

#5

FINDINGS, CONCLUSIONS AND DECISION
OF THE CITY COUNCIL OF THE CITY OF SEATTLE

In the matter of:

C.F. 312299

Clerk File (CF) 312299: Council Conditional Use application of King County Department of Natural Resources and Parks, Wastewater Treatment Division, to expand an existing stormwater treatment facility (North Beach Combined Sewer Overflow), located at 9921 Triton Drive Northwest, to include a new 325 foot long buried storage pipe within the Triton Drive right of way and a new 1,900 square foot above ground mechanical structure on the existing treatment facility site (Project No. 3012914, Type IV).

FINDINGS, CONCLUSIONS
AND DECISION

This matter involves a request by King County (County) for City Council (Council) approval to upgrade their existing North Beach Combined Sewer Overflow (CSO) facility at 9921 Triton Drive NW. The site is located in a Single-family 5000 (SF 5000) zone in the North Beach neighborhood of Northwest Seattle.

Council approval is required, and is a quasi-judicial Council land use action under Seattle Municipal Code Section 23.51A.002, as it involves the upgrade and expansion of a non-City owned public facility in a SF 5000 zone. The Council land use action is authorized through the issuance of a Council Conditional Use (CCU) permit. The CCU permit authorizes upgrades to this CSO facility that include 1) a new 624 square foot above ground electrical/mechanical building, 2) a 432 square foot odor control vault, and 3) upgrading onsite pipelines from 18 inch to 36 inches. Several site improvements are also proposed including upgrades to an existing onsite driveway, new fencing and landscaping and a new bioswale.

The County also requested the following four modifications to the development standards that apply to non-City owned CSO facilities in a SF zone, which can be sought under the CCU permit:

Code Section	Development Standard	Request to modify
SMC 23.44.022	10 foot side yard setback	5 foot side yard setback. A one-foot-wide arbor to screen the adjacent building would be located in the setback
SMC 23.44.022	20 foot front yard setback	10 foot setback for the above-ground portion of mechanical building
SMC 23.54.030	12 foot minimum width for a one way driveway	Reduce a portion of the driveway to 8 1/2 feet in width
SMC 23.54.015	Number of parking spaces	Waive requirement for additional parking - no parking currently exists

The proposal also includes a new drainage vault under the Triton Drive NW right of way, which is approved under a separate Council action (Resolution 31421).

Attachment 1 is a site plan that shows the various upgrades subject to the CCU permit. The upgrades are also fully documented in the Hearing Examiner's December 17, 2012 recommendation to Council, which is included in this Clerk's File.

The request includes two additional components – environmental review (SEPA) and a Shoreline Substantial Development Permit (SSDP). The County was the lead agency for SEPA review, publishing a determination of non-significance on April 21, 2011. DPD conducted a review of the County's SEPA determination and used its authority (SMC 25.05) to recommend conditions that mitigate project impacts.

The SSDP is required because the project occurs within the City's Shoreline overlay zone (SMC 23.60). The project requires both a SSDP and a Shoreline Special Use permit approval. SSDP's are generally approved by the Department of Planning and

Development (DPD). However, SMC Section 23.76.036A requires the Council to approve any related land use permit, in this case the SSDP, when it is submitted concurrently with a request for a Council land use action – the CCU permit. The upgrades under the SSDP include the underground portions of the pump station expansion and enhanced landscaping. The Shoreline Special Use component of the SSDP relates to the installation of underground utility lines for the facility. Attachment 2 shows the area of the project that is subject to the SSDP.

On November 8, 2012, DPD issued its recommendation to approve the County's CCU permit request for upgrades to the North Beach CSO, including SEPA and SSDP conditions to mitigate construction-related impacts; no CCU conditions were recommended. On December 6, 2012, the Hearing Examiner held an open-record hearing on DPD's recommendation. Following the close of the record, the Hearing Examiner issued her Council Findings, Conclusions and Recommendations, recommending approval of (1) the CCU permit and the four development standard modifications, (2) the SSDP and related Special Use permit, and (3) all of DPD's recommended SEPA and SSDP conditions.

On March 12, 2013 the matter came before the Transportation Committee. The Transportation Committee heard the action due to 1) backlogs in the Planning, Land Use and Sustainability Committee (which would normally hear any Council land use action) and 2) the related Resolution to approve long-term use of the right of way for the drainage vault. The committee first reviewed and deliberated on the quasi-judicial action. For their deliberations, Council staff briefed committee members concerning the applicability of land use regulations in SMC Chapter 23 on non-City projects, the

requests to modify development standards, and the extent to which the proposed development met CCU permit criteria. Following their deliberation, the committee members voted to approve the CCU permit, the four development standard modifications and the Hearing Examiner's recommended conditions (Attachment C). The Committee then directed staff to prepare Council Findings, Conclusions and a Decision, and referred the matter to a full Council vote.

Findings of Fact and Conclusions

The Council adopts the Hearing Examiner's Findings of Fact, Conclusions and Recommendation for C.F. 312299. The Council imposed no additional conditions on the permit other than those recommended by the Hearing Examiner.

Decision

The Council APPROVES King County's request for a CCU permit to upgrade the North Beach CSO, along with their request to modify the following four development standards:

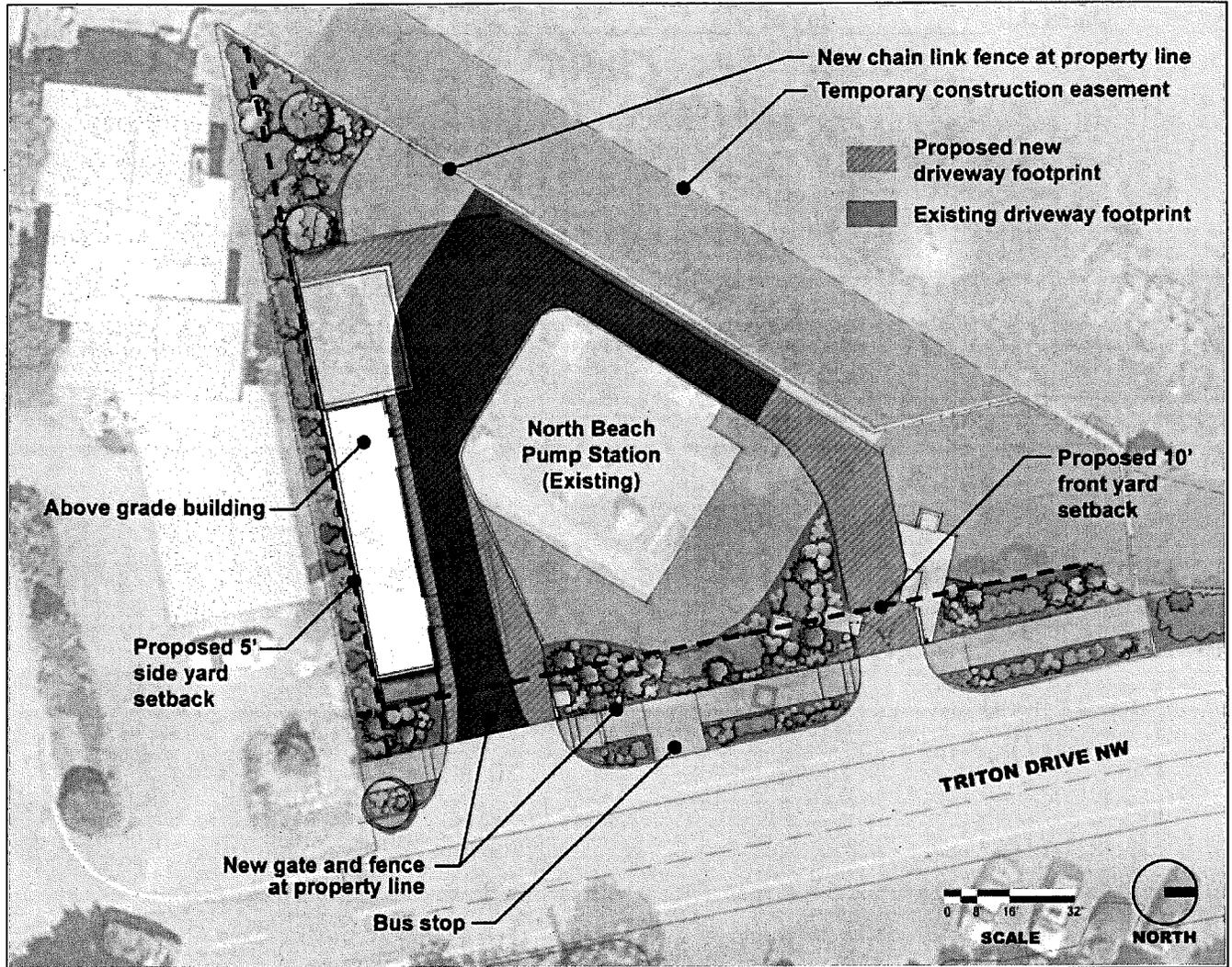
Code Section	Development Standard	Request to modify
SMC 23.44.022	10 foot side yard setback	5 foot side yard setback. A one-foot-wide arbor to screen the adjacent building would be located in the setback
SMC 23.44.022	20 foot front yard setback	10 foot setback for the above-ground portion of mechanical building
SMC 23.54.030	12 foot minimum width for a one way driveway	Reduce a portion of the driveway to 8 1/2 feet in width
SMC 23.54.015	Number of parking spaces	Waive requirement for additional parking - no parking currently exists

Finally, Council also adopts all of the Hearing Examiner's recommended conditions (Attachment 3) and approves the SSDP and Shoreline Special use permit requests.

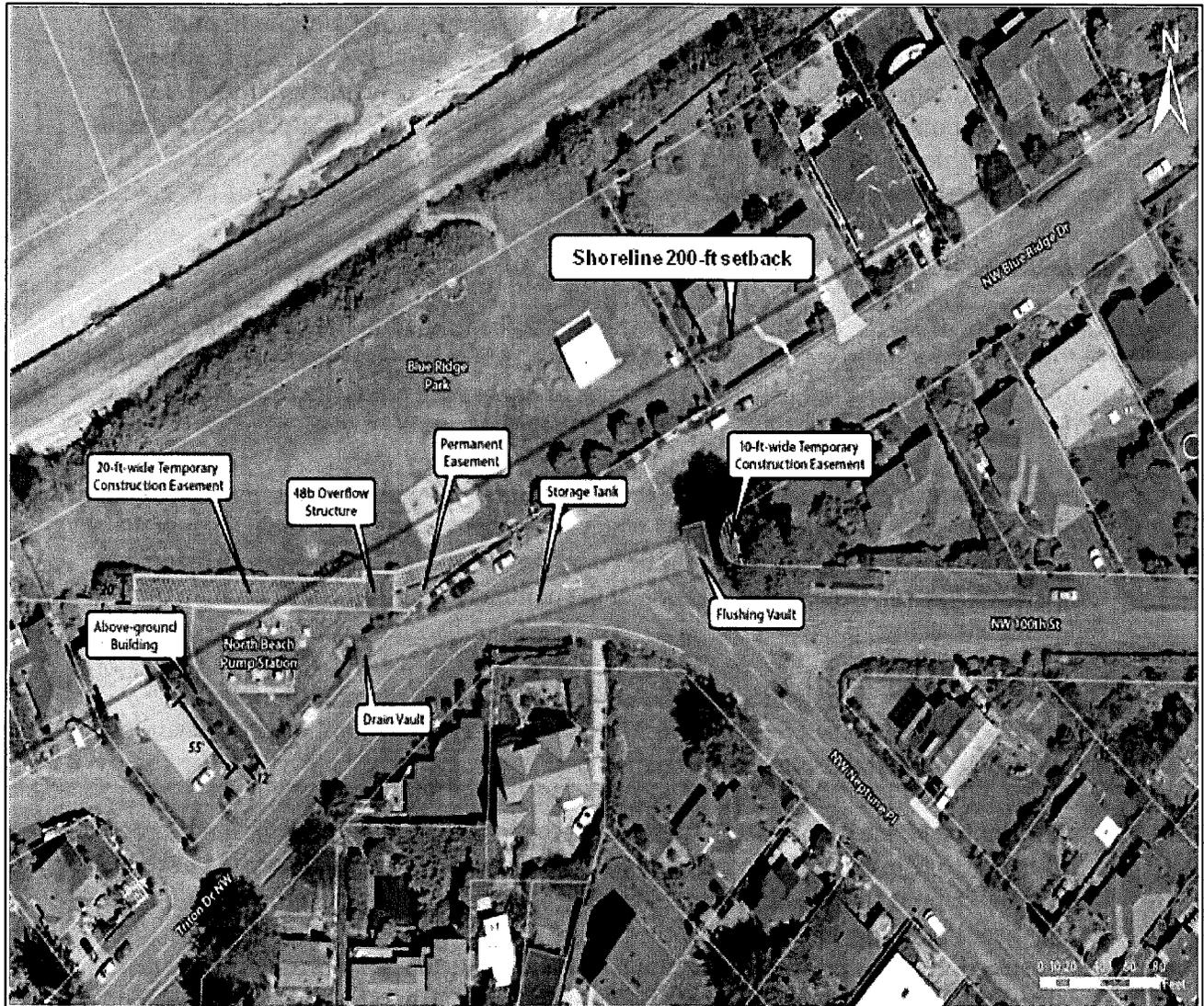
Dated this _____ day of _____, 2013.

City Council President

Attachment 1



Attachment 2



Attachment 3

Prior to Commencement of Construction

1. Execute the public outreach plan including: establishment of a website to provide project information and regular updates on construction activities, including names and contact information for project; establishment of a 24-hour construction hotline to promptly respond to questions and complaints; and provide affected public with names and contact information for project contacts. These contacts should also be mailed to nearby property owners (King County should define the appropriate area of the mailings).

During Construction

1. The hours of all major construction work should be limited to between 7:00 AM – 6:00 PM on non-City holiday (pursuant to SMC 25.08.155) weekdays and between 9:00 AM – 6:00 PM Saturdays. Work using impact types of equipment are further limited consistent with subsection SMC 25.08.425 C of the Noise Ordinance.

Construction activities outside the above stated limits, but within the limits of the Noise Ordinance, may be authorized by DPD when a Construction Management Plan is provided and approved. This plan will be coordinated with the DPD Noise Abatement Office (DPD), King County, applicant and the contractor. The plan will include the following elements:

- a. Construction Communication - including a Contact and Community Liaison.
- b. Construction Hours and Sensitive Receivers - identifying demolition and construction activities within permissible construction hours.
- c. Construction Noise Requirements - all demolition and construction activities shall conform to the Noise Ordinance, except as approved through the noise variance process.
- d. Measures to Minimize Noise Impacts – list of measures to be implemented to reduce or prevent noise impacts during demolition and construction activities during standard and non-standard working hours.
- e. Construction Milestones – a description of the various phases of demolition and construction, including a description of noise and traffic generators, and anticipated construction hours for each phase.
- f. Construction Noise Management – identify techniques to minimize demolition and construction noise including: timing restrictions, noise reduction construction technologies, process modifications. These techniques may go beyond code requirements.

2. Maintain project website with regular and timely updates for potential construction impacts and generally implement public outreach plan, including maintenance of construction hotline.

