



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
Diane Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Numbers: 3009951
Applicant Name: Ben Liston
Address of Proposal: 11001 Roosevelt Way NE

SUMMARY OF PROPOSED ACTIONS

Land Use Application to remove 3 underground fuel storage tanks and related piping (totaling 3,000 gallons.) Project includes 436 cu. yards of grading. Existing structures to be demolished.

The following approvals are required:

SEPA - Environmental Determination - SMC Chapter 25.05.

SEPA DETERMINATION: [] Exempt [] DNS [] MDNS [] EIS
[X] DNS with conditions
[X] DNS involving non-exempt grading or demolition
or involving another agency with jurisdiction

BACKGROUND DATA

The subject site is a corner lot located on the northwest corner of NE Northgate Way and Roosevelt Way NE. The site is approximately 17,428 square feet in area and is roughly square in shape. There is very slight sloping throughout the site, but is not designated as an environmentally critical area.

The subject site is zoned NC3-40 and is within the Northgate Urban Center and the Northgate Overlay District. The areas immediately north, south, east and west of the subject site are also zoned NC3-40. The site is currently used as a 76 Union Service (Gas) Station. The site can be accessed by vehicle on the south and east sides of the subject site.

Proposal



The proposal includes excavating and removing 3 underground storage tank (totaling 33,000 gallons), and associated piping/equipment. The proposal also includes the demolition of the existing building and fueling canopies.

Public Comment

Public notice of the proposal was published on February 12, 2009. The public comment period ended on February 25, 2009. No public comments regarding the proposal were received during that time.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (January 19, 2009) 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, erosion, 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. Existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Storm-water Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code, would mitigate several construction-related impacts. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

Construction of the project is proposed to last for several months. On-street parking is not permitted along Northeast Northgate Way and Roosevelt Way Northeast. Demand for parking by construction workers during construction is not anticipated to significantly reduce the supply of parking in the vicinity. Parking demand for construction personnel can be accommodated at the development site or on the adjacent commercial properties. Worker parking and construction equipment staging can be managed on adjacent properties if permission is granted by the owner(s). Northeast Northgate Way and Roosevelt Way Northeast are also listed arterials and traffic during the PM rush hour can get to be very congested. Heavy truck traffic trying to get to or leave the site may cause additional traffic congestion that should be avoided during the PM rush hour. Conditions of approval have been included at the end of this report to address these issues.

The development site is located within a commercial retail area where construction of this scale would not adversely impact the ambient 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 not necessary to mitigate impacts that would result from the proposal on surrounding properties. Residential areas are a minimum of 300+' from the project site. These residential areas are far enough away for the generated noise to dissipate and have other commercial uses located between them and the subject site that can block some of the generated noise.

Demolition is expected to temporarily add particulates to the air from demolition debris and a slight increase in auto-generated air contaminants from worker vehicles and construction equipment; 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).

An asbestos survey was conducted on the buildings proposed for demolition. The survey did find that asbestos-containing materials (ACM) were present in a couple of the tested samples. The US EPA National Emission Standard for Hazardous Air Pollutants (NESHAPs) does not permit visible emissions during a building's demolition or renovation. The Puget Sound Clean Air Agency (PSCAA) has the authority to regulate demolitions that require asbestos abatement prior to demolition. A condition is placed at the end of this report addressing this issue.

No other unusual circumstances exist, which will warrant additional mitigation beyond city requirements, per the SEPA Overview Policy.

Short term impacts associated with the structure's demolition and USTs have been analyzed and discussed; no further conditioning is warranted.

Long-Term Impacts

Future long-term impacts may be typical of commercial development based on the potential permitted uses in the NC3-40 zone at the time of future site redevelopment. The City's adopted codes and/or ordinances may be adequate to mitigate any potential long term environmental impacts depending on the proposal. The following city regulations that have to be met are: Storm-water, Grading and Drainage Control Code (storm-water runoff from additional site coverage by impervious surface); Land Use Code (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption). There is no review under this permit for any potential environmental impacts due to site redevelopment. It is anticipated that those impacts will be evaluated at the time of a future redevelopment proposal if it triggers the city's environmental thresholds.

CONCLUSION - SEPA

In conclusion, significant adverse environmental impacts are not anticipated resulting from the proposal. 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 DPD as the lead agency of the 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 with respect to transportation, circulation, parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030(2)(C).

SEPA CONDITIONS

Prior to Issuance of Demolition Permits

1. A copy of applicable PSCAA permits shall be submitted to DPD before issuance of the Demolition Permits.
2. The owner(s) and/or responsible party(s) shall provide a plan, satisfactory to the DPD Land Use Division, for preventing or adequately mitigating construction worker parking impacts. The plan shall include, to the degree feasible, construction worker parking area, or providing an easement agreement signed and notarized by the adjacent property owner that will be providing off-site parking for construction working parking and construction equipment staging (if necessary), with construction workers and construction vehicles parking there instead of on-site.

During Construction

3. Truck traffic involving demolition, grading or fill materials (e.g. removing soils from the site or delivering clean fill) shall not be allowed between 4:00 p.m. and 6:00 p.m. Monday through Friday.

Signature: _____ (signature on file) Date: July 23, 2009
Craig Flamme, Land Use Planner
Department of Planning and Development
Land Use Services

CF:lc