according to the development standards for institutions (Section 23.44.022 ~~3-E~~), unless the City Council makes a determination to waive or modify applicable development standards according to the provisions of Chapter 23.76, Subchapter III, Council Land Use Decisions, with public projects considered as Type IV quasi-judicial decisions and City facilities considered as type V legislative decisions.

The police station structure already exists at this location within a Single Family zone. While the site is zoned Single Family, the lot is bounded on all sides by City of Seattle right of way. The City is currently reviewing long term proposals for a City of Seattle North Precinct Police Station. Until a proposal is approved and constructed, the existing police station must be used to meet the City of Seattle policing need for north Seattle.

This police station is home to police officers responsible for the enforcement of laws and safety of the Seattle population. The rapid, efficient dispatch of police officers is essential for protecting lives and property within the City of Seattle. The proposed interior construction and modular building additions allow existing station to meet the needs of current and future staff models. The limited scope of work proposed will allow existing building to continue service to the City residents in the interim until a new building is constructed on a different site. In light of these facts, there is clear public necessity for this police station within a Single Family zone.

As noted above, the police station structure requires one modification to development standards for institutions in Single Family zones pursuant to SMC 23.44.016. A modification to allow parking within the required front yard is requested. The unique site shape coupled with the wetland

location limit the area of the site for development. Parking has been located adjacent to College Way N, an arterial street, to limit impacts to the residents locate to the west of the subject site. The project includes substantial landscaping along the west property line to mitigate visual impacts to the greatest extent possible.

4. All environmental documentation, including any checklist, EIS or DNS;

SEPA analysis is provided in Section II.

5. The Director's recommendation to approve, approve with conditions, or deny a proposal.

Based on the analysis provided, above, SDCI recommends approval of the proposed police station addition in a Single Family zone with the requested modification to development standards as described in Table A.

RECOMMENDATION – COUNCIL APPROVALS

SDCI recommends approval of the proposed modular structures accessory to the existing police station in a Single Family zone. SDCI also recommends approval of the requested modification to development standards as described in Table A.

II. ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 7/3/2018. SDCI has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, 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 D) 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/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short Term Impacts

Construction activities could result in the following adverse impacts: construction 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, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes construction-related noise as well as mitigation.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A.

Construction Impacts - Noise

The project is expected to generate loud noise during grading and construction.

The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development construction and equipment between the hours of 7:00 AM and 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends and legal holidays.

The proposed development includes grading and paving which will result in noise from excavation equipment and truck trips. Surrounding properties to the west are developed with housing and will be impacted by construction noise.

The limitations stipulated in the Noise Ordinance are therefore not sufficient to mitigate noise impacts at this particular site; therefore, pursuant to SMC 25.05.675.B, the applicant shall be required to limit periods of noise generating construction activities to non-holiday weekdays from 7:00 AM to 6:00 PM, unless modified through a Construction Noise Management Plan.

Long Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including greenhouse gas emissions; parking; possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, greenhouse gas, parking, and traffic warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A.

Parking

The project site currently contains a visitor parking lot located at the northeast corner with 13 parking spaces and a secure parking lot for fleet vehicles (e.g. patrol cars) and officers' privately-owned vehicles (POVs) on the west side of the building with 77 spaces. In total, there are 90 existing striped parking spaces on the site.

The proposal would locate three modular buildings within the site's existing parking areas. To compensate for the displaced parking, the project would expand the existing secured parking area to the south. 80 parking spaces will be reserved for fleet vehicle parking and the remainder for staff and visitor parking. In total, 103 parking spaces are provided on site.

Heffron Transportation Technical Memorandum, dated November 30, 2018 analyzed an additional 18 parking spaces to be provided in the secured parking area, and a reduction of 5 spaces in the visitor lot. These changes in the parking supply and the added demand were expected to result in an on street parking demand of 17 vehicles in the morning, 21 vehicles in the midday and 27 vehicles in the evening.

The traffic and parking analysis noted that the existing on-street parking utilization rate is approximately 56-69% within 800' of the site. One additional multifamily development north of the project site is expected to slightly increase on-street parking demand in the near future; parking from this development has been included in future-year calculations. The proposal therefore would have a potential additional impact to on-street parking utilization, resulting in an on-street utilization of 73% in the morning, 63% in the afternoon and 64% in the evening. The resulting parking utilization would be below the City's standard on-street utilization capacity threshold of 85%. No SEPA mitigation is warranted per SMC 25.05.675.M.

Plants and Animals

Mature vegetation is located on the site, including several mature trees and one Exceptional tree. The location of this tree is described in the Master Use Permit plan set. The applicant submitted an arborist report prepared by Tree Solutions Inc dated January 18, 2019. SDCI's Arborist has reviewed the information.

The proposal includes retention of the Exceptional tree. In order to mitigate impacts to the Exceptional Tree(s) under SMC 25.05.675.N, a condition for a tree preservation plan is warranted. The tree preservation plan shown in the on MUP sheet TP100 will be required on any demolition, excavation, shoring, and construction permit plans.

Transportation

The Traffic Impact Analysis prepared by Heffron Transportation, dated November 30, 2018, indicated that the project is expected to generate a net total of 170 daily vehicle trips, with 4 net new PM Peak Hour trips and no new AM Peak hour trips.

The additional trips are expected to distribute on various roadways near the project site and would have minimal impact on levels of service at nearby intersections and on the overall transportation system. SDCI's Transportation Planner reviewed the information and determined that no mitigation is warranted per SMC 25.05.675.R.

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.