3. The applicant shall implement Best Management Practices approved and/or required by the State Department of Ecology and the DPD construction inspector to minimize the amount of erosion caused by construction and operations at the site. Materials and

construction methods shall be used which prevent toxic materials, debris, waste material, concrete slurry, petrochemicals, and other pollutants from entering surface water during and after construction. All debris and other waste shall be disposed of in such a way as to prevent entry into Puget Sound.

4. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:

- Stop work immediately and notify DPD (Ben Perkowski 206.684.0347) 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.
- 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.

For Life of Project

1. All landscaping for project and planting in bioretention facilities shall be monitored and properly maintained.

**FINDINGS AND RECOMMENDATION
OF THE HEARING EXAMINER FOR THE CITY OF SEATTLE**

In the Matter of the Application of

CF 312299

**KING COUNTY DEPARTMENT OF NATURAL
RESOURCES, WASTEWATER TREATMENT
DIVISION**

For Council Conditional Use approval

DPD Project Nos.:
3012914, 3013346

CITY CLERK

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FILED
CITY OF SEATTLE

Introduction

The applicant, King County Department of Natural Resources, Wastewater Treatment Division, has applied for Council Conditional Use approval to allow a public facility in a Single Family zone, with modification of required setbacks. The project consists of upgrades to the North Beach Pump Station to prevent combined sewage overflows into Puget Sound, and to fulfill permit requirements of the National Pollutant Discharge Elimination System.

The public hearing on this application was held on December 6, 2012. Represented at the hearing were the Director, Department of Planning and Development (DPD), by Ben Perkowski, Senior Land Use Planner; and the applicant King County, by Pamela Erstad, Real Property Agent. The record was held open after the hearing for purposes of the Hearing Examiner's inspection of the site.

For purposes of this recommendation, all section numbers refer to the Seattle Municipal Code ("SMC" or "Code"), as amended, unless otherwise indicated. After due consideration of the evidence elicited during the hearing, the following shall constitute the findings of fact, conclusions and recommendation of the Hearing Examiner on this application.

Findings of Fact

1. King County Department of Natural Resources, Wastewater Treatment Division (King County) is proposing upgrades to the North Beach Pump Station which is located at 2458 NW Blue Ridge Drive. The upgrades include a new electrical/mechanical building (approximately 12'x55'x15'), a 525 square-foot below-grade mechanical room, and a 432 square-foot below-grade odor control vault. Also included in the proposal is the up-sizing of an influent pipeline on the property, from 18-inch diameter pipe to 36-inch diameter pipe. The pipe carries sewage from local sewer lines to the pump station, where it is pumped, conveyed and eventually treated at the West Point Treatment Plant.

2. The upgrades are associated with the placement of a wastewater storage tank within the public right of way adjacent to the existing North Beach Pump Station; the storage tank is reviewed under a separate process, and is not the subject of this application for Council Conditional Use approval.

3. In addition to the above upgrades, the existing access road to the site will be replaced and extended to loop around to the north end of the pump station property, in order to improve access for maintenance vehicles. New landscaping would be installed at the pump station and new right-of-way improvements (e.g., sidewalk, curbs and fencing). An existing fence that surrounds the site would be restored or replaced to restrict public access. Bioretention facilities would be installed to treat stormwater runoff. The existing rockery retaining wall along the southwestern boundary would be modified or replaced to facilitate site grading and construction.

4. The proposed upgrades are part of the North Beach Combined Sewer Overflow (CSO) Control Project; the purpose of the project is to prevent untreated CSO discharges to Puget Sound. Under the federal standards administered by the state Department of Ecology, no more than one untreated CSO discharge event per CSO outfall per year on average is allowed. In 2011, North Beach Pump Station experienced 15 overflow events, and the historic average is 10 events. This average equates to approximately 2.2 million gallons of untreated stormwater and wastewater discharging into Puget Sound.

5. The project site is the existing North Beach Pump Station site, which is in the Blue Ridge neighborhood. The site is zoned Single Family 7200 (SF 7200). Blue Ridge Park, a private park with access to the local community only, is located adjacent to and northeast of the pump station.

6. The new above-grade electrical/mechanical building will be 15 feet above grade, and will be lower in elevation than nearby houses. See. Ex. 11, p.11. The building would be located along the west property line where there is an existing berm. The other facilities would be located below-grade to minimize their visual impacts.

7. The up-sizing of the existing 18-inch influent pipeline to a 36 inch pipe, will involve placing new pipe, precast manholes and a cast-in-place overflow structure. All components will be below grade. Most of the excavation associated with the pipeline work will occur within the Shoreline Urban Residential (UR) environment, but some minor overexcavation will occur in the Conservancy Recreation (CR) environment. The work area within the CR environment will consist primarily of temporary operation of equipment that will be used for excavation. An easement is being obtained from the Blue Ridge Club Inc., a private entity, for work in the CR Environment.

8. The proposal will include a new odor control system (the pump station currently does not have odor control facilities) to treat air from the station and from the new CSO storage tank in the street.

9. A bioretention planter is proposed to capture stormwater runoff from the new building's roof. Stormwater from the site will be routed to an on-site catch basin and to a wet well for treatment at the West Point Treatment Plant. Pervious pavements will be used at the site to reduce runoff.

10. New landscaping, fencing and street improvements are also proposed, including several landscape features and a fence design that have been selected by the North Beach community during public outreach meetings with the County; see Ex.11.

11. The trees on the site and along Triton Drive NW and NW 100th have been evaluated. Most of the existing landscaping at the site, including a crab apple tree and a rhododendron will be removed, due to location and condition. The new landscaping on the site includes a vine maple west of the above-grade building, sod and low-maintenance shrubs. Trees in the street right-of-way will also be removed and replaced pursuant to the SDOT permitting process for the CSO storage facility in the right-of-way.

12. Construction activities may take up to 24 months. The work will occur in phases. The proposed work area is within a gated private park, and it is anticipated that this park will be affected for approximately 4-10 months, during which the eastern-most edge of the park will be fenced off because of work at the site. However, the picnic and playground area to the north of the work area will remain open to club members. Construction-related traffic will include heavy construction trucks and construction workers' vehicles moving to and from the construction site. Excavation hauling and delivery of concrete and fill material would require approximately 1,800 truck trips, primarily during the first six months of construction activity. SDOT is currently reviewing a Street Improvement Plan to address construction-related road closures, temporary traffic re-channeling, and a traffic control plan, which must be approved prior to commencement of construction activities.

13. Noise associated with construction activities has been evaluated, and the applicant has proposed a number of measures to ensure that the project will comply with the City's Noise Ordinance (Ch. 25.08); see Ex. 6 and 7.

14. King County as lead Agency for the project issued a SEPA Determination of Nonsignificance (DNS) on April 21, 2011. The DNS was not appealed. DPD has reviewed the checklist and the DNS, and has recommended conditions to mitigate impacts, as described in pages 19-20 of the DPD analysis, Ex.16.

15. DPD has reviewed the proposal pursuant to its authority under SEPA to condition the project, and has concluded that most of the project's potential impacts are adequately addressed by existing City Codes and Ordinances. DPD has recommended a few additional conditions, primarily related to construction, to mitigate the project's impacts, which are set forth in the Director's Analysis and Recommendation.

16. The applicant seeks modifications to four development standards. The applicant proposes a reduction of the required 10-foot side yard setback under SMC 23.44.022. The proposal reduces the side yard setback to six feet (including a one-foot wide arbor to screen the adjacent residential garage) for the new above-ground ancillary building, and a five-foot waiver for the proposed below-ground ancillary building and vault are requested. The County notes that is necessary to reduce the setback because of the location of the existing driveway adjacent to the proposed building. The location of many underground pipes and ancillary utilities at the site prevent the new building from being located elsewhere on the site.

17. The applicant also seeks a reduction of the front yard setback required by SMC 23.44.022. The above-ground portion of the ancillary structure will encroach 10 feet into the required 20-foot front yard setback. The reduction is sought in order to provide access for equipment to service both new and existing buildings, and because locating the structure in the setback allows more light and air to reach the property to the south of the site. The project also includes the placement of an eight-foot tall decorative fence along the front of the property, the same height as the existing fence. The fence design has been selected by the community at North Beach, and will be placed in the same perimeter location as the existing fence.

18. The applicant seeks a modification of the minimum driveway width required by SMC 23.54.030. The proposal includes an extension of the existing driveway, creating a loop so that maintenance vehicles will no longer need to back up onto the street, and also allowing access to pumps located in the CSO drain vault for operation and maintenance activities. The proposed driveway width at the southern end of the site will meet the minimum width requirements of 15-20 feet. But the new driveway at the north end of the site will range from 15 feet to 8.5 feet in width.

19. The applicant also seeks a waiver from the parking standards of SMC 23.54.015.H. There are currently no designated parking spaces at the pump station. The site is gated with no public access. Instead, the proposed buildings are for maintenance purposes and are used infrequently and County equipment is on the site for short durations. There is adequate area for two maintenance vehicles at the site, and the applicant requests that the project not be required to add designated parking spaces.

20. The project will also require a Shoreline Substantial Development permit from DPD to allow expansion of a utility service in the Urban Residential (UR) Shoreline environment. The project also involves some minor excavation and material storage activities which will likely occur in the Conservancy Recreation (CR) environment. The use is permitted outright in the UR environment, and is a special use within the CR environment. DPD has therefore reviewed the project under the general development standards in SMC 23.60.152 as well as the applicable special use criteria of SMC 23.60.032. DPD has determined that the applicable standards of Ch. 23.60 SMC are met, and that a shoreline substantial development permit should be granted. The Director

will issue the shoreline permit and file it with the state Department of Ecology after the City Council issues its decision on the Council Conditional Use.

21. No written public comments were submitted to DPD and no public testimony was offered at the public hearing. One comment letter was submitted to the Hearing Examiner, indicating that the commenter had no objections to the project as long as the building was no more than one story and didn't affect views..

22. King County has for some time been engaged with the North Beach neighborhood to solicit input on the proposal, conducting public meetings and site tours for neighbors and working with individual neighbors who are adjacent to the site. The County has also been working closely with the Blue Ridge Club Inc., the community entity which owns the private park adjacent to the site, regarding access, landscaping, security and other issues. The project's landscape plantings and fencing are based on community input. The County will be conducting regular meetings with the North Beach residents during construction and has established for project website to keep the public informed about the status of construction.

Codes

23. SMC 23.44.036 provides that: *"Public facilities may be permitted in single-family zones as a council conditional use, according to the provisions of 23.51A.002. Public facilities include, but are not limited to, police precinct stations, fire stations, public boat moorages, and utility services uses."*

24. SMC 23.51A.002 provides:

A. Except as provided in subsections B, D and E of this Section 23.51A.002, uses in public facilities that are most similar to uses permitted outright or permitted as an administrative conditional use under Chapter 23.44 are also permitted outright or as an administrative conditional use, subject to the same use regulations, development standards and administrative conditional use criteria that govern the similar use. The City Council may waive or modify applicable development standards or administrative conditional use criteria according to the provisions of Chapter 23.76, Subchapter III, Council Land Use Decisions, with public projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V legislative decisions.

B. Permitted Uses in Public Facilities Requiring City Council Approval. The following uses in public facilities in single-family zones may be permitted by the City Council, according to the provisions of Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions:

1. *Police precinct station;*
2. *Fire station;*
3. *Public boat moorage;*
4. *Utility services use; and*
5. *Other similar use.*

The proponent of any such use shall demonstrate the existence of a public necessity for the public facility use in a single-family zone. The public facility use shall be developed according to the development standards for institutions (Section 23.44.022), unless the City Council makes a determination to waive or modify applicable development standards according to the provisions of Chapter 23.76, Subchapter III, Council Land Use Decisions, with public projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V legislative decisions

25. SMC 23.76.058.D provides that for public projects not meeting development standards, *“the City Council may waive or modify applicable developments standards, accessory use requirements, special use requirements, and conditional use criteria for public projects.”*

Conclusions

1. The Hearing Examiner has jurisdiction to hold a public hearing and make a recommendation on this application pursuant to SMC 23.76.052.
2. Under SMC 23.44.036 and 23.51A.002.B.4, the proposed use may be permitted by Council Conditional Use approval as a utility service use in a public facility in a Single Family zone. Under SMC 23.5.1.002.B.4, a proponent of the use shall demonstrate the existence of a public necessity for the public facility use in a Single Family zone. The proposed upgrades to the existing facility are required to reduce the CSO overflows to no more than one per year, in accordance with the state Department of Ecology mandate. There is a public necessity for this public facility use in the Single Family zone.
3. A public facility use in a Single Family zone is required to be developed according to the development standards for institutions set forth in SMC 23.44.022, unless the City Council makes a determination to waive or modify applicable development standards. The applicable standards of SMC 23.44.022 are discussed below.

4. Dispersion. The proposal would meet the development standards for dispersion under SMC 23.44.022.E. It is a utility service use, and is neither an occupied space nor an institution. It is not within 600 feet of the lot line of any institution or public facility.
5. Demolition. No residential structures would be demolished or have their use changed to provide for parking, consistent with SMC 23.44.022.F.
6. Noise and Odor. SMC 23.44.022.H addresses reduction and mitigation of noise and odor. During operation, the facility's fans and pumps will produce noise. The noise studies conducted by the applicant show that the expected noise levels are within the levels allowed by the City's Noise Ordinance. Construction noise will also be required to comply with the Noise Ordinance, unless a noise variance is granted under the Ordinance. The Director has also limited the hours of construction as a SEPA condition on the project. The ancillary mechanical building will be equipped with odor control equipment to control odors from the CSO, and the filter materials will be replaced on a schedule to prevent odors. Noise and odors have been mitigated so as to be consistent with this standard.
7. Landscaping. The proposed landscaping would be consistent with the standard of SMC 23.44.022.I. Landscaping has been selected to integrate with the adjacent areas, while maintaining access to the facilities. Sod will be used to reduce the potential for erosion or stormwater runoff, and low maintenance plants, compatible with those in the neighborhood, will be used. Fencing and screening have been selected based on input from the neighborhood to ensure that these elements are compatible with the neighborhood.
8. Light and glare. The ancillary mechanical building will have lighting that is shielded and directed away from the nearby residentially zoned lots, consistent with SMC 23.44.022.J. The roof will be constructed of non-reflective materials.
9. Bulk and Siting. The existing site is less than an acre in size. The triangular-shaped lot has only three sides and the siting of the mechanical building has been chosen so as to minimize impacts on the adjacent residential areas. The building would comply with the required rear yard setback, but would not comply with the required front and side yard setbacks, and modifications of those standards are requested as discussed in the Findings and below. SMC 23.44.022.K provides that the Director may reduce the required yards on a finding that the reduction will not significantly increase the project's impacts, and the applicant seeks a modification of the standards as part of its request for Council Conditional Use approval.
10. Parking and Loading. There is no existing parking at the site. Under SMC 23.44.022.L, parking is to be provided as required by SMC 23.54.015, unless that requirement is waived or modified. As noted in the Findings and below, the proposal includes a request for a waiver from the parking standards of SMC 23.54.015.

11. The requested modifications to the required side and front yard setbacks should be granted, as they do not increase any project impacts and may reduce the project's impacts on adjacent residences. The modification to the minimum driveway width should be granted, since it will allow creation of a longer driveway that will eliminate the need for service vehicles to back up into the street as is currently the case. The proposed waiver of parking standards should also be granted. There are currently no designated parking spaces and the site is gated with no public access, with only County equipment accessing the site, and there is adequate space for short duration parking of maintenance vehicles. The waiver of parking standards at the site would create no additional impacts and would allow the small site to be efficiently utilized for improvements to the pump station.

