



City of Seattle

Department of Planning and Development

Diane M. Sugimura, Director

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

Application Number: 3012340
Applicant Name: Duncan Wallace, for Safeway Stores
Address of Proposal: 3800 Rainier Avenue S

SUMMARY OF PROPOSED ACTION

Land Use Application to allow retail sales and service use (Safeway Gas Station) with four fuel pumps (8 fueling positions) a 2,610 sq. ft. canopy and a retail kiosk. Project includes the installation of two underground storage tanks (20,000 gallons each). Project also includes 1,075 cu. yds. of grading. Existing structure to be demolished.

Seattle Municipal Code (SMC) requires the following approvals:

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 another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Location and Zoning Designations

The site is located on the southeast corner of Rainier Avenue S and S Charlestown Street. The site is zoned Commercial 2, with a 65' height limit (C2-65). Properties to the south and the northwest of the site also are zoned C2-65. Commercial 1 with a 40' height limit (C1-40) exists north of the site, with Lowrise 2 Residential Commercial (L2 RC) to the northeast. To the west of the site, across Rainier Avenue S, properties are zoned Neighborhood Commercial 2 with a 40' height limit (NC2-40).

The site is located adjacent to a small shopping center anchored by a Safeway store. Multifamily residential development predominates to the north, with multifamily and commercial development to the west adjacent to Rainier Avenue S.

Proposal Description

The proposed project would install four fuel pumps (8 fueling positions) and a 2,610 sq. ft. canopy and construct a retail kiosk. The project includes the installation of two underground storage tanks (20,000 gallons each) and 1,075 cubic yards of grading. The existing restaurant would be demolished.



Public Comments

The SEPA comment period for this project ended on September 5, 2012; approximately 350 comment letters were received, as was a petition expressing support for the existing restaurant with about 450 signatures. The majority of comments emphasized the loss of the existing restaurant, rather than expected impacts of the fueling facility. Several comments expressed concern over traffic volumes from the new fueling facilities, noting pedestrians crossing at Charlestown and 34th Avenue S to walk to the shopping center. The intersection of Rainier/Charlestown/Letitia was identified as being poorly designed and dangerous, given the angle of the Rainier/Letitia junction and the off-set signal. Other issues mentioned in the public comments were air pollution, lighting, loss of trees, and litter and crime from the new project.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant and dated June 19, 2012, and annotated by this Department. The information in the checklist, supplemental information provided by the applicant 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 considered appropriate, and is provided below.

Short-term (construction-related) Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended particulates during demolition and construction and hydrocarbon emissions from construction vehicles and equipment; increased traffic and parking demand from construction equipment and personnel; increased noise and vibration from construction operations and equipment; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B) allow the reviewing agency to mitigate impacts associated with construction activities. Most short-term impacts are expected to be minor, and compliance with the applicable codes and ordinances mentioned above will reduce or eliminate the adverse short-term impacts to the environment. Construction-related air quality impacts are discussed further below.

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 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 pollutants to be temporarily enclosed. 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 are anticipated as a result of approval of this proposal. These impacts include increased traffic in the vicinity of the project, and impacts to air from vehicle exhaust. These long-term impacts are not considered significant, and generally are expected to be minor. Additional discussion of traffic and transportation impacts is provided below.

Traffic and Transportation

The likely traffic and transportation impacts of the proposed development were assessed in a memorandum prepared by Heffron Transportation, Inc, on October 10, 2012. The memorandum estimated the likely change in vehicle trips due to the proposed project, and forecast the future operations of the shopping center driveway on S Charlestown Street and the intersection of

Rainier Avenue S/S Charlestown Street/S Letitia Street. In addition, it presented local accident information and discussed non-motorized transportation near the project site.

The project is estimated to generate approximately 1,080 daily vehicle trips, with about 72 trips occurring during the PM peak hour. Traffic volumes also were estimated for the existing restaurant which would be removed with the development of the fueling facilities. The restaurant is estimated to generate about 270 daily trips, with 27 during the PM peak hour. Therefore, the net change in traffic to the site would be about 810 additional daily vehicle trips, with 45 new trips during the PM peak hour.

Four access driveways to the shopping center currently are located along S. Charlestown Street. The project would close the westernmost site access driveway, and the existing center driveway (about halfway between 34th Avenue S and 35th Avenue S) would become the primary access to the new fueling facility. The traffic analysis assumed all of the project-related traffic would use this driveway; if some trips used other driveways, the traffic impacts at this driveway would be less than forecast.

The Heffron transportation memo documented existing traffic operations at both the future primary access driveway along S. Charlestown Street and the Rainier Ave S/S Charlestown St./S Letitia Street intersection. Both the driveway and the intersection currently operate well during the afternoon peak hour (Level of Service A for each location). The increase in traffic from the proposed project would not substantially change these traffic operations; future levels of service during the afternoon peak hour are forecast to be LOS A at Rainier/Charlestown/Letitia and LOS B at the primary access driveway on S. Charlestown Street. The level of service at the driveway would change both because of additional project-related traffic volumes and because vehicles currently using the westernmost driveway were assumed to shift to this driveway; even with these increases in traffic volumes, the driveway/S Charlestown intersection would continue to operate well.

The existing westernmost driveway is located just east of the intersection of S Charlestown Street and 34th Avenue S. Closing this driveway will reduce conflicting traffic movements, and therefore is expected to improve safety both for motorists driving along S Charlestown Street or 34th Avenue S and for pedestrians walking along or crossing either street. The Heffron memo also reviewed collision data at the Rainier/Charlestown/Letitia intersection, and notes that the rate of annual collisions is relatively low for a signalized intersection. It concludes that, even though the proposed project would increase traffic at this intersection, it would not likely contribute to any new safety conditions at this location.

Pursuant to SMC 25.05.675 R, no mitigation is required to eliminate or reduce transportation impacts from the project.

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 requirements of the State Environmental Policy Act (RCW 43.21C), 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 2C.
- 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 2C.

CONDITIONS - SEPA

None.

Signature: _____ (signature on file) Date: December 6, 2012
John Shaw, Senior Transportation Planner
Department of Planning and Development

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