



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: 3017824
Applicant Name: Bonnie Lindner
Address of Proposal: 4500 Denver Avenue South

SUMMARY OF PROPOSAL

Land Use Application to allow improvements to an existing cargo terminal (Union Pacific Railroad) to include two new gate canopies (inbound and outbound, 2,840 sq. ft. each), two new inbound portal structures (inbound and outbound 1,116 sq. ft. each), and a new 4,033 sq. ft. administrative gate building and accessory structures. Review includes 11,000 cu. yds. of grading (6,000 of cut and 5,000 of fill) for site improvements and asphalt replacement. Existing inbound (11,342 sq. ft.) and outbound (6,448 sq. ft.) gate canopies to be demolished. Existing Hostler Building and 35 parking spaces to be relocated on the site.

The following approval is required:

SEPA Environmental Threshold Determination
(Seattle Municipal Code (SMC) 25.05)

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

Zoning: Industrial General 1 Unlimited/85-foot height limit (IG1 U/85), IG2 U/85, Greater Duwamish Manufacturing Industrial Urban Village Overlay

Parcel Size: 272,000 square feet

Existing Uses: Industrial Structures

Environmentally Critical Areas: Liquefaction-Prone Areas

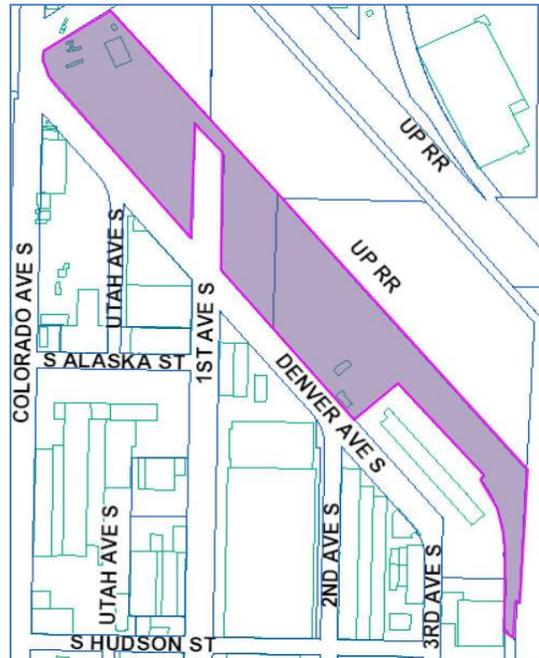
SITE AND VICINITY

Surrounding Development

The subject site is on the east side of Airport Way South near the intersection with South Lucile Street and 8th Avenue South. Existing surrounding development consists of industrial uses and commercial uses.

Public Comment:

No comments were received during the public comment period that ended September 15, 2014.



ANALYSIS – SEPA (WAC 97-11 and SMC 25.05)

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

The initial disclosure of the potential impacts from this project was made in the environmental checklist¹ submitted by the applicant. The Department of Planning and Development (DPD) has analyzed and annotated the environmental checklist submitted by the project applicant, reviewed the project plans, any additional information in the file, and considered any pertinent comments which may have been received regarding this proposed action. As indicated in the checklist, this action may result in adverse impacts to the environment; however, due to their temporary nature or 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 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 (SMC 25.05.665). Codes and development regulations applicable to this proposed project will provide sufficient mitigation for short and/or long term impacts. Applicable codes may include the *Stormwater*

¹ SEPA Checklist dated August 5, 2014

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.

SHORT TERM IMPACTS

Temporary demolition-related impacts are anticipated. Examples of impacts may include: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; increased noise and/or vibration from construction operations and equipment; increased traffic and parking demand from construction personnel traveling to and from the work site; consumption of renewable and non-renewable resources; disruption of utilities serving the area; and/or an increase in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. Compliance with applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment.

Air Quality/Greenhouse Gas Emissions

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 due to the relatively minor contribution of greenhouse gas emissions from this project. SEPA conditioning is not warranted to mitigate air quality impacts pursuant to *SEPA Air Quality Policy* (SMC 25.05.675.A.).

LONG TERM IMPACTS

Potential long term impacts anticipated by this proposal may be stormwater and erosion potential or stability of the site. Several adopted city code and/or ordinances, such as the *Stormwater Code* (SMC 22.800-808) or the *Grading Code* (SMC 22.170) provide mitigation for the identified impacts. Compliance with all applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning or mitigation is warranted.

Air Quality/Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the projects' 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 due to the relatively minor contribution of greenhouse gas emissions from this project. SEPA conditioning is not warranted to mitigate air quality impacts pursuant to *SEPA Air Quality Policy* SMC 25.05.675.A.

Earth

The subject site is located in a liquefaction area due to the presence of loose, fine-grained soils and a relatively shallow groundwater table. A geotechnical report² was submitted and reviewed by DPD's Geotechnical Engineer. The report indicates that the use of a mat-slab foundation should be used to adequately mitigate the potential for liquefaction-induced settlement. The building permit will include structural details related to the liquefaction characteristics of the site. No SEPA mitigation is warranted.

Environmental Health

The Department of Ecology (Ecology)³ indicates that a petroleum release was detected in 1990, and later remediated. Active cleanup was terminated in 2006. The site is still listed on Ecology's *Confirmed and Suspected Contaminated Sites* list for petroleum in soil and groundwater, and Ecology is currently reviewing reports from the applicant asserting that there is no significant contamination remaining on site. Based on Ecology's review of the master use permit (3017824) application materials, they have determined that some of the excavations may be deep enough to expose soils affected by any groundwater plume; therefore, Ecology recommends that the applicant include contingencies in a Stormwater Pollution Prevention Plan (SWPPP) or other waste handling plan for management and disposal of any petroleum contaminated soils or groundwater encountered. A condition is included requiring submittal of a SWPPP or other waste handling plan prior to issuance of a construction permit.

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 (Revised Code of Washington (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 Environmental Impact Statement (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

² *Geotechnical Design Report*, Shannon & Wilson, Inc., December 20, 2013.

³ *SEPA 201404616*, Department of Ecology, September 15, 2014.

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

Prior to issuance of the construction permit:

1. Submit a Stormwater Pollution Prevention Plan (SWPPP) or other waste handling plan for management and disposal of any petroleum contaminated soils or groundwater encountered.

During Construction:

2. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:
 - a. Stop work immediately and notify DPD (Planner name and phone #) and the Washington State Archaeologist at the State Office of Archaeology and Historic Preservation (OAHP). The procedures outlined in *Appendix A* of Director's Rule 2-98 for assessment and/or protection of potentially significant archeological resources shall be followed.
 - b. Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.

Signature: Betty Galarosa for Date: April 20, 2015
Carly Guillory, Land Use Planner
Department of Planning and Development

CG:bg

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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 or to our message line at 206-684-8467.