12. The proposal with the conditions proposed by the Director meets the criteria for Council Conditional Use approval, and should therefore be granted.

Recommendation

The Hearing Examiner recommends the City Council grant approval of the requested Council Conditional Use.

Entered this 17th day of December, 2012.



Anne Watanabe
Deputy Hearing Examiner

CONCERNING FURTHER REVIEW

NOTE: It is the responsibility of the person seeking further review to consult appropriate Code sections to determine applicable rights and responsibilities.

Pursuant to SMC 23.76.054, any person substantially affected by a recommendation of the Hearing Examiner may submit an appeal of the Hearing Examiner's recommendation to the City Council. The appeal must be submitted within fourteen (14) calendar days following the date of the issuance of the Hearing Examiner's recommendation, and be addressed to: Planning, Land Use and Sustainability Committee, c/o Seattle City Clerk, 600 Fourth Avenue Floor, P.O. Box 94728, Seattle, WA 98124-4728. The appeal shall clearly identify specific objections to the Hearing Examiner's recommendation and specify the relief sought.



**Legislative Department
Seattle City Council
Memorandum**

Date: March 5, 2013

To: Transportation Committee

Councilmember Tom Rasmussen, Chair
Councilmember Bruce Harrell, Vice Chair
Councilmember Jean Godden, Member

From: Michael Jenkins, Council Central Staff

Subject: **Clerk File (CF) 312299:** Council Conditional Use application of King County Department of Natural Resources and Parks, Wastewater Treatment Division, to expand an existing stormwater treatment facility (North Beach Combined Sewer Overflow), located at 9921 Triton Drive Northwest, to include a new 325 foot long buried storage pipe within the Triton Drive right of way and a new 1,900 square foot above ground mechanical structure on the existing treatment facility site (Project No. 3012914, Type IV).

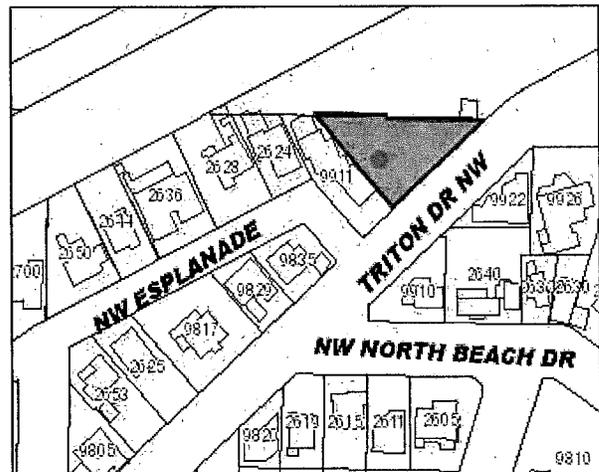
Overview

King County Department of Natural Resources, Wastewater Treatment Division (King County), requests that Council approve their application to expand and upgrade the existing North Beach Combined Sewer Overflow (CSO) facility. The CSO is located on a site owned by King County at 9921 Triton Drive NW.

The proposed CSO upgrade includes the construction of a new 624 square foot electrical/mechanical building (52 feet long x12 feet in width) and the following below-grade structures:

- A 525 square foot mechanical room
- A 432 square foot odor control vault
- Upgrading onsite pipelines from 18 inch to 36 inch

Additional site improvements include an upgrade to the existing access road, new landscaping, new fencing and a bioswale for stormwater runoff. Improvements to the adjacent right of way include a new curb, gutter and sidewalk.



The Council will also consider a separate action to install a new drainage vault under the Triton Drive NW right of way. The committee will consider that request under Resolution 31421.

When completed, the upgraded CSO will help reduce and prevent untreated discharges into Puget Sound. Washington State Department of Ecology (WSDOE) has set a standard of no more than one such occurrence per year. In 2011, this CSO experienced 15 overflow events, which is equivalent to approximately 2.2 million gallons of untreated stormwater and wastewater discharging into Puget Sound.

1. Type of Action and Standard of Review — No Appeal or Request to Supplement the Record - Action assigned to the Transportation Committee -- a Shoreline Permit required

Seattle Municipal Code (SMC) Section 23.51A.002 requires that the City Council approve, as a Type IV quasi-judicial land use action, a request to expand a public facility that is undertaken by a non-City agency. The proposed upgrades to the CSO, a utility service use owned by King County, are subject to this quasi-judicial action. However, the portions of the upgraded facility located within the City right of way are not subject to the Land Use code or its quasi-judicial rules. Those improvements will be considered under Resolution (Resolution 31421), with final approval in a separate ordinance.

Quasi-judicial actions are subject to the Appearance of Fairness Doctrine prohibiting ex-parte communication and the Council's rules on quasi-judicial proceedings (Resolution 31375). The Hearing Examiner establishes the record for the decision at an open-record hearing. After the hearing, the record may be supplemented through a timely request to Council only through an appeal or request to supplement the record.

No appeal of the Hearing Examiner's recommendation was filed, and there was no timely request to supplement the record.

Council practice for quasi-judicial land use actions has been to refer the matter to the Council committee that oversees land use issues. In this case, Council agreed to hear the matter before the Transportation Committee, as 1) much of the work associated with the CSO upgrade is subject to the Term Permit, which is not quasi-judicial, and 2) the committee that oversees land use actions – Planning, Land Use and Sustainability – has a significant schedule backlog.

The Department of Planning and Development's (DPD) recommendation also indicates that a Shoreline Substantial Development Permit (shoreline permit) is required. A shoreline permit is required as, 1) the value of construction in the City's Shoreline Zone¹ exceeds \$2,500, 2) the request for the upgrade of the facility and related infrastructure occurs in both the Urban Residential (UR) and Conservancy Recreation (CR) shoreline zones, and 3) upgrading related utility pipes in the CR zone requires a Special Use shoreline permit.

¹ The Shoreline Zone extends 200 feet landward from the Ordinary High Water Mark of Puget Sound.

Normally, DPD reviews and approves a shoreline permit as a Type II land use permit. However, SMC Section 23.76.036 requires that Council approve a Master Use Permit application that includes both Type II and a Type IV requests. The Type II permit is not quasi-judicial; only the request for the onsite CSO upgrade is quasi-judicial. The Council's quasi-judicial rules require that the Council's decision be based upon the record as submitted by the Hearing Examiner.

The record contains the substance of the sworn testimony provided at the Hearing Examiner's open-record hearing and the exhibits entered into the record at that hearing. Those exhibits include but are not limited to:

- The recommendation of the Director of the Department of Planning and Development (DPD);
- The environmental (SEPA) determination for the proposal;
- The application materials; and
- An audio recording of the Hearing Examiner's open record hearing.

The entire Hearing Examiner's record is kept in my office and is available for your review.

3. Materials from the Record Reproduced in Committee Notebooks

I have provided copies of the following exhibits from the Hearing Examiner's record:

1. The Hearing Examiner's Recommendation (including the findings of fact and conclusions supporting the recommendation) (Attachment A);
2. DPD Director's Analysis and Recommendation² (Attachment B);
3. A powerpoint presentation provided for the Hearing Examiner's hearing showing the scope of the project (Attachment C)³;
4. Excerpts from the Master Use Permit review plan set (Attachment D)⁴; and,
5. A copy of King County's environmental checklist (Attachment E)⁵.

4. Summary of the record — Council land use action - quasi-judicial

Both DPD and the Hearing Examiner recommended that Council **APPROVE** the Council land use action.

A. Site

9921 Triton Drive NW is owned by King County. The site is currently in use as a utility service use/public facility and is zoned Single Family with a minimum 7,200 square foot lot area (SF 7200). The approximately 10,000 square foot site is triangular. The abutting lot to the south is in use as a as a single family residence; the lot to the north is a private park

² Hearing Examiner's Exhibit 16

³ Hearing Examiner's Exhibit 11

⁴ Hearing Examiner's Exhibit 15

⁵ Hearing Examiner's Exhibit 8

owned by the Blue Ridge Community Club. The site is relatively flat, except for minor grade changes along the property lines.

Approximately 1/3 of the lot is in the City's Shoreline Overlay zone.

B. Surrounding area

The surrounding area is zoned SF 7200 and is dominated by single-family residences.

C. Proposal

King County proposes to upgrade the existing CSO and related infrastructure. The site is currently developed with a CSO that includes a below ground pump station with related underground utility lines and piping, as well as features which rise up to 4 feet above grade. The site also includes a variety of landscape features as well as a concrete road surface. This pump station and related infrastructure convey waterwater and untreated sewage to the nearby West Point Treatment Plant.

The proposed CSO upgrade includes a new 624 square foot above ground electrical /mechanical equipment building. The equipment will be used to enhance operations of the pump station. The 12 foot tall, 55 foot long and 15 foot wide building would be located approximately 5 feet from the side property line shared with the adjacent single family residence. The base elevation of the proposed building is approximately 4 feet lower than the base elevation of the adjacent residence. The building will be further screened by vegetation and will be located facing the adjacent residence's garage and away from the structure's living areas. The building design includes a curved roofline to provide visual interest.

A variety of site improvements are also proposed. The existing paved driveway will be replaced and upgraded. New decorative metal fencing will also be installed around the perimeter of the facility, enhancing security without screening views of Puget Sound. A variety of screening and decorative landscape features will be planted around the site.

The proposed upgrade includes two separate below ground structures - a 432 square foot vault area used for odor control, and a 525 square foot mechanical room - that will be attached to the proposed above ground equipment building.

These new features, along with the new vault in the adjacent right of way, are designed to enhance and improve the function of the CSO and help King County meet WSDOE requirement of no more than one CSO overflow event occur each year.

King County has also requested Council approval of four modifications of development standards for the upgraded facility. SMC 23.76.058D authorizes the City Council to waive or modify development standards on applications for a Council approved conditional use permit. The following table documents the requests and the rationale for the requested waivers.

Code Section	Development Standard	Request to modify	Rationale
SMC 23.44.022 K	10 foot side yard setback	5 foot (includes a one-foot-wide arbor to screen adjacent building)	Location of the driveway and the underground piping makes siting at 5 feet the best location for the structure
SMC 23.44.022	20 foot front yard setback	10 foot for above-ground portion of mechanical building	Location provides better access for service personnel; location also moves the structure further away from the living spaces of the adjacent residence
SMC 23.54.030	12-15 feet for a one way driveway	Reduce a portion of the driveway to 8 1/2 feet	Currently, the existing one-curb cut driveway requires trucks to back out onto the road after they service the facility. The proposal will create a one-way loop driveway with an additional curbcut; the reduced driveway width will not compromise access to the site
SMC 23.54.015	Parking standards	Waive requirement for additional parking beyond existing	Parking is not currently located on the site; the driveway serves that purpose when on-site maintenance occurs

In April, 2011, King County issued an environmental determination (SEPA) for the project, declaring that the project did not have any significant environmental impacts.

DPD recommended approval of the project, with 4 conditions to mitigate construction impacts. One condition was recommended relating to required maintenance of the bioswale. An additional condition was recommended concerning a public outreach plan to inform neighbors of the project schedule, impacts and contact information.

D. Public comment

DPD's public comment period began May 3, 2012 and ended June 4, 2012. DPD did not receive any comment letters on the project. A comment letter was sent to the Hearing Examiner supporting the facility, as long as the proposed building was limited to one story and did not block views.

E. Summary of the Hearing Examiner's conclusions

SMC 23.51A.002 authorizes utility service uses in single family zones as a Council Conditional use. This code requires that an applicant demonstrate that there is a public necessity to allow the use in this zone. The Hearing Examiner noted that the existing use and the proposed expansion are required to significantly reduce CSO events at this site, to no more than one per year. The Hearing Examiner concluded that the upgraded facility is necessary to meet this requirement and, as such, should be approved by Council.

In addition to meeting use standards, utility service uses in a SF zone must also meet development standards for Institutions in SMC 23.44.02, unless an applicant requests development standard modifications or waivers. The following table documents to development standards applicable to Institutions that are also applicable to this proposal and when the a development standard waiver has been requested:

Development Standard	Complies	Modification requested
Bulk and siting - Yard (setback) requirements from property lines		X
Height	X	
A minimum distance of 600 feet from similar utility service uses	X	
Landscaping	X	
Light and glare shielded from adjacent property	X	
Parking and loading		X

The Hearing Examiner recommended that the Council approve the proposed development standard modifications, finding that the approval of any modifications either do not create impacts on surrounding properties or those impacts had been substantially mitigated.

5. Shoreline Substantial Development Permit — summary of the record

A. Background

A Shoreline Substantial Development Permit (shoreline permit) is required when new development or redevelopment occurs: (1) within 200 feet of the ordinary high water mark of a body of water that is regulated under the City's Shoreline Management Act⁶ and (2) the construction value of the work undertaken for the project exceeds \$2,500. A shoreline permit is required for projects on private property or within the right of way unless the project qualifies for an exemption⁷.

In addition, Utility Service uses that include utility lines are considered to be a Special Use within the CR zone. Accordingly, the Council must also approve a Special Use request for that portion of the use within the shoreline zone.

B. Shoreline permit requirements

1. General shoreline permit requirements:

The DPD Director's report (Pages 3-7) documents that the project must comply with three groups of regulations before a shoreline permit can be approved:

⁶ Implemented through SMC Chapter 23.60

⁷ Examples of exemptions in this zone include maintenance or repair of existing structures, bulkheads for single family residences, emergency repairs, construction of a new single family residence, construction of a pier accessory to a single family residence, etc.

- The policies and procedures of Revised Code of Washington (RCW) Chapter 90.58;
- The regulations in SMC 23.60, Seattle Shoreline Master Program (Shoreline Code); and
- The provisions of Washington Administrative Code (WAC) Chapter 173-27.

a) Consistency with RCW 90.58

DPD's recommendation indicates that the CSO upgrade protects the City's shorelines and does not interfere with the public use of the shoreline. This statement is supported in plans and documents developed by King County for the CSO upgrade, including (1) improvements to the station that expand much of the facility at or below grade within the shoreline zone, (2) the expansion does not intrude on views of the shoreline, (3) the new facility does not degrade pedestrian and vehicular access, as there are no such access to the shoreline on the site and none is proposed and (4) there are new plantings within the shoreline zone that enhance the shoreline. The above ground portions of the CSO expansion occur outside of the shoreline zone.

b) City regulations in SMC Chapter 23.60

There are three sets of development standards in the Shoreline code that affect the proposal:

- i) General shoreline policies;
- ii) General development standards applicable to all development that minimize and, where appropriate, mitigate shoreline impacts and impacts on surrounding properties; and
- iii) Development standards unique to the site's shoreline environment⁸ and the uses associated with the proposal.

i) General shoreline policies

The project upgrades a facility in order to reduce or eliminate pollutants from entering Puget Sound. The facility will continue to provide visual access to Puget Sound. Both actions are consistent with Shoreline goals and policies emphasizing public access and shoreline protection.

ii) General development standards

The location of this public facility on an upland lot⁹ requires compliance with shoreline development standards. These general standards emphasize the reduction of surface runoff containing pollutants into protected bodies of water, along with upgrading and enhancing the shoreline environment. The project is in both the UR and CR environments. The purpose of the CR environment is to protect areas for "environmentally related purposes" including parks, recreation and marine migratory and nesting areas. The purpose of the UR environment is "to protect residential areas". As the request to improve a facility that is

⁸ Seattle has 11 different shoreline environments that guide development permitted in the shoreline

⁹ Upland lots are separated from the ordinary high water mark by a road, right of way or railroad; there are railroad tracks between the site and the shoreline.

designed to improve water quality by reducing or eliminating potential sewage overflow into Puget Sound, the project is in compliance.

iii) Development standards related to the shoreline environment and the proposed uses

Shoreline environments are established by overlays zones on lots within 200 feet of the ordinary high water mark of a regulated body of water. These environments also include specific use and development standards. The upgrade to the pump station, a public facility, protects the water quality in the area. The use does not adversely impact residential uses; its design is mitigated to lessen impacts on an adjacent residential structure. The use, as such, does not detract from the purpose of either shoreline environment.