- 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 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

RECOMMENDED CONDITIONS – SEPA

Prior to Issuance of Demolition, Excavation/Shoring, or Construction Permit

1. If the applicant intends to work outside of the limits of the hours of construction described in condition #3, a Construction Noise Management Plan shall be required, subject to review and approval by SDCI Noise Abatement staff, and prior to a demolition, grading, or building permit, whichever is issued first. The construction noise management plan may be modified as needed through SDOT and SDCI review. The construction noise management plan shall be incorporated into the Construction Management Plan.
2. The plans shall show the tree preservation plan, consistent with sheet TP100 within the Master Use Permit plan set.

During Construction

3. Construction activities (including but not limited to demolition, grading, paving, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. This condition may be modified through a Construction Noise Management Plan.

Lindsay King, Senior Land Use Planner
Seattle Department of Construction and Inspections

Date: May 6, 2019

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by SDCI within that three years or it will expire and be cancelled (SMC 23-76-028). (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.

**FINDINGS, CONCLUSIONS AND DECISION
OF THE CITY COUNCIL OF THE CITY OF SEATTLE**

Council Land Use Action to approve a)	C.F. 314413
temporary expansion of the North Seattle)	Application No. 3031508
Precinct located at 10049 College Way)	
North (project No. 3031508, Type V).)	FINDINGS, CONCLUSIONS
)	AND DECISION

Background

The Department of Finance and Administrative Services (FAS) proposes to add approximately 3,400 square feet of space to the current North Precinct by locating three portable buildings on the site and by renovating the interior spaces of the existing structure. The portable buildings will contain a community room, storage, and break room. Those spaces are currently within the existing structure. Part of the project includes tenant improvements to the existing building to fit out vacated space for operational purposes. The project also includes adding and reconfiguring surface parking, which requires modification of a development standard related to parking location. The improvements are necessary to accommodate precinct growth while the City makes decisions on planning and design for a long-term facility or facilities.

The approximately 2.9 acre North Precinct site is located at 10049 College Way North just west of North Seattle College. The site is zoned Single Family 7200 (SF 7200) and contains a wetland environmentally critical area. On May 6, 2019, the Seattle Department of Construction and Inspections (SDCI) issued a State Environmental Policy Act (SEPA) threshold determination and recommended that the Council grant conceptual approval and modify a development standard for parking location, subject to SEPA conditions mitigating construction impacts.

On June 5, 2019, the City Council’s Planning, Land Use and Zoning Committee was briefed on the project, held a public hearing to accept comments on the project and SDCI’s recommendation, and made a recommendation to the full City Council.

Findings of Fact

The City Council hereby adopts the following Findings of Fact:

1. The North Precinct is a City facility located at 10049 College Way North within a SF 7200 zone.
2. FAS submitted a Master Use Permit application (Project No. 3031508) for improvements to the North Precinct, which include: locating three portable buildings on the site, expanding the existing secured parking area, and making other landscaping and site improvements.
3. The Seattle Municipal Code (SMC) authorizes expansion of existing police precincts in Single Family zones as a Council land use decision. SMC 23.51A.002.

Attachment B – Proposed Findings, Conclusions, and Decision

4. The City Council may waive or modify development standards for City facilities. SMC 23.76.064.B.
5. City facilities in Single Family zones must meet the development standards for institutions. Section 23.51A.002.B, unless a modification is granted.
6. Parking is prohibited in the required front yard in Single Family zones. SMC 23.44.016.
7. FAS seeks a City Council development standard modification to locate parking in a portion of the required front yard.
8. Additional parking is proposed to accommodate current needs and future parking for fleet vehicles.
9. SMC 23.76.050 requires that the SDCI Director draft an evaluation of the proposal based on the standards and criteria for the approval sought and consistency with applicable City policies.
10. SDCI reviewed the proposed project and issued its Analysis and Recommendation on May 6, 2019. SDCI recommended that the City Council grant approval of the North Precinct expansion and the proposed modification of development standards to allow parking in the required front yard, subject to SEPA conditions to mitigate construction impacts.

Conclusions

The City Council hereby adopts the following Conclusions:

1. The proposed facility is a City facility as defined by SMC 23.84A.006.
2. The proposed expansion and improvements are necessary to meet current and future expansion needs on an interim basis until a new precinct or precincts are developed.
3. FAS has demonstrated that the proposed modification of the parking development standard is necessary to accommodate proposed parking and that the proposed parking location will mitigate visual impacts to residential uses to the west of the site.
4. If work occurs outside of specified construction hours, a Construction Noise Management Plan approved by SDCI would address construction-related noise impacts.

Decision

Subject to the conditions described below, the City Council approves the proposed North Precinct expansion and improvements and grants the following modification of development standards.

Attachment B – Proposed Findings, Conclusions, and Decision

Development Standard	Required	Modified
SMC 23.44.016	Parking is prohibited in the required front yard.	Parking may be located in the front yard along College Way N.

The City Council imposes the following SEPA conditions:

Prior to Issuance of Demolition, Excavation/Shoring, or Construction Permit

1. If the applicant intends to work outside of the limits of the hours of construction described in condition #3, a Construction Noise Management Plan shall be required, subject to review and approval by SDCI Noise Abatement staff, and prior to a demolition, grading, or building permit, whichever is issued first. The construction noise management plan may be modified as needed through SDOT and SDCI review. The construction noise management plan shall be incorporated into the Construction Management Plan.
2. The plans shall show the tree preservation plan, consistent with sheet TP100 within the Master Use Permit plan set.

During Construction

3. Construction activities (including but not limited to demolition, grading, paving, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition. This condition may be modified through a Construction Noise Management Plan.

Dated this _____ day of _____, 2019.

City Council President