



**City of Seattle**  
Edward B. Murray, 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:** 3017741  
**Applicant Name:** Sean Anderson  
**Address of Proposal:** 4401 4<sup>th</sup> Ave S

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow an addition of two underground storage tanks (totaling 23,500 gallons) and removal of one above ground 1,200 gallon storage tank. Project also includes an addition of four dispensers (for a total of 12 gasoline dispensers) and expansion to the existing canopy.

The following approval is required:

**SEPA – Environmental Threshold Determination (SMC Chapter 25.05)**

**SEPA DETERMINATION**

Determination of Non-Significance

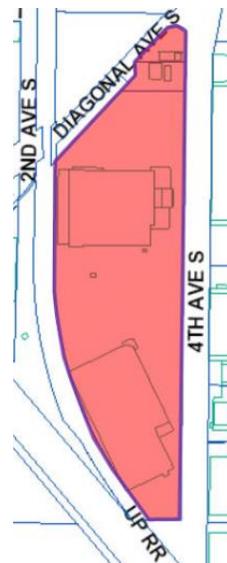
- No mitigating conditions of approval are imposed.
- Pursuant to SEPA substantive authority provided in SMC 25.06.660, the proposal has been conditioned to mitigate environmental impacts.

**BACKGROUND INFORMATION**

**Location:** The site is located on the west side of 4<sup>th</sup> Ave S., between Diagonal Ave S. and the BNSF rail corridor.

**Zoning:** The site and the surrounding area is zoned General Industrial 1 (IG1 U/85).

**Parcel size:** 638,533 sq. ft.



**Environmental Critical Areas:** Archaeological Buffer Area, Liquefaction Prone Soils.

**Existing Conditions:** The site contains an existing 1 story retail warehouse on the northern portions of the site and surface parking for 761 vehicles; a gas station is located at the southern end of the property. The site is irregular in shape, bounded by a railroad to the west and south, 4<sup>th</sup> Ave S to the east, and Diagonal Ave S to the north. There are three vehicular access points along 4<sup>th</sup> Ave S.

**Proposal Description:** The proposed project is an expansion of the existing fueling station on the south end of the site. The expansion consists of: four new multi-product gasoline dispensers, a canopy expansion to cover the new dispensers, the installation of one 20,000 gallon diesel underground storage tank, one 3,500 gallon underground storage tank, and upgrade of eight existing dispensers, removal of an existing above ground storage tank, and revisions to the directional ground painting, existing canopy, and landscaping. One existing 1,200 gallon above ground storage tank will be decommissioned. No new access is proposed. The project proposes a reduction in parking capacity from 761 to 750. The project will require excavation of approximately 540 cubic yards of soil, and 400 cubic yards of fill.

**Public Comment:** The public comment period ended on January 18, 2015. DPD received no comment letters.

### **ANALYSIS – SEPA**

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant on December 10, 2014. The Department of Planning and Development has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file 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. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

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, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The SEPA Overview Policy (SMC 25.05.665) states, in part, “Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation” subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) 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 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. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794).

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. Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of potential adverse impacts.

### Earth

Approximately 540 cu. yds. of grading is proposed with this project. The Stormwater, Grading and Drainage Control Code (SGDCC) 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 applicant submitted a geotechnical engineering study prepared by Kleinfelder West, Inc. dated May 29, 2014 (*Geotechnical Recommendations, Proposed Costco Fuel Facility Expansion, Costco Wholesale Warehouse No. 001, CW#14-0063*). The report, construction plans, including site preparation, tank support, and soil stabilization measures and shoring of excavations as needed, will be reviewed by the DPD's geotechnical experts, who will require what is needed for the proposed work to proceed without undue risk to the property or to adjacent properties and to assure safe grading and excavation.

### Environmental Health

As indicated in the SEPA checklist, 540 yards of soil are to be excavated. Research indicates that there is no historical evidence of contamination on site (Kleinfelder Inc., *Historical Land Use and Regulatory Agency Records Review*, 27 May 2014). The report recommends staging construction to limit dewatering/groundwater withdrawal, and conducting baseline sampling of the groundwater prior to construction.