DPD provided a lengthy analysis of how 20 shoreline development standards in the UR and CR zones related to the proposal. DPD’s analysis on pages 5-7 of their report documents that the proposal meets general development standards for uses authorized in the shoreline and, as such, the shoreline permit should be approved. This is separate from the four modifications to SF zone development standards sought as part of the Council conditional use.

2. Special Use shoreline permit

The CSO upgrade includes the installation of underground piping, which is a type of utility line, within the CR shoreline zone. SMC 23.60.364C authorizes utility lines within the CR zone if “no reasonable alternative location exists” and if related criteria in SMC 23.60.364C are met.

DPD’s recommendation (Pages 8-10) provides a detailed analysis of the criteria that authorizes utility lines in the CR environment. The following table lists the criteria and a summary of how each are met.

Criteria	Rationale
The proposed use will be consistent with Shoreline policies	<ul style="list-style-type: none"> • The project is designed to improve Puget Sound water quality by reducing CSO overflow events • No above ground structures are proposed in the Shoreline zoned portion of the site • Public access and shoreline recreation opportunities related to the shoreline in this area will not be reduced or changed
The proposed use will not interfere with the public use of the public shoreline	There will be short term construction impacts that will occur in the adjacent private park, which will be minimized by reducing access to this area; access to the park and shoreline will still be allowed during construction. The private park owners have given permission for this work on their property.
The proposed use of the site and design will be compatible with other permitted uses in the area	The pipeline and related infrastructure in the shoreline will not be incompatible with surrounding uses; conditions in the shoreline portion of the site will be restored after construction is completed.

Criteria	Rationale
The proposed use will cause no unreasonable adverse impacts to the shoreline environment	Following construction, the site will be restored to preconstruction conditions and will include additional landscaping
The public interest suffers no substantial detrimental effect	While minor short term construction impacts will occur, which includes project mitigation, the long term

iii) Provisions of WAC 173-27

This WAC requires that affected jurisdictions have local permitting systems and that those systems be approved by the Washington State Department of Ecology (WSDOT). The City is in compliance with these provisions.

DPD has recommended that the Special Use authorizing utility lines in a CR environment be approved.

6. Recommendations

A. Council land use action

I recommend that the Transportation Committee move to **APPROVE, with Conditions**, the request for a Council land use action to allow King County to expand an existing CSO at 9921 Triton Drive NW.

B. Substantial Shoreline Development Permit

I recommend that the Transportation Committee move to **APPROVE** the request for a Shoreline Substantial Development Permit, including the Special Use shoreline permit, as detailed in DPD's recommendation.

Finally, the following conditions were recommended by DPD and the Hearing Examiner and should be adopted:

Prior to Commencement of Construction

1. Execute the public outreach plan including: establishment of a website to provide project information and regular updates on construction activities, including names and contact information for project; establishment of a 24-hour construction hotline to promptly respond to questions and complaints; and provide affected public with names and contact information for project contacts. These contacts should also be mailed to nearby property owners (King County should define the appropriate area of the mailings).

During Construction

1. The hours of all major construction work should be limited to between 7:00 AM – 6:00 PM on non-City holiday (pursuant to SMC 25.08.155) weekdays and between 9:00 AM – 6:00 PM Saturdays. Work using impact types of equipment are further limited consistent with subsection SMC 25.08.425 C of the Noise Ordinance.

Construction activities outside the above stated limits, but within the limits of the Noise Ordinance, may be authorized by DPD when a Construction Management Plan is provided and approved. This plan will be coordinated with the DPD Noise Abatement Office (DPD), King County, applicant and the contractor. The plan will include the following elements:

- a. Construction Communication - including a Contact and Community Liaison.
 - b. Construction Hours and Sensitive Receivers - identifying demolition and construction activities within permissible construction hours.
 - c. Construction Noise Requirements - all demolition and construction activities shall conform to the Noise Ordinance, except as approved through the noise variance process.
 - d. Measures to Minimize Noise Impacts – list of measures to be implemented to reduce or prevent noise impacts during demolition and construction activities during standard and non-standard working hours.
 - e. Construction Milestones – a description of the various phases of demolition and construction, including a description of noise and traffic generators, and anticipated construction hours for each phase.
 - f. Construction Noise Management – identify techniques to minimize demolition and construction noise including: timing restrictions, noise reduction construction technologies, process modifications. These techniques may go beyond code requirements.
2. Maintain project website with regular and timely updates for potential construction impacts and generally implement public outreach plan, including maintenance of construction hotline.
3. The applicant shall implement Best Management Practices approved and/or required by the State Department of Ecology and the DPD construction inspector to minimize the amount of erosion caused by construction and operations at the site. Materials and construction methods shall be used which prevent toxic materials, debris, waste material, concrete slurry, petrochemicals, and other pollutants from entering surface water during and after construction. All debris and other waste shall be disposed of in such a way as to prevent entry into Puget Sound.
4. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:
- Stop work immediately and notify DPD (Ben Perkowski 206.684.0347) 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.
 - 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.

For Life of Project

1. All landscaping for project and planting in bioretention facilities shall be monitored and properly maintained.

6. Next Steps

If the Committee recommends approval of the Council land use action described above, and votes to move the Clerk File to full Council, I will draft Council Findings, Conclusion and Decision (FC and D) for full Council review and vote.

**FINDINGS AND RECOMMENDATION
OF THE HEARING EXAMINER FOR THE CITY OF SEATTLE**

In the Matter of the Application of

CF 312299

**KING COUNTY DEPARTMENT OF NATURAL
RESOURCES, WASTEWATER TREATMENT
DIVISION**

For Council Conditional Use approval

DPD Project Nos.:
3012914, 3013346

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CITY OF SEATTLE

Introduction

The applicant, King County Department of Natural Resources, Wastewater Treatment Division, has applied for Council Conditional Use approval to allow a public facility in a Single Family zone, with modification of required setbacks. The project consists of upgrades to the North Beach Pump Station to prevent combined sewage overflows into Puget Sound, and to fulfill permit requirements of the National Pollutant Discharge Elimination System.

The public hearing on this application was held on December 6, 2012. Represented at the hearing were the Director, Department of Planning and Development (DPD), by Ben Perkowski, Senior Land Use Planner; and the applicant King County, by Pamela Erstad, Real Property Agent. The record was held open after the hearing for purposes of the Hearing Examiner's inspection of the site.

For purposes of this recommendation, all section numbers refer to the Seattle Municipal Code ("SMC" or "Code"), as amended, unless otherwise indicated. After due consideration of the evidence elicited during the hearing, the following shall constitute the findings of fact, conclusions and recommendation of the Hearing Examiner on this application.

Findings of Fact

1. King County Department of Natural Resources, Wastewater Treatment Division (King County) is proposing upgrades to the North Beach Pump Station which is located at 2458 NW Blue Ridge Drive. The upgrades include a new electrical/mechanical building (approximately 12'x55'x15'), a 525 square-foot below-grade mechanical room, and a 432 square-foot below-grade odor control vault. Also included in the proposal is the up-sizing of an influent pipeline on the property, from 18-inch diameter pipe to 36-inch diameter pipe. The pipe carries sewage from local sewer lines to the pump station, where it is pumped, conveyed and eventually treated at the West Point Treatment Plant.

A

2. The upgrades are associated with the placement of a wastewater storage tank within the public right of way adjacent to the existing North Beach Pump Station; the storage tank is reviewed under a separate process, and is not the subject of this application for Council Conditional Use approval.
3. In addition to the above upgrades, the existing access road to the site will be replaced and extended to loop around to the north end of the pump station property, in order to improve access for maintenance vehicles. New landscaping would be installed at the pump station and new right-of-way improvements (e.g., sidewalk, curbs and fencing). An existing fence that surrounds the site would be restored or replaced to restrict public access. Bioretention facilities would be installed to treat stormwater runoff. The existing rockery retaining wall along the southwestern boundary would be modified or replaced to facilitate site grading and construction.
4. The proposed upgrades are part of the North Beach Combined Sewer Overflow (CSO) Control Project; the purpose of the project is to prevent untreated CSO discharges to Puget Sound. Under the federal standards administered by the state Department of Ecology, no more than one untreated CSO discharge event per CSO outfall per year on average is allowed. In 2011, North Beach Pump Station experienced 15 overflow events, and the historic average is 10 events. This average equates to approximately 2.2 million gallons of untreated stormwater and wastewater discharging into Puget Sound.
5. The project site is the existing North Beach Pump Station site, which is in the Blue Ridge neighborhood. The site is zoned Single Family 7200 (SF 7200). Blue Ridge Park, a private park with access to the local community only, is located adjacent to and northeast of the pump station.
6. The new above-grade electrical/mechanical building will be 15 feet above grade, and will be lower in elevation than nearby houses. See. Ex. 11, p.11. The building would be located along the west property line where there is an existing berm. The other facilities would be located below-grade to minimize their visual impacts.
7. The up-sizing of the existing 18-inch influent pipeline to a 36 inch pipe, will involve placing new pipe, precast manholes and a cast-in-place overflow structure. All components will be below grade. Most of the excavation associated with the pipeline work will occur within the Shoreline Urban Residential (UR) environment, but some minor overexcavation will occur in the Conservancy Recreation (CR) environment. The work area within the CR environment will consist primarily of temporary operation of equipment that will be used for excavation. An easement is being obtained from the Blue Ridge Club Inc., a private entity, for work in the CR Environment.
8. The proposal will include a new odor control system (the pump station currently does not have odor control facilities) to treat air from the station and from the new CSO storage tank in the street.

9. A bioretention planter is proposed to capture stormwater runoff from the new building's roof. Stormwater from the site will be routed to an on-site catch basin and to a wet well for treatment at the West Point Treatment Plant. Pervious pavements will be used at the site to reduce runoff.

10. New landscaping, fencing and street improvements are also proposed, including several landscape features and a fence design that have been selected by the North Beach community during public outreach meetings with the County; see Ex.11.

11. The trees on the site and along Triton Drive NW and NW 100th have been evaluated. Most of the existing landscaping at the site, including a crab apple tree and a rhododendron will be removed, due to location and condition. The new landscaping on the site includes a vine maple west of the above-grade building, sod and low-maintenance shrubs. Trees in the street right-of-way will also be removed and replaced pursuant to the SDOT permitting process for the CSO storage facility in the right-of-way.

12. Construction activities may take up to 24 months. The work will occur in phases. The proposed work area is within a gated private park, and it is anticipated that this park will be affected for approximately 4-10 months, during which the eastern-most edge of the park will be fenced off because of work at the site. However, the picnic and playground area to the north of the work area will remain open to club members. Construction-related traffic will include heavy construction trucks and construction workers' vehicles moving to and from the construction site. Excavation hauling and delivery of concrete and fill material would require approximately 1,800 truck trips, primarily during the first six months of construction activity. SDOT is currently reviewing a Street Improvement Plan to address construction-related road closures, temporary traffic re-channeling, and a traffic control plan, which must be approved prior to commencement of construction activities.

13. Noise associated with construction activities has been evaluated, and the applicant has proposed a number of measures to ensure that the project will comply with the City's Noise Ordinance (Ch. 25.08); see Ex. 6 and 7.

14. King County as lead Agency for the project issued a SEPA Determination of Nonsignificance (DNS) on April 21, 2011. The DNS was not appealed. DPD has reviewed the checklist and the DNS, and has recommended conditions to mitigate impacts, as described in pages 19-20 of the DPD analysis, Ex.16.

15. DPD has reviewed the proposal pursuant to its authority under SEPA to condition the project, and has concluded that most of the project's potential impacts are adequately addressed by existing City Codes and Ordinances. DPD has recommended a few additional conditions, primarily related to construction, to mitigate the project's impacts, which are set forth in the Director's Analysis and Recommendation.

16. The applicant seeks modifications to four development standards. The applicant proposes a reduction of the required 10-foot side yard setback under SMC 23.44.022. The proposal reduces the side yard setback to six feet (including a one-foot wide arbor to screen the adjacent residential garage) for the new above-ground ancillary building, and a five-foot waiver for the proposed below-ground ancillary building and vault are requested. The County notes that is necessary to reduce the setback because of the location of the existing driveway adjacent to the proposed building. The location of many underground pipes and ancillary utilities at the site prevent the new building from being located elsewhere on the site.

17. The applicant also seeks a reduction of the front yard setback required by SMC 23.44.022. The above-ground portion of the ancillary structure will encroach 10 feet into the required 20-foot front yard setback. The reduction is sought in order to provide access for equipment to service both new and existing buildings, and because locating the structure in the setback allows more light and air to reach the property to the south of the site. The project also includes the placement of an eight-foot tall decorative fence along the front of the property, the same height as the existing fence. The fence design has been selected by the community at North Beach, and will be placed in the same perimeter location as the existing fence.

18. The applicant seeks a modification of the minimum driveway width required by SMC 23.54.030. The proposal includes an extension of the existing driveway, creating a loop so that maintenance vehicles will no longer need to back up onto the street, and also allowing access to pumps located in the CSO drain vault for operation and maintenance activities. The proposed driveway width at the southern end of the site will meet the minimum width requirements of 15-20 feet. But the new driveway at the north end of the site will range from 15 feet to 8.5 feet in width.

19. The applicant also seeks a waiver from the parking standards of SMC 23.54.015.H. There are currently no designated parking spaces at the pump station. The site is gated with no public access. Instead, the proposed buildings are for maintenance purposes and are used infrequently and County equipment is on the site for short durations. There is adequate area for two maintenance vehicles at the site, and the applicant requests that the project not be required to add designated parking spaces.

20. The project will also require a Shoreline Substantial Development permit from DPD to allow expansion of a utility service in the Urban Residential (UR) Shoreline environment. The project also involves some minor excavation and material storage activities which will likely occur in the Conservancy Recreation (CR) environment. The use is permitted outright in the UR environment, and is a special use within the CR environment. DPD has therefore reviewed the project under the general development standards in SMC 23.60.152 as well as the applicable special use criteria of SMC 23.60.032. DPD has determined that the applicable standards of Ch. 23.60 SMC are met, and that a shoreline substantial development permit should be granted. The Director

will issue the shoreline permit and file it with the state Department of Ecology after the City Council issues its decision on the Council Conditional Use.

21. No written public comments were submitted to DPD and no public testimony was offered at the public hearing. One comment letter was submitted to the Hearing Examiner, indicating that the commenter had no objections to the project as long as the building was no more than one story and didn't affect views..

22. King County has for some time been engaged with the North Beach neighborhood to solicit input on the proposal, conducting public meetings and site tours for neighbors and working with individual neighbors who are adjacent to the site. The County has also been working closely with the Blue Ridge Club Inc., the community entity which owns the private park adjacent to the site, regarding access, landscaping, security and other issues. The project's landscape plantings and fencing are based on community input. The County will be conducting regular meetings with the North Beach residents during construction and has established for project website to keep the public informed about the status of construction.

Codes

23. SMC 23.44.036 provides that: *"Public facilities may be permitted in single-family zones as a council conditional use, according to the provisions of 23.51A.002. Public facilities include, but are not limited to, police precinct stations, fire stations, public boat moorages, and utility services uses."*

24. SMC 23.51A.002 provides:

A. Except as provided in subsections B, D and E of this Section 23.51A.002, uses in public facilities that are most similar to uses permitted outright or permitted as an administrative conditional use under Chapter 23.44 are also permitted outright or as an administrative conditional use, subject to the same use regulations, development standards and administrative conditional use criteria that govern the similar use. The City Council may waive or modify applicable development standards or administrative conditional use criteria according to the provisions of Chapter 23.76, Subchapter III, Council Land Use Decisions, with public projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V legislative decisions.

B. Permitted Uses in Public Facilities Requiring City Council Approval. The following uses in public facilities in single-family zones may be permitted by the City Council, according to the provisions of Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions:

1. *Police precinct station;*
2. *Fire station;*
3. *Public boat moorage;*
4. *Utility services use; and*
5. *Other similar use.*

The proponent of any such use shall demonstrate the existence of a public necessity for the public facility use in a single-family zone. The public facility use shall be developed according to the development standards for institutions (Section 23.44.022), unless the City Council makes a determination to waive or modify applicable development standards according to the provisions of Chapter 23.76, Subchapter III, Council Land Use Decisions, with public projects considered as Type IV quasi-judicial decisions and City facilities considered as Type V legislative decisions

25. SMC 23.76.058.D provides that for public projects not meeting development standards, *“the City Council may waive or modify applicable developments standards, accessory use requirements, special use requirements, and conditional use criteria for public projects.”*

Conclusions

1. The Hearing Examiner has jurisdiction to hold a public hearing and make a recommendation on this application pursuant to SMC 23.76.052.
2. Under SMC 23.44.036 and 23.51A.002.B.4, the proposed use may be permitted by Council Conditional Use approval as a utility service use in a public facility in a Single Family zone. Under SMC 23.5.1.002.B.4, a proponent of the use shall demonstrate the existence of a public necessity for the public facility use in a Single Family zone. The proposed upgrades to the existing facility are required to reduce the CSO overflows to no more than one per year, in accordance with the state Department of Ecology mandate. There is a public necessity for this public facility use in the Single Family zone.
3. A public facility use in a Single Family zone is required to be developed according to the development standards for institutions set forth in SMC 23.44.022, unless the City Council makes a determination to waive or modify applicable development standards. The applicable standards of SMC 23.44.022 are discussed below.

4. Dispersion. The proposal would meet the development standards for dispersion under SMC 23.44.022.E. It is a utility service use, and is neither an occupied space nor an institution. It is not within 600 feet of the lot line of any institution or public facility.

5. Demolition. No residential structures would be demolished or have their use changed to provide for parking, consistent with SMC 23.44.022.F.

6. Noise and Odor. SMC 23.44.022.H addresses reduction and mitigation of noise and odor. During operation, the facility's fans and pumps will produce noise. The noise studies conducted by the applicant show that the expected noise levels are within the levels allowed by the City's Noise Ordinance. Construction noise will also be required to comply with the Noise Ordinance, unless a noise variance is granted under the Ordinance. The Director has also limited the hours of construction as a SEPA condition on the project. The ancillary mechanical building will be equipped with odor control equipment to control odors from the CSO, and the filter materials will be replaced on a schedule to prevent odors. Noise and odors have been mitigated so as to be consistent with this standard.

7. Landscaping. The proposed landscaping would be consistent with the standard of SMC 23.44.022.I. Landscaping has been selected to integrate with the adjacent areas, while maintaining access to the facilities. Sod will be used to reduce the potential for erosion or stormwater runoff, and low maintenance plants, compatible with those in the neighborhood, will be used. Fencing and screening have been selected based on input from the neighborhood to ensure that these elements are compatible with the neighborhood.

8. Light and glare. The ancillary mechanical building will have lighting that is shielded and directed away from the nearby residentially zoned lots, consistent with SMC 23.44.022.J. The roof will be constructed of non-reflective materials.

9. Bulk and Siting. The existing site is less than an acre in size. The triangular-shaped lot has only three sides and the siting of the mechanical building has been chosen so as to minimize impacts on the adjacent residential areas. The building would comply with the required rear yard setback, but would not comply with the required front and side yard setbacks, and modifications of those standards are requested as discussed in the Findings and below. SMC 23.44.022.K provides that the Director may reduce the required yards on a finding that the reduction will not significantly increase the project's impacts, and the applicant seeks a modification of the standards as part of its request for Council Conditional Use approval.

10. Parking and Loading. There is no existing parking at the site. Under SMC 23.44.022.L, parking is to be provided as required by SMC 23.54.015, unless that requirement is waived or modified. As noted in the Findings and below, the proposal includes a request for a waiver from the parking standards of SMC 23.54.015.

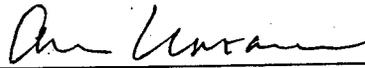
11. The requested modifications to the required side and front yard setbacks should be granted, as they do not increase any project impacts and may reduce the project's impacts on adjacent residences. The modification to the minimum driveway width should be granted, since it will allow creation of a longer driveway that will eliminate the need for service vehicles to back up into the street as is currently the case. The proposed waiver of parking standards should also be granted. There are currently no designated parking spaces and the site is gated with no public access, with only County equipment accessing the site, and there is adequate space for short duration parking of maintenance vehicles. The waiver of parking standards at the site would create no additional impacts and would allow the small site to be efficiently utilized for improvements to the pump station.

12. The proposal with the conditions proposed by the Director meets the criteria for Council Conditional Use approval, and should therefore be granted.

Recommendation

The Hearing Examiner recommends the City Council grant approval of the requested Council Conditional Use.

Entered this 17th day of December, 2012.



Anne Watanabe
Deputy Hearing Examiner

CONCERNING FURTHER REVIEW

NOTE: It is the responsibility of the person seeking further review to consult appropriate Code sections to determine applicable rights and responsibilities.

Pursuant to SMC 23.76.054, any person substantially affected by a recommendation of the Hearing Examiner may submit an appeal of the Hearing Examiner's recommendation to the City Council. The appeal must be submitted within fourteen (14) calendar days following the date of the issuance of the Hearing Examiner's recommendation, and be addressed to: Planning, Land Use and Sustainability Committee, c/o Seattle City Clerk, 600 Fourth Avenue Floor, P.O. Box 94728. Seattle, WA 98124-4728. The appeal shall clearly identify specific objections to the Hearing Examiner's recommendation and specify the relief sought.



City of Seattle

Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND SUBSTANTIVE CONDITIONING OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT

DPD Project Number: 3012914, 3013346 (CF #311872) 312299
Applicant Name: Pam Erstad for King County
Address of Proposal: 9921 Triton Dr. NW

SUMMARY OF PROPOSED ACTION

Shoreline Substantial Development Application to expand a public facility by allowing a 1,900 square-foot ancillary mechanical building in an environmentally critical area on the existing North Beach Pump Station site to support the support the King County North Beach Combined Sewer Overflow Project. Review includes related project for construction access under 3013346. Determination of Non-Significance and associated Addendum have been prepared by King County.

The following approvals are required:

Shoreline Substantial Development Permit to allow expansion of a utility service in the Urban Residential (UR) Shoreline Environment.

City Council Land Use Action to allow a public facility in a Single Family zone pursuant to SMC 23.51A.002 (B) (4) and modification of Single Family front and side yard setbacks.

SEPA - Conditioning Only - Chapter 25.05, Seattle Municipal Code.

SEPA DETERMINATION: [] Exempt [X] DNS [] MDNS [] EIS
[X] DNS with conditions

BACKGROUND, SITE AND PROPOSAL

King County Department of Natural Resources, Wastewater Treatment Division (County), is proposing upgrades to the North Beach Pump Station (pump station) located at 2458 N.W. Blue Ridge Drive. The purpose of the upgrades is to prevent combined sewage overflows into Puget Sound and to fulfill permit requirements of the

City of Seattle Hearing Examiner

EXHIBIT

Appellant
Respondent
Department ADMITTED DENIED

16

FILE # 3012914 DE 312299

B

National Pollutant Discharge Elimination System. In 2008, the County reported that the North Beach Combined Sewer Overflow (CSO) facility had ten overflows per year on average, discharging a total of 2.2 million gallons of untreated stormwater and wastewater annually into Puget Sound. The County will build an underground storage facility within the Right-of-Way (ROW), modify the existing pump station, and build new ancillary equipment facilities in order to fulfill requirements that allow no more than one untreated discharge per location per year on average established by the Washington State Department of Ecology (DOE).

More specifically, King County proposes to construct a wastewater storage facility in street ROW adjacent to the existing North Beach Pump Station and associated facilities on the King County-owned pump station property. In addition to the storage facility, the proposed project would include construction of a new diversion structure and ancillary equipment facility. All flows will continue to be conveyed to the pump station as currently configured. Flows would be routed through a new diversion weir within the pump station to the new storage facility.

Above-grade structures will include a new 624 square-foot electrical/mechanical building (approximately 52 feet long x 12 feet wide). Below-grade structures will include a 525 square-foot mechanical room, and a 432 square-foot odor control vault. This equipment will be used to control and monitor the flows in the underground storage facility that will be approximately 230 feet in length constructed underground primarily in the rights of way of Triton Drive NW and NW Blue Ridge Drive. The electrical/mechanical building will be located on the existing pump station property, partially within an Urban Residential Shoreline Environment.

There is an existing 18-inch diameter influent sewage pipe located on the pump station property that will need to be up-sized to a 36-inch pipe. Minor piping reconfiguration will occur with the new influent sewage pipe consisting of: pipe, precast manholes, and a cast-in-place overflow structure. All components will be below grade. Currently, this pipe carries sewage from local (city) sewer lines to the pump station where it is then pumped, conveyed, and eventually treated at the West Point Treatment Plant.

The up-sizing of the existing 18-inch influent pipeline will require excavation, primarily within the Urban Residential zone although there may be some minor over-excavation that will carry into the Conservancy Recreation (CR) zone. Work within the CR zone will be used primarily to operate the equipment for excavation. The work area within the CR zone will encompass approximately 2,940 sq. ft. (20-ft. wide by 147-ft. long).

An easement will be obtained from the Blue Ridge Club Inc. (Club) for work in the CR Environment although the majority of excavation will occur within the Urban Residential zoning classification and will be temporary in nature.

Modifications to the North Beach Pump Station site would include the following items: 1) the existing access road will be replaced and extended to loop around to the north end of the pump station property. This will avoid maintenance vehicles from having to back up onto the street and allow operations access to the storage facility drain pumps,

2) the existing fence that surrounds the pump station site would be restored or replaced to restrict public access during construction and after project completion, 3) bioretention facilities would be installed to treat stormwater runoff, and 4) the existing rockery retaining wall along the southwestern boundary would be modified or replaced to facilitate site grading and construction.

Public Comment

The DPD comment period for this proposal ended on June 4th, 2012. During the public comment period, DPD received no public comment letters.

ANALYSIS — SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

Section 23.60.030 of the Seattle Municipal Code provides criteria for review of a shoreline substantial development permit and reads: A substantial development permit shall be issued only when the development proposed is consistent with:

- A. *The policies and procedures of Chapter 90.58 RCW;*
- B. *The regulations of this Chapter; and*
- C. *The provisions of Chapter 173-27 WAC.*

Conditions may be attached to the approval of a permit as necessary to assure consistency of the proposed development with the Seattle Shoreline Master Program and the Shoreline Management Act.

THE POLICIES AND PROCEDURES OF CHAPTER 90.58.RCW

Chapter 90.58 RCW is known as the Shoreline Management Act of 1971. It is the policy of the State to provide for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses. This policy contemplates protecting against effects to public health, the land use and its vegetation and wild life, and the waters of the state and their aquatic life, while protecting public right to navigation and corollary incidental rights. Permitted uses in the shoreline shall be designed and conducted in a manner to minimize, insofar as possible, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water.

The Shoreline Management Act provides definitions and concepts, and gives primary responsibility for initiating and administering the regulatory program of the Act to local governments. The Department of Ecology is to primarily act in a supportive and review capacity, with primary emphasis on insuring compliance with the policy and provisions of the Act. As a result of this Act, the City of Seattle and other jurisdictions with shorelines, adopted a local shoreline master program, codified in the Seattle Municipal Code at Chapter 23.60.

Development on the shorelines of the state is not to be undertaken unless it is consistent with the policies and provisions of the Act, and with the local master program. The Act sets out procedures, such as public notice and appeal requirements, and penalties for violating its provisions.

The proposal is subject to the Shoreline Policies of SMC 23.60:004 because the site is located within the shoreline district and the cost of the project exceeds \$6,614. The proposed development has been designed to ensure minimum impact to the public health, land and waters of the state, and their aquatic life. The location of the proposed work on the shoreland will not interfere with the public rights of navigation and corollary rights, thus providing for the management of the shorelines by planning for and fostering all reasonable and appropriate uses. Therefore, the subject application is consistent with the procedures outlined in RCW 90.58.

A. THE REGULATIONS OF CHAPTER 23.60

Chapter 23.60 of the Seattle Municipal Code is known as the "Seattle Shoreline Master Program." In evaluating requests for substantial development permits, the Director must determine that a proposed use meets the approval criteria set forth in SMC 23.60.030 (cited above). Development standards of the shoreline environment and underlying zone must be considered, and a determination made as to any special requirements (shoreline conditional use, shoreline variance, or shoreline special requirements use permit) or conditioning that is necessary to protect and enhance the shorelines area (SMC 23.60.064).

Pursuant to SMC 23.60.064C, in evaluating whether a development which requires a substantial development permit, conditional use permit, variance permit or special use authorization meets the applicable criteria, the Director shall determine that the proposed use: 1) is not prohibited in the shoreline environment and the underlying zone and; 2) meets all applicable development standards of both the shoreline environment and underlying zone and; 3) satisfies the criteria for a shoreline variance, conditional use, and/or special use permits, if required.

SMC 23.60.004 - Shoreline Policies

The Shoreline Goals and Policies which are part of the Seattle Comprehensive Plan's Land Use Element and the purpose and locational criteria for each shoreline environment designation contained in SMC 23.60.220 must be considered in making all discretionary decisions in the shoreline district.

The Shoreline Goals and Policies are located in Section C-4 of the Land Use Element. There are three goals specific to the protection of the shoreline and aquatic environment: LUG 43, "Protect those areas of shoreline that are geologically dangerous or fragile, or biologically fragile."; LUG 48, "Preserve, protect and restore areas such as those necessary for the support of wild and aquatic life or those identified as having geological or biological significance."; and LUG 49, "Insure that all future uses will preserve and protect environmental systems, including wild and aquatic life." The overall project purpose is to prevent combined sewage overflows into Puget Sound and to fulfill requirements of the National Pollutant Discharge Elimination System. The project will enable the County to capture and direct untreated flows into a new storage pipe instead of Puget Sound, which will improve water quality and shoreline habitat in this area and Puget Sound, and is consistent with the Land Use goals cited above for protection of the natural shoreline environment.

