



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: 3010010
Applicant Name: Abby Bazin
Address of Proposal: 5410 Airport Way S.

SUMMARY OF PROPOSED ACTION

Land Use Application to remove nine underground storage tanks (totaling 70,000 gallons). Project includes 925 cubic yards of grading. (City of Seattle Grading Permit Application #6207703).

The following approval is required:

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: Exempt 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 proposal site is a split zone located in a General Industrial (IG1-U/85) and (IG2-U/85) zone on Airport way S. in the Georgetown neighborhood of the City of Seattle. The site is approximately 129,445 sq. ft. of lot area and is an irregular (Boat) shaped lot. The site has street frontage along Airport Way S. and the northeast property line is adjacent to BNSF railroad Tracts. Airport Way S. is a fully improved arterial that abuts the south-end approach to the Airport Way South four-lane bridge, over railroad tracts, adjacent to the subject property. The topography of the site is flat and mapped as liquefaction-prone Environmentally Critical Areas (ECAs). Zoning adjacent to the site and the surrounding area is consistent with the subject property, IG1/U85 and IG2/U85.

Proposal

The applicant proposes to remove nine underground storage tanks (totaling 70,000 gallons). Project includes 925 cubic yards of grading.

The applicant has applied to the City of Seattle for a grading permit (#6207703), for the earthwork associated with the nine underground storage tanks.

Public Comment

No written comment letters were received, during the public comment period which ended on March 18th, 2009.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated February 20th, 2009. The information in the checklist, project plans, and the experience of the lead agency with 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 certain limitations/circumstances (SMC 25.05.665 D 1-7) 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: 1) temporary soil erosion; 2) decreased air quality due to increased dust and other suspended air particulates during excavation and construction; 3) increased noise and vibration from construction operations and equipment; 4) increased traffic and parking demand from construction personnel; 5) blockage of streets by construction vehicles/activities; 6) conflict with normal pedestrian movement adjacent to the site; and 7) consumption of renewable and non-renewable resources. These impacts are not considered significant because they are temporary and/or minor in scope (Section 25.05.794, SMC).

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The proposal includes excavation of soils for soils remediation. The applicant estimates approximately 925 cu. yds. of excavation. Contaminated material to be disposed of must be deposited in a licensed, approved site. The Stormwater, Grading and Drainage Control Code, regulates site excavation and requires that soil erosion control techniques be initiated for the duration of work. The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment and no further conditioning pursuant to SEPA policies is warranted.

Due to the fact that 925 cubic yards of grading will be undertaken, additional analysis of noise, air quality, grading, construction and traffic impacts is warranted.

No SEPA conditioning of potential short-term impacts is warranted because impacts from the short term construction impacts will be mitigated through other codes, ordinances and regulations.

Noise

Noise associated with excavation of the site will be short-term and of limited duration. The applicant proposes a work schedule on weekdays with possible weekend hours as allowed by the Noise Ordinance. Since the site is surrounded by industrial uses, no noise mitigation is necessary.

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. Compliance with PSCAA regulations will mitigate the potential adverse short term impacts to air.

Grading - Earth/Soils

The Stormwater, Grading and Drainage Control Code, (DR 3-93 and DR 3-94), requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves cuts greater than three feet in height and grading of more than 100 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Construction Impact

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, they are not expected to be significant.

Construction Noise

The limitations of the Noise Ordinance are likely to be adequate to mitigate potential noise impacts.

Traffic

Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near several major arterials and traffic impacts resulting from the truck traffic associated with the hauling of debris will be of short duration and mitigated by enforcement of SMC 11.62.

Long-term Impacts

Potential long-term impacts that may occur as a result of this project include: 1) increased surface water runoff from greater site coverage by impervious surfaces; 2) increased bulk and scale on the site; 3) increased traffic and parking demand due to additional employees and visitors with the proposed uses; 4) minor increase in airborne emissions resulting from additional traffic; 5) minor increase in ambient noise due to increased human activity; 6) increased demand on public services and utilities; 7) increased light and glare; and 8) 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 this type of development and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (storm water runoff from additional site coverage by impervious surface); Land Use

Code (aesthetic impacts, height, setbacks, parking); and the Seattle Energy Code (long-term energy consumption).

The other impacts not noted here as mitigated by codes or conditions (increased ambient noise; increased demand on public services and utilities; increased airborne emissions; increased light and glare) are not sufficiently adverse to warrant further mitigation by condition.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which may adversely impact air quality and may contribute to climate change and global warming. While these impacts maybe adverse, they are not expected to be significant.

Summary

Nine underground storage tanks are proposed for removal (totaling 70,000 gallons) and 925 cubic yards of grading is also proposed for this project. Two excavations will be completed to approximately 10 feet below grade. The first is anticipated to measure about 69-feet long by 35-feet wide and is at least 15 feet away from the nearest structure. The second area is anticipated to measure 30-feet long by 24-feet wide and is at least 20 feet from the nearest building. Soil samples will be collected to confirm that the tanks did not leak. Once soil sampling is completed, the excavation will be backfilled and re-paved or replaced with clean, crushed rock.

In conclusion, no significant adverse effects on the environment are anticipated as a result of the proposal. No conditions are imposed as mitigation to specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION

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 43.21C.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).

CONDITIONS - SEPA

None.

Signature: _____ (signature on file) Date: September 3, 2009
Joan Carson, Land Use Planner
Department of Planning and Development