Mitigation of contamination and remediation is in the jurisdiction of Washington State Department of Ecology ("Ecology"), consistent with the City's SEPA relationship to Federal, State and Regional regulations described in SMC 25.05.665.E. This State agency Program functions to mitigate risks associated with removal and transport of hazardous and toxic materials, and the agency's regulations provide sufficient impact mitigation for these materials. The City acknowledges that Ecology's jurisdiction and requirements for remediation will mitigate impacts associated with any contamination.

As stated in the Kleinfelder report from the applicant, any soil contamination encountered during the excavation or construction process would be reviewed by State Department of Ecology regulations for compliance with the Model Toxics Control Act (MTCA) at that time. No additional mitigation is warranted per SMC 25.05.675.F.

### Greenhouse Gases

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.

### Long -term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increase in traffic and parking demand due to expanded business; increased demand on public services and utilities; and an increase in bulk and scale on site. Compliance with applicable codes and ordinances will reduce or eliminate most adverse long-term impacts to the environment. However, environmental health, air quality, greenhouse gas emissions, historic preservation, traffic, and parking impacts warrant further analysis.

### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction and 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, they are not expected to be significant, therefore, no further mitigation is warranted.

### Historic Preservation

The proposed change of use is located in an archaeological buffer area. The site is partially within the U.S. Government Meander Line of the Duwamish River, where the potential exists for discovery of archeologically significant resources. Director's Rule (DR) 2-98 provides clarification of State Environmental Policy Act (SEPA) Historic Preservation Policy for potential archeologically significant sites in Seattle (SMC 25.05.675.H) and requirements for archeological assessments. The Director's Rule places requirements on construction for projects that include ground disturbance within 200' of the Meander Line. The proposed excavation and construction are located on the southern edge of the subject property. The Meander Line 200' buffer is covers approximately the northern half of the property. The proposed excavation and construction will not be located within or close to the Meander Line 200' buffer.

In the event that historic or cultural resources are inadvertently discovered during the project, construction would be temporarily halted in the immediate vicinity of the In the event that historic or cultural resources are inadvertently discovered during the project, construction would be temporarily halted in the immediate vicinity of the identified resources and the City, DAHP, and affected Tribes would be notified. Mitigation and/or avoidance measures would be negotiated with the City, DAHP, and other stakeholders. No additional mitigation is required.

Traffic and Parking

Access from Fourth Ave S. would not change in the proposal. The expansion proposes to eliminate 11 parking stalls of the existing 761 to accommodate 4 additional gasoline dispensers. The remaining 750 parking stalls on site exceeds the amount of required parking by 585 stalls. The increase in capacity of the fueling station is not anticipated to generate a significant amount of new trips, and it may reduce the time vehicles spend in queue, increasing the overall efficiency of the existing fueling station.

The identified long-term impacts are typical of industrial development and are not considered significant because they are within the scope of those impacts anticipated by the zoning and/or are relatively minor in scope. The use is consistent with the current zoning and compatible with the surrounding uses. Codes and development regulations applicable to this proposed project will provide sufficient mitigation of long term impacts.

**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).
- 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).

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.

**CONDITIONS OF APPROVAL**

Prior to Issuance of a Demolition, Grading, or Building Permit:

1. A statement that the contract documents for the general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 26.53, 27.44, and 79.90 RCW and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.

*During Construction:*

2. If resources of potential archaeological significance are encountered during demolition, excavation or construction, the owner and/or responsible parties shall:
  - a. Stop work immediately and notify DPD (Katy Haima, [katy.haima@seattle.gov](mailto:katy.haima@seattle.gov) or 206-684-4193) and the Washington State Archaeologist at The Department of Archaeology and Historic Preservation. Follow procedures outlined in Appendix A of Director's Rule 2-98.

Signature: retagonzales-currenautabby for \_\_\_\_\_ Date: June 4, 2015  
Katy Haima, Land Use Planner  
Department of Planning and Development

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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 DPD 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](mailto:prc@seattle.gov) or to our message line at 206-684-8467.