The existing North Beach Pump Station and the proposed upgrades at and adjacent to the station are located partially within the Urban Residential and Conservancy Recreation Shoreline Environments. Pursuant to SMC 23.60.220, the purpose of the UR Environment is to protect residential uses. The purpose of the CR Environment is to preserve, protect, restore, or enhance certain areas which are particularly biologically or geologically fragile and to encourage the enjoyment of those areas by the public. The overall project purpose is to prevent combined sewage overflows into Puget Sound and to fulfill requirements of the National Pollutant Discharge Elimination System. The project will enable the County to capture and direct untreated flows into a new storage pipe instead of Puget Sound, which will improve water quality and shoreline habitat in this area and Puget Sound. Public access to the shoreline will remain unchanged following the project. The proposed mechanical building and other upgrades and best management practices that will be employed during construction described above and/or in more detail in the application serves the overall project purpose use as well as the purpose of the UR and CR Shoreline Environments.

Development Standards

The proposal would constitute utility service use and utility lines. Utility lines are permitted as special use in the CR environment, while both uses are permitted outright in the UR Environment. Pursuant to the Seattle Shoreline Master Plan, the proposed action is therefore subject to:

Development Standards

1. *the general development standards (SSMP 23.60.152);*
2. *the development standards for uses in the UR and CR environments (SMC 23.60.570 – .578 and SMC 23.60.390-400).*

1. General Development Standards for all Shoreline Environments (SMC 23.60.152)

All uses and developments shall be subject to the following general development standards:

- A. *The location, design, construction and management of all shoreline developments and uses shall protect the quality and quantity of surface and ground water on and adjacent to the lot and shall adhere to the guidelines, policies, standards and regulations of applicable water quality management programs and regulatory agencies. Best Management Practices such as paving and berming of drum storage areas, fugitive dust controls and other good housekeeping measures to prevent contamination of land or water shall be required.*
- B. *Solid and liquid wastes and untreated effluents shall not enter any bodies of water or be discharged onto the land.*
- C. *Facilities, equipment and established procedures for the containment, recovery and mitigation of spilled petroleum products shall be provided at recreational marinas, commercial moorage, vessel repair facilities, marine service stations and any use regularly servicing vessels.*
- D. *The release of oil, chemicals or other hazardous materials onto or into the water shall be prohibited. Equipment for the transportation, storage, handling or application of such materials shall be maintained in a safe and leak proof condition. If there is evidence of*

leakage, the further use of such equipment shall be suspended until the deficiency has been satisfactorily corrected.

- E. All shoreline developments and uses shall minimize any increases in surface runoff, and control, treat and release surface water runoff so that receiving water quality and shore properties and features are not adversely affected. Control measures may include, but are not limited to, dikes, catch basins or settling ponds, interceptor drains and planted buffers.*
- F. All shoreline developments and uses shall utilize permeable surfacing where practicable to minimize surface water accumulation and runoff.*
- G. All shoreline developments and uses shall control erosion during project construction and operation.*
- H. All shoreline developments and uses shall be located, designed, constructed and managed to avoid disturbance, minimize adverse impacts and protect fish and wildlife habitat conservation areas including, but not limited to, spawning, nesting, rearing and habitat areas, commercial and recreational shellfish areas, kelp and eel grass beds, and migratory routes. Where avoidance of adverse impacts is not practicable, project mitigation measures relating the type, quantity and extent of mitigation to the protection of species and habitat functions may be approved by the Director in consultation with state resource management agencies and federally recognized tribes.*
- I. All shoreline developments and uses shall be located, designed, constructed and managed to minimize interference with or adverse impacts to beneficial natural shoreline processes such as water circulation, littoral drift, sand movement, erosion and accretion.*
- J. All shoreline developments and uses shall be located, designed, constructed and managed in a manner that minimizes adverse impacts to surrounding land and water uses and is compatible with the affected area.*
- K. Land clearing, grading, filling and alteration of natural drainage features and landforms shall be limited to the minimum necessary for development. Surfaces cleared of vegetation and not to be developed shall be replanted. Surface drainage systems or substantial earth modifications shall be professionally designed to prevent maintenance problems or adverse impacts on shoreline features.*
- L. All shoreline development shall be located, constructed and operated so as not to be a hazard to public health and safety.*
- M. All development activities shall be located and designed to minimize or prevent the need for shoreline defense and stabilization measures and flood protection works such as bulkheads, other bank stabilization, landfills, levees, dikes, groins, jetties or substantial site regrades.*
- N. All debris, overburden and other waste materials from construction shall be disposed of in such a way as to prevent their entry by erosion from drainage, high water or other means into any water body.*
- O. Navigation channels shall be kept free of hazardous or obstructing development or uses.*

P. No pier shall extend beyond the outer harbor or pierhead line except in Lake Union where piers shall not extend beyond the Construction Limit Line as shown in the Official Land Use Map, Chapter 23.32, or except where authorized by this chapter and by the State Department of Natural Resources and the U.S. Army Corps of Engineers.

The Stormwater Code (SMC 22.800) places considerable emphasis on protecting water quality. This generally takes the form of best management practices being required on building permits. The applicant has provided a construction best management practices plan sheet (Sheet S 1). These measures, including required temporary erosion and sediment control measures for construction as described in the SEPA checklist and application material, will be adequate to ensure protection of the shoreline area from the construction that is proposed, and will be required to be implemented during construction as a condition of approval.

Following construction of the proposed project, stormwater runoff on the pump station site would be directed to new bioretention facilities on the property, which will help protect shoreline resources.

As described above, the completed project will result in reduced volumes of untreated stormwater and sanitary sewage that is discharged to Puget Sound at this location, which will contribute to long term improvements in water quality and habitat quality at this location and in Puget Sound.

Development Standards for UR Shoreline Environment (SMC 23.60.570-.578) and CR Shoreline Environment (SMC 23.60.390-.400)

The development standards set forth in the Urban Residential (UR) Shoreline Environment and Conservancy Recreation (CR) relate to critical habitat protection, height, lot coverage, view corridors, setbacks, water-related uses on waterfront lots and public access. The proposal conforms to all applicable development standards for the UR and CR environments.

Development Standards for Public Facilities in Single Family Zones (SMC 23.51A.002)

Land Use Code requires that utility service uses be developed to the institution standards, unless modified by the City Council. See Council Conditional Use section below.

SMC 23.60.540 – Uses Permitted Outright in the UR Environment

The proposal does not change the current use of the property and is consistent with allowed uses in the Urban Residential environment.

SMC.23.60.364 - Special Uses in the CR Environment.

The proposal includes work in the CR Environment related to the installation of a utility pipe, which requires special use approval pursuant to SMC 23.60.364 C, as analyzed below.

ANALYSIS – SHORELINE SPECIAL USE

Utility lines are permitted as a Special Use in the CR environment pursuant to SMC 23.60.364 C, if “no reasonable alternative location exists” and the special use criteria of Section 23.60.032 are met, as analyzed here:

A. *That the proposed use will be consistent with the policies of RCW 90.58.020 and the Shoreline Policies;*

- Recognize and protect the statewide interest over local interest

As mentioned above, the project was initiated to meet regulatory requirements from DOE to reduce untreated sewage overflows into Puget Sound. The proposed project will improve water quality in Puget Sound, identified as a Shoreline of Statewide Significance, by reducing untreated sewage/stormwater overflows from approximately 10 overflows per year on average to no more than one overflow per year on average.

- Preserve the natural character of the shoreline

The natural character of the shoreline will be preserved. Once the existing pipe is replaced, excavated soils will be backfilled and surface grades and landscaping will be restored. Because there will be no above-ground structures, views will not be impeded.

- Result in long term over short term benefit

The project will result in long-term benefits because the existing pipe will be up-sized to accommodate higher flows of sewage and stormwater runoff. Currently, untreated runoff goes directly into Puget Sound during storm events. Once the project is complete, the runoff will be directed into a large storage pipe in the right-of-way where it will be stored and eventually treated at the West Point Treatment Plant.

- Protect the resources and ecology of the shoreline

The ecology of the shoreline will be improved once the project is complete. Replacing and up-sizing the pipe will enable the County to capture and direct untreated flows into a new storage pipe instead of Puget Sound. Nearshore critical habitats will be improved through better water quality.

- Increase public access to publicly owned areas of the shorelines

Public access to shorelines will remain unchanged after the project is complete. The location of work will be on the eastern edge of the Shoreline Designation and will only extend 15-ft. into the Shoreline Designation boundary. The proposed work area is located within a gated private park owned by the Club - access to the park is restricted to members only. The County has been working with board members who are amenable to providing a temporary easement for the work. Once the work is complete, the site will be restored to its original condition.

Westward of the gated park is the Burlington Northern Santa-Fe Railway track which is immediately adjacent to Puget Sound. Work will occur no closer than 185-ft. from the mean higher high water line.

- Increase recreational opportunities for the public in the shoreline

Overall, recreational opportunities for the public will be the same once the project is complete although from a public health and safety perspective, there will be improvements. Club members own a portion of the beach fronting Puget Sound and have access via a path. The general public also has access to the beach within the vicinity of the park via Golden Gate Park. As mentioned above, there are approximately 10 CSO overflows per year on average going out into Puget Sound. Once the overall project is complete, it is anticipated that CSO overflow will be reduced to no more than one per year on average. Public use of the beach will be safer because untreated discharges will be greatly reduced.

- Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary

See below.

B. That the proposed use will not interfere with the normal public use of public shorelines;

There will be short-term impacts for recreational opportunities within the private park during the proposed work, approximately 4-10 months. The 2,940 sq. ft. area where equipment will operate will be fenced to exclude park members from entering the work site. Impacts will be minimized because the fenced work area will be along the eastern-most edge of the park; the picnic shelter and playground area are located north of the proposed work area and will remain open to Club members. Required signage will be installed to ensure public safety and the County will be working with the Club to install additional signage as needed.

C. That the proposed use of the site and design of the project will be compatible with other permitted uses within the area;

The proposed work within the CR zone will not affect future compatibility with other permitted uses within the area and will be used primarily for operation of equipment associated with the installation of the pipeline. All work areas will be restored to existing conditions once work is complete.

D. That the proposed use will cause no unreasonably adverse effects to the shoreline environment in which it is to be located;

Please refer to bulleted items above.

E. That the public interest suffers no substantial detrimental effect.

There will be short-term minor detrimental impacts to the community due to noise, dust, and traffic during construction. Although the work will be conducted within a park designated as a CR zone, impacts to the public at-large will be minor because work will be temporary and only Club members have access to the park. As mentioned above, the Club Board has expressed that they would be amenable to allow the County to conduct the work within their property.

Therefore, the proposal meets the criteria for Special Use approval.

CONCLUSION - SHORELINE SPECIAL USE

DPD recommends approval of the proposed shoreline special use for the utility line use in the CR Environment.

B. THE PROVISIONS OF CHAPTER 173-27 WAC

WAC 173-27 establishes basic rules for the permit system to be adopted by local governments, pursuant to the language of RCW 90.58. It provides the framework for permits to be administered by local governments, including time requirements of permits, revisions to permits, notice of application, formats for permits, and provisions for review by the state's Department of Ecology (DOE). As the Seattle Shoreline Master Program has been approved by DOE, consistency with the criteria and procedures of the SMC Chapter 23.60 is also consistency with WAC 173-27 and RCW 90.58.

Summary

Development requiring a Shoreline Substantial Development Permit can only be approved if it conforms to the policies and procedures of the WAC and RCW and with the regulations of Chapter 23.60 of the Seattle Shoreline Master Program.

The project as proposed meets the specific standards for development in the UR and CR environments. It also conforms to the general development standards, as well as the requirements of the underlying zone.

The Director's authority under Seattle's Shoreline Master Program is to ensure that development proposals are consistent those policies and procedures, and conforms to specific development standards of the underlying zones. Having established that the proposal is consistent with the Seattle Shoreline Program, it is hereby conditionally approved.

RECOMMENDED DECISION - SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

The Director recommends that the Shoreline Substantial Development Permit be **CONDITIONALLY GRANTED** subject to the conditions listed at the end of this report.

ANALYSIS – COUNCIL CONDITIONAL USE

According to SMC 23.44.036 (Public Facilities in Single-Family Residential zones), public facilities are allowed as a Council Conditional Use under SMC 23.51A.002, provided construction is consistent with development standards under SMC 23.44.022 (development standards for Institutions). Pursuant to SMC 23.51A.002 B (4), utility service uses in public facilities in Single Family zones may be permitted by the City Council, according to the provisions of Chapter 23.76

The proponent of any such use shall demonstrate the existence of a public necessity for the public facility use in a Single Family zone. The public facility use shall be developed according to the development standards for institutions (Section 23.44.022), unless the City Council makes a determination to waive or modify applicable development standards according to the provisions of Chapter 23.76, Subchapter III, Council Land Use decisions, with public projects considered Type IV quasi-judicial decisions.

Pursuant to SMC 23.76.058 D, the City Council may waive or modify applicable development standards, accessory use requirements, special use requirements, and conditional use criteria for public projects. King County seeks Council approval to waive development standards for front and side setbacks, driveway width and parking, as analyzed below.

SMC 23.76.050 requires the DPD Director to draft a written report on Type IV decision, which includes the following analysis and information:

1. The written recommendations or comments of any affected City departments or governmental agencies having an interest in the application;

DPD did not receive any comments or recommendations from other City departments or governmental agencies as a result of the public comment period.

King County Department of Natural Resources and Parks, Wastewater Treatment Division, issued a DNS dated April 21, 2011, which analyzed the probable impacts of the proposal and determined that none of the impacts were significant or warranted additional conditions.

2. Responses to written comments submitted by interested citizens;

DPD did not receive any public comments in response to the notice of application. King County did not indicate that they received any public comments in response to the DNS.

3. An evaluation of the proposal based on the standards and criteria for the approval sought and consistency with applicable City policies;

Pursuant to SMC 23.51A.002 B (4), utility service uses in public facilities in Single Family zones may be permitted by the City Council, according to the provisions of Chapter 23.76

The proponent of any such use shall demonstrate the existence of a public necessity for the public facility use in a Single Family zone. The public facility use shall be developed according to the development standards for institutions (Section 23.44.022), unless the City Council makes a determination to waive or modify applicable development standards according to the provisions of Chapter 23.76, Subchapter III, Council Land Use decisions, with public projects considered Type IV quasi-judicial decisions.

The following are applicable development standards pursuant to SMC 23.44.022:

23.44.022 E. Dispersion

The North Beach CSO project is a utility service use, and neither an occupied space nor an institution. It is not within 600 feet of the lot line of any institution or public facility.

23.44.022 F Demolition

No residential structures will be demolished or their use changed to provide for parking.

23.44.022 H. Noise and Odor

Equipment fans and pumps will produce some operational noise. The impact of this noise will meet the levels provided in SMC 25.08.425 by using specialized equipment, the building structure itself, or by containing the equipment in specially constructed enclosures. The stand-by generator is exempt from daytime noise levels during emergency power outages and during periodic testing.

Noise created during construction will be mitigated by the use of equipment and methods, such as drilling instead of driving piles to meet daytime construction noise levels, and if necessary, by constructing sound walls.

The ancillary mechanical building will be equipped with odor control equipment to control odors from the CSO. The filter material will be replaced on a schedule that will prevent odors from occurring. There are no other odor generators on the site.

23.44.022 I. Landscaping

In order to integrate the property with the adjacent areas while maintaining access to the facilities, much of the pervious area will be established as sod. Sod utilized within the site will reduce the potential for erosion or extensive stormwater runoff. Low maintenance plants that are compatible with the neighborhood will be used for screening along the area fronting the street.

The flora in the surrounding neighborhood consists of a variety of plants common to residential neighborhoods. Plants selected will be low maintenance varieties compatible with the neighborhood. Screening, view preservation, ease of maintenance, and security will be elements considered for the perimeter landscaping.

Due to the small area available for work space during construction, and the inadequate screening quality of the existing landscape shrubs and two trees on the site, it is anticipated that none of the current landscaping will be retained.

Sidewalks, curbs and a planting strip are required along the frontage by SMC 23.53. SDOT will provide planting requirements for the planting strip in the right of way.

The construction of the CSO storage facility in the right of way will require removal of six Leyland Cypress trees in the street right-of-way. Trees that are removed will be replaced according to requirements provided by SDOT. An arborist will be retained to provide best management practice to avoid impacts on trees near the construction area.

23.44.022 J. Light and Glare

The ancillary mechanical building will be equipped with lighting that is shielded and directed away from residentially zoned lots. The roof of the ancillary mechanical building will be constructed of material that will not reflect light.

23.44.022 K. Bulk and Siting

The existing pump station property is not more than one acre. The pipes and structures in the right of way will all be constructed underground.

Due to the triangular shape of the lot, the property contains only three sides. The frontage on the street is the southerly boundary, and the other boundaries are west and north-west.

The ancillary mechanical building will be located to comply with the rear yard setback. In order to maintain access to both the existing pump station and the ancillary mechanical building, and minimize view impacts to the neighborhood and the neighboring property, the ancillary mechanical building is proposed to encroach into the required front and side yard setbacks as shown on the plans.

Modifications of these development standards are requested in the section below on "Requested modifications of development standards."

SMC 23.44.022 M Transportation Plan

The proposed project is not a new institution, and will not cause expansion of larger than 4,000 square feet of structure. There is no employee parking and therefore no parking spaces on the property. Sufficient area is provided for two maintenance vehicles. Therefore, a transportation plan is not required.

Requested Modifications of Development Standards

Pursuant to SMC 23.76.058 D, the City Council may waive or modify applicable developments standards, accessory use requirements, special use requirements, and conditional use criteria for public projects. King County seeks Council approval to modify/waive the following development standards as summarize in Table A:

Table A

Code Section	Requirement	Provided
SMC 23.44.022 K	10 foot side yard setback	Above-ground portion of mechanical building would have five-foot setback (includes a one-foot-wide arbor to screen adjacent building)
SMC 23.44.022	20 foot front yard setback	Above-ground portion of mechanical building would encroach 10 feet into 20-ft setback
SMC 23.54.030	Minimum width standards for driveway of 15 feet to 20 feet	Portions of new extended driveway at north end of site would range from 15-feet wide to 8.5-feet wide
SMC 23.54.015	Parking standards	Waive requirement for additional parking beyond existing

SMC 23.44.022 - Side-yard setback

The side-yard setback for institutions in Single Family zones is ten feet. SMC 23.44.022.K.2 states the Director may reduce this setback to five feet provided the reduced setback will not significantly increase impacts to the surrounding community.

King County is requesting a waiver to reduce the setback to six feet (plus a 1-ft. arbor that will be used to screen the adjacent residential garage) for construction of a new above-ground ancillary mechanical/electrical building and a five-foot waiver for the proposed below-ground ancillary equipment building and vault. King County states that the project could not achieve setback requirements because the existing driveway is immediately adjacent to the proposed building; also, there are many underground pipes and ancillary utilities at the site that excluded other potential areas under consideration for locating new facilities at the existing pump station.

SMC 23.44.022 - Front-yard setback

The above-ground portion of the ancillary mechanical structure, excluding the bioretention planter, will encroach 10 feet into the 20 foot front-yard setback. The structure needs to be located partially in the front yard setback in order to provide access for equipment to service both the new and existing buildings. In addition, locating the structure in the set-back will permit light and air to the property to the south, which would otherwise be impacted. All other improvements within the front yard setback will be at or below grade, including the fuel storage tank, piping, a portion of the underground CSO storage structure, and driveway improvements.

A new decorative fence will be installed along the front of the property. King County has been working closely with the community at North Beach and a landscape architect retained by King County has provided several designs from which to choose from. The community chose the fence design (rendering included with application materials) and it will be replaced in its current location on the lot line perimeter. The height will also remain the same - eight-feet tall. Street frontage improvements, including a planting strip, are required pursuant to SMC 23.53, providing landscaping and visual interest facing the street; King County has included a landscape and planting plan for approval by SDOT.

SMC 23.54.030 - Minimum driveway widths

There is an existing driveway at the site. Currently, when a maintenance vehicle is present on site, the vehicle must back up onto the street. For safety, King County is proposing to extend the driveway so it can loop back onto the road at the north end of the site. This will also allow access to pumps located in the CSO drain vault for operation and maintenance activities.

According to SMC 23.54.030; the proposed driveway at the southern end of the site will meet the minimum width requirements of 15-20 feet; however, the new extended driveway at the north end of the site will be below minimum width standards along some areas, ranging from 15 feet wide down to 8.5 feet wide along a short portion at the west end of the site. Potential impacts of the reduced driveway widths along the north should be minimal for several reasons: 1) the driveway is used infrequently, normally no more than once per week, and 2) there will be no need for standard maintenance vehicles to back out of the driveway thereby reducing/eliminating safety concerns regarding vehicle turn-arounds.

SMC 23.54.015 H – Parking standards

There are currently no designated parking spaces at the pump station. The existing and proposed ancillary mechanical/electrical buildings are used for maintenance purposes only and are used infrequently. County equipment for the purpose of routine maintenance will be on the site during the day for short durations and there is an adequate area for two vehicles. Because the site currently has no designated parking spaces at the site and because the site is gated with no public access, the applicant requests that no new parking be required.

4. All environmental documentation, including any checklist, EIS or DNS;

King County Department of Natural Resources and Parks, Wastewater Treatment Division, issued a DNS dated April 28, 2011, which analyzed the probable impacts of the proposal and determined that none of the impacts were significant or warranted additional conditions. The Environmental Checklist with the DNS lists additional environmental information/documents on pages 2 and 3.

5. The Director's recommendation to approve, approve with conditions, or deny a proposal.

DPD recommends approval of this public facility in a Single Family zone.

Conclusion

The City Council must make a determination if it will allow the North Beach Combined Sewer Overflow Project (public facility) in a Single Family zone. Waiving or modifying applicable development standards shall be in accordance with the provisions of Chapter 23.76, Subchapter III, Council Land Use Decisions, with public projects considered as Type IV quasi-judicial decisions. Since this proposal includes Type II SEPA conditioning and Shoreline Substantial Development Permit, those decisions will also be made by City Council simultaneous with the Type IV decision for the public facility pursuant to SMC 23.76.A.

Recommendation – Council Approvals

DPD recommends approval of King County's North Beach Combined Sewer Overflow Project (public facility) in a Single Family zone and the requested waiver and modifications of development standards analyzed above.

ANALYSIS - SEPA

Environmental impacts of the proposal have been analyzed in the environmental documents prepared by King County's Wastewater Treatment Division. The applicant submitted an environmental checklist and threshold determination for this project dated April 28, 2011. The information in the checklist, construction plans, information submitted by the applicant and the experience of the Department with the review of similar projects form the basis for this analysis and SEPA conditioning.

The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant; and reviewed the project plans and any additional information in the file. As indicated in King County's determination of non-significance, this action will 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 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. Short-term adverse impacts are anticipated from the proposal. No adverse long-term impacts are anticipated.

Short - Term Impacts

Construction Impacts

Construction activities for the project could result in the following adverse impacts: construction dust, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and an increase in traffic and parking impacts due to construction workers' vehicles. Although not significant, the impacts are adverse and certain mitigation measures are appropriate as specified below.

Temporary traffic impacts would result during construction for as long as 24 months. Heavy construction trucks and personal vehicles moving to and from the construction site and onto the local street system may cause temporary increases in traffic volumes and possible congestion in the area. Traffic could be periodically stopped along access roads to allow truck and trailer access to the construction site, causing delays for general purpose traffic. Excavation hauling and delivery of concrete and fill material would require approximately 1,800 truck trips, most of which will occur during the first 6 months of construction and taper off over the following months. Construction would temporarily impact residential access and parking for up to 3 residences on the north side of project and up to 3 residences on the south side of NW Blue Ridge Drive. King County has committed to discussing with each affected property owner prior to commencing construction activities. Prior to any temporary road closures, coordination would be conducted with all service providers in the area to ensure service to area residents is maintained throughout.

King County is currently under Street Improvement Plan review where SDOT is addressing how construction activities such as road closures and temporary traffic re-channeling will be reviewed for the related piping in adjacent rights of way. As part of the required street use permit, a traffic control plan will be submitted to SDOT and approved prior to commencing any construction activities. As a result no conditioning is necessary related to these specific activities.

Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project, such as: Noise Ordinance; Street Use Ordinance; Grading and Drainage Code; Environmentally Critical Areas Ordinance, Land Use Code and Building Code.

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Seattle Department of Transportation.

Construction is expected to temporarily add some particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (SMC 25.05.675-A.2).

Existing City code (SMC 11.62) requires truck activities to use arterial streets within the City to every extent possible. Prior to construction approval SDOT will review and approve a specific traffic control plan for the proposed project, therefore, no conditioning is necessary from DPD.

City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks, which minimizes the amount of spilled material and dust from the truck bed en route to or from a site.

King County is proposing to implement a number of Best Management Practices to control dust during construction, including street sweeping, watering exposed soil surfaces, and covering soil stockpiles to help minimize the amount of fugitive dust and particulate pollution to the surrounding areas.

Noise associated with the heavy construction processes and overall length of the proposed construction process could adversely affect surrounding properties in the area, which include residential and recreational uses. During construction, all activities will be performed consistent with the City of Seattle's Noise Control Ordinance. Best Management Practices will be used to minimize construction noise, such as:

- Using effective vehicle mufflers, engine intake silencers, and engine enclosures, and shutting off equipment when not in use;
- Using portable noise barriers placed around stationary equipment;
- Using broadband back-up alarms to eliminate impacts of single frequency high-pitched alarms;
- Encouraging equipment drivers to avoid backing up as much as possible to reduce use of back-up alarms;
- Locating activities away from sensitive receptors when possible;

Noise associated with excavation could adversely affect surrounding properties in the area, which include residential uses. Due to the proximity of the project site to residential uses to the east, DPD finds the limitations of the Noise Ordinance to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), conditioning is warranted (condition #3).

In addition, it is a condition of this permit that King County establish a 24-hour construction hotline to promptly response to questions and complaints and a website with that provides regular updates on construction activities. Advance notification of activities will also include posting signage at the site, as well as written notification of the Blue Ridge Club and impacted residences.

Long - Term Impacts

Air Quality, Water Quality, and Environmental Health

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in small 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 small contribution of greenhouse gas emissions from this project due to its function and nature.

Odors generated within the pipeline from stored wastewater or solids not removed from the wash-down system would be mitigated through operation of the odor control facility housed in the ancillary equipment facility. The odor control system would consist primarily of a carbon adsorption scrubber vessel, mist eliminator, and fan. Gas concentrations at the odor control facility would be actively monitored to determine the functional performance of the facility and create and accurate schedule for replacement of the carbon filter media.

After the project is completed, stormwater on the pump station site would flow into new bioretention facilities on the property. The soils and plantings in the bioretention facilities would settle, absorb, and filter the stormwater runoff prior to infiltration, improving long-term surface and groundwater quality at the site.

The overall purpose of this project is to prevent combined sewage overflows into Puget Sound and to fulfill permit requirements of the National Pollutant Discharge Elimination System. In 2008, the County reported that the North Beach Combined Sewer Overflow (CSO) facility had ten overflows per year on average, discharging a total of 2.2 million gallons of untreated stormwater and wastewater annually into Puget Sound. This project is designed to meet the NPDES requirements and allow no more than one untreated discharge per location per year on average, substantially improving water quality in Puget Sound at this location compared to current conditions.

Summary

In conclusion, adverse effects on the environment resulting from the proposal are anticipated to be non-significant. Meeting the self-imposed mitigation commitments listed in King County's SEPA checklist and Determination of Non-Significance, conditions stated below and analyzed above, the project will be consistent with applicable SEPA policies.

RECOMMENDED CONDITIONS – SEPA AND SHORELINE

Prior to Commencement of Construction

1. Execute the public outreach plan including: establishment of a website to provide project information and regular updates on construction activities, including names and contact information for project; establishment of a 24-hour construction hotline to promptly respond to questions and complaints; and provide affected public with names and contact information for project contacts. These contacts should also be mailed to nearby property owners (King County should define the appropriate area of the mailings).

During Construction

2. The hours of all major construction work should be limited to between 7:00 AM – 6:00 PM on non-City holiday (pursuant to SMC 25.08.155) weekdays and between 9:00 AM – 6:00 PM Saturdays. Work using impact types of equipment are further limited consistent with subsection SMC 25.08.425 C of the Noise Ordinance.

Construction activities outside the above stated limits, but within the limits of the Noise Ordinance, may be authorized by DPD when a Construction Management Plan is provided and approved. This plan will be coordinated with the DPD Noise Abatement Office (DPD), King County, applicant and the contractor. The plan will include the following elements:

- a. Construction Communication - including a Contact and Community Liaison.
- b. Construction Hours and Sensitive Receivers - identifying demolition and construction activities within permissible construction hours.
- c. Construction Noise Requirements - all demolition and construction activities shall conform to the Noise Ordinance, except as approved through the noise variance process.
- d. Measures to Minimize Noise Impacts – list of measures to be implemented to reduce or prevent noise impacts during demolition and construction activities during standard and non-standard working hours.
- e. Construction Milestones – a description of the various phases of demolition and construction, including a description of noise and traffic generators, and anticipated construction hours for each phase.
- f. Construction Noise Management – identify techniques to minimize demolition and construction noise including: timing restrictions, noise reduction construction technologies, process modifications. These techniques may go beyond code requirements.

3. Maintain project website with regular and timely updates for potential construction impacts and generally implement public outreach plan, including maintenance of construction hotline.
4. The applicant shall implement Best Management Practices approved and/or required by the State Department of Ecology and the DPD construction inspector to minimize the amount of erosion caused by construction and operations at the site. Materials and construction methods shall be used which prevent toxic materials, debris, waste material, concrete slurry, petrochemicals, and other pollutants from entering surface water during and after construction. All debris and other waste shall be disposed of in such a way as to prevent entry into Puget Sound.
5. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:
 - Stop work immediately and notify DPD (Ben Perkowski 206.684.0347) 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.
 - 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.

For Life of Project

6. All landscaping for project and planting in bioretention facilities shall be monitored and properly maintained.

Signature: _____ (signature on file) Date: November 8, 2012
Ben Perkowski, Senior Land Use Planner
Department of Planning and Development

BSP:dmm

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North Beach Combined Sewer Overflow Control Project PN:312299

©

Seattle Department of Planning and Development Public Hearing December 6, 2012



King County

Department of Natural Resources and Parks
Wastewater Treatment Division

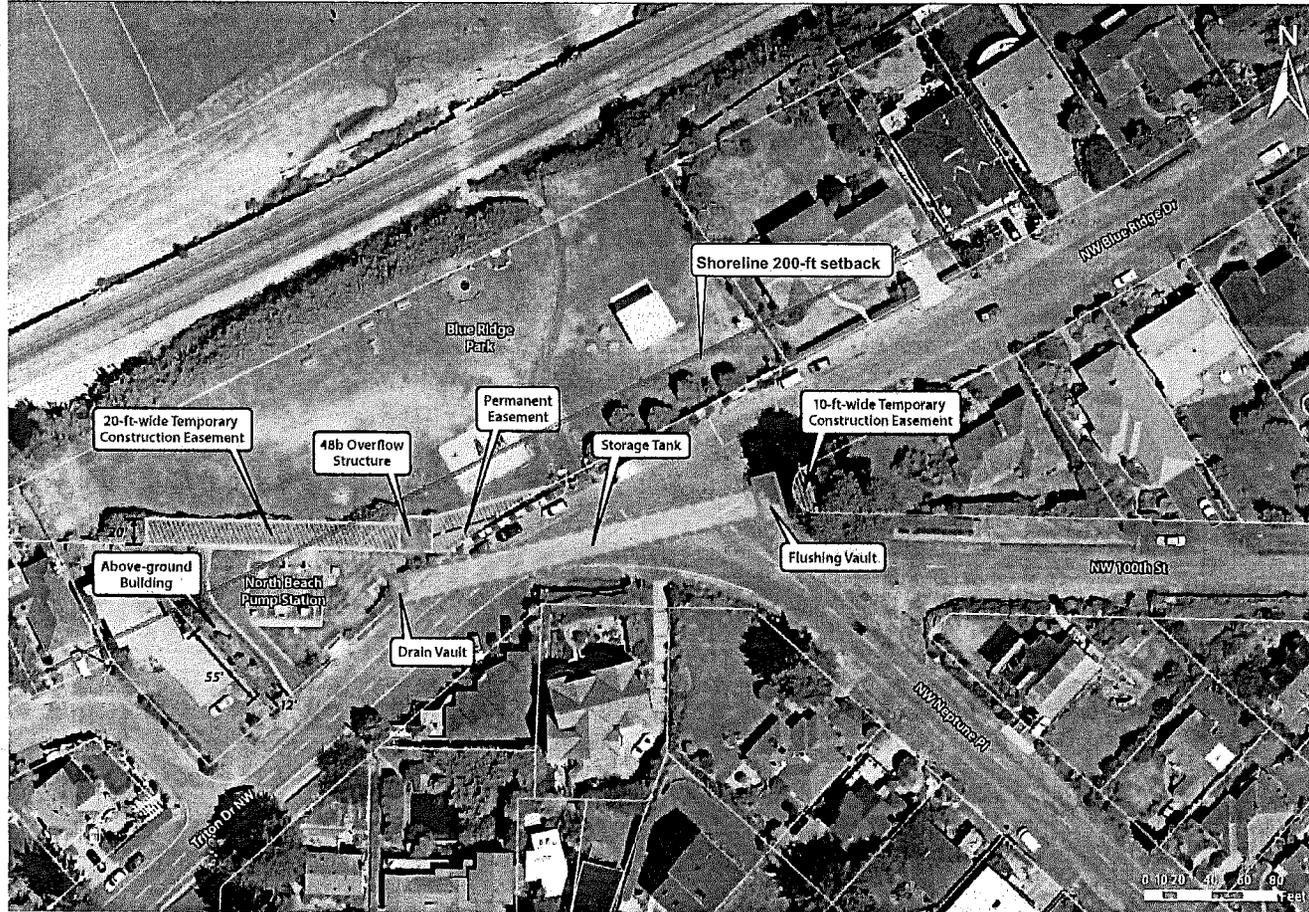
City of Seattle Hearing Examiner
EXHIBIT

Appellant ADMITTED
Respondent DENIED
Department

FILE #3012914, CF #312299

11

Proposed Project at North Beach Pump Station and within Right-of-Way



Project Background & Need

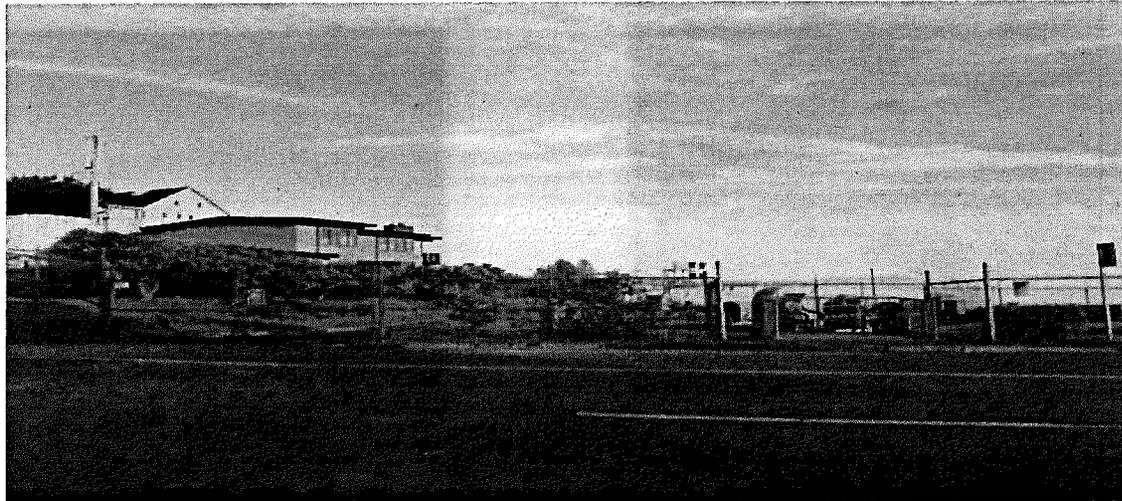
- Combined sewer overflow (CSO) control is mandated by the Environmental Protection Agency and administered by the Washington State Dept. of Ecology
- Ecology standards allow no more than one discharge of untreated event per CSO outfall per year on a long term average
- North Beach Pump Station experienced 15 overflow events in 2011; the long term average is 10

Existing Facilities at North Beach Pump Station

- Pump station located on King County property in residential neighborhood
- Currently all facilities below-grade except for ancillary equipment
- Minimal landscaping at pump station



Site Photos – Existing Pump Station Site

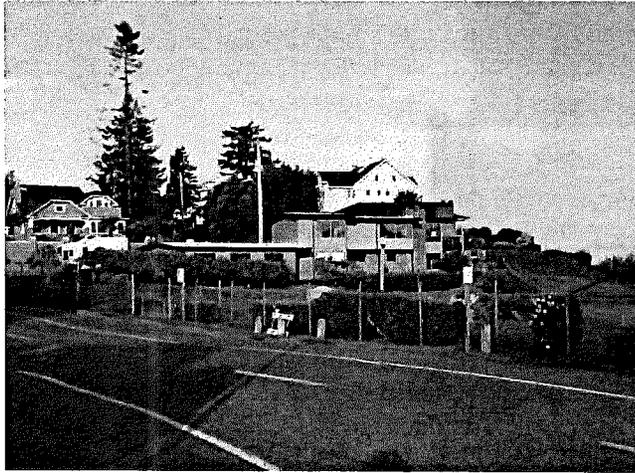


Pump Station Site (front gate)

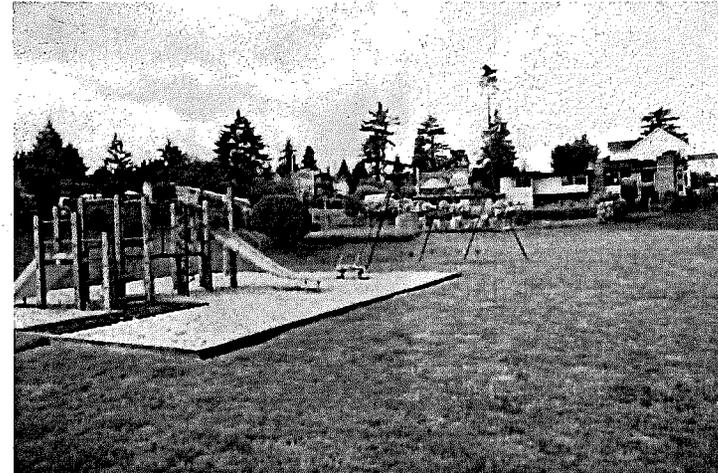


Street View

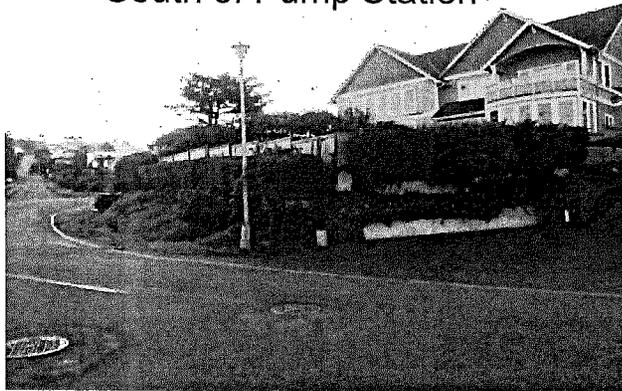
Site Photos – Neighboring Properties



Next Door Neighbor Property
South of Pump Station



Playground Area in Blue Ridge Park



Property Across the Street

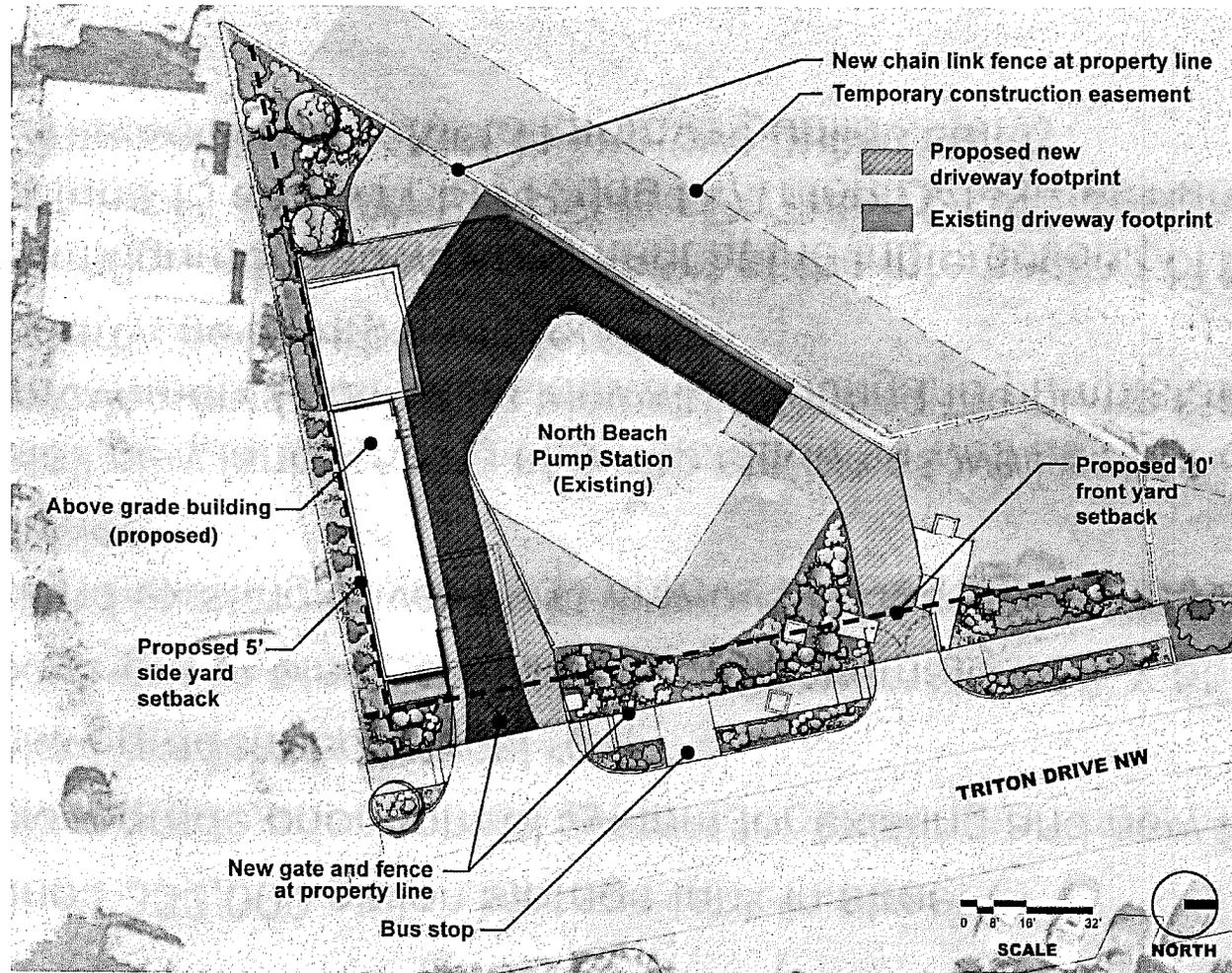


Property Across the Street

Proposed Project Will Include:

- ❑ Buried 330,000 gallon storage tank in street
- ❑ Below-grade odor control system for existing and new facilities
- ❑ Below-grade mechanical room
- ❑ Above-grade electrical building (approximately 12' x 55' x 15')
- ❑ Extend existing driveway to improve access for maintenance vehicles
- ❑ Install new landscaping at pump station as well as right-of-way improvements such as a sidewalk fronting the pump station property, new curbs and fencing
- ❑ Reconfigured roadway alignment at the intersection of NE Neptune Pl and NW Blue Ridge Dr/Triton Dr NE designed as a "T" intersection in order to improve public safety.

Pump Station & Proposed Facilities



Footprint of Proposed Above-Grade Electrical Building

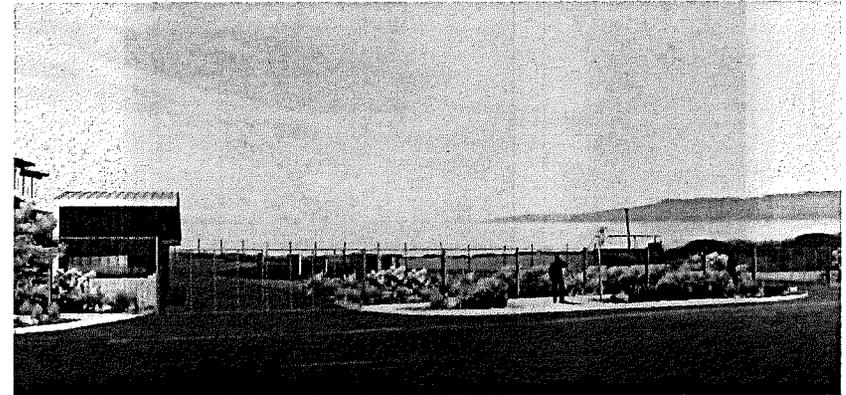


Major Land Use Issues

