



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: 3005342
Applicant Name: Thomas Hall
Address of Proposal: 1423 NW Market St

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a new gas station with six fuel pumps (twelve fueling positions) canopies and retail kiosk accessory to existing personal household retail sales and service (Safeway). Project includes the installation of two 20,000 gallon underground fuel storage tanks.

The following approval is required:

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code

SEPA DETERMINATION: [] Exempt [X] DNS [] MDNS [] EIS

[] DNS with conditions

[] DNS involving non-exempt grading or demolition
or involving another agency with jurisdiction

BACKGROUND DATA

Site and Vicinity Description

The site is zoned Commercial with a height limit of 65 feet (C1-65). The subject property occupies the northwest corner of the site with street frontage on NW Market St and 15th Ave NW. This area is currently occupied by parking lot area serving the grocery store (Safeway) in the eastern portion of the site. C1-65 zoning continues to the north, east, west, and southwest. Industrial zoning (IG U/65) is located to the south and southeast. Surrounding uses are a mix of primarily commercial with some residential.

Proposal Description

The applicant proposes to demolish 51 parking spaces and construct a gas station with a 3,653 square foot approximately 20 foot tall canopy, a 704 square foot kiosk below, 12 fuel pumps at 6 fueling islands, and associated landscaping and driveways. The existing grocery store and 174 existing parking stalls would remain.

Public Comments

Public notice of the application was issued on September 7, 2006. One public comment letter was received, but failed to include a postal mailing address.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist (dated July 28, 2006), and supplemental information in the project file submitted by the applicant's agent. 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, 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 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction; increased noise and vibration from construction operations and equipment; and increased traffic and parking demand from construction personnel. These impacts are not considered significant because they are temporary and/or minor in scope.

Compliance with existing ordinances, such as the Street Use Ordinance and the Noise Ordinance will provide sufficient mitigation. The other impacts not noted here as mitigated by codes or conditions (e.g., increased traffic and parking demand from construction personnel) are not sufficiently adverse to warrant further mitigation by conditioning. These impacts are not considered significant; however some of the impacts warrant further discussion and review.

Air Quality

Construction activities may create dust, leading to an increase in the level of suspended particulates in the air, which could be carried by winds out of the construction area. The Street Use Ordinance (SMC 15.22) requires watering the site, as necessary, to reduce dust. In addition, the Puget Sound Clean Air Agency (PSCAA regulation 9.15) requires that reasonable precautions be taken to avoid dust emissions. In addition to spraying water or chemical suppressants, this may require activities, which produce air-borne materials or other pollutant elements to be contained within a temporary enclosure. Construction could require the use of heavy trucks and smaller equipment such as generators and compressors. These engines would emit air pollutants that would contribute slightly to the degradation of local air quality. Since the demolition activity would be of short duration, the associated impact is anticipated to be minor, and does not warrant mitigation under SEPA.

Long-term Impacts

Long-term or use-related impacts anticipated by the proposal include: increased intensity of use, potentially decreased parking capacity, and increased vehicular traffic. These long-term impacts are not considered significant because the impacts are minor in scope. However, some of the impacts warrant further discussion and review.

Parking Impacts

The applicant has stated there will be 51 parking spaces removed from the site, all of which are located in the northwestern corner. The remaining 174 parking stalls would provide adequate parking. No mitigation is warranted under SEPA.

Traffic

The proposed use would be a gas station with 12 pumps at 6 fueling islands. The applicant has provided a traffic impact analysis (received and date stamped July 31, 2006). Additional traffic information regarding trip generation and distribution was received on December 20, 2006. These studies indicate the proposed gas station would generate approximately 2,520 daily trips, including 200 peak hour trips. A traffic light is located at NW Market St and 15th Ave NW to regulate traffic. The gas station traffic would access the site from existing curb cuts at 15th Ave NW and NW Market St. The traffic impact analysis indicated that there would not be significant queuing at these locations that would impact on-street traffic. The traffic impact analysis information was reviewed by DPD's Transportation Planner, who concluded that based on existing traffic patterns and volumes in this area; this is not a significant impact and does not warrant mitigation under SEPA.

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).

Signature: _____ (signature on file)
Shelley Bolser, Land Use Planner
Department of Planning and Development

Date: February 19, 2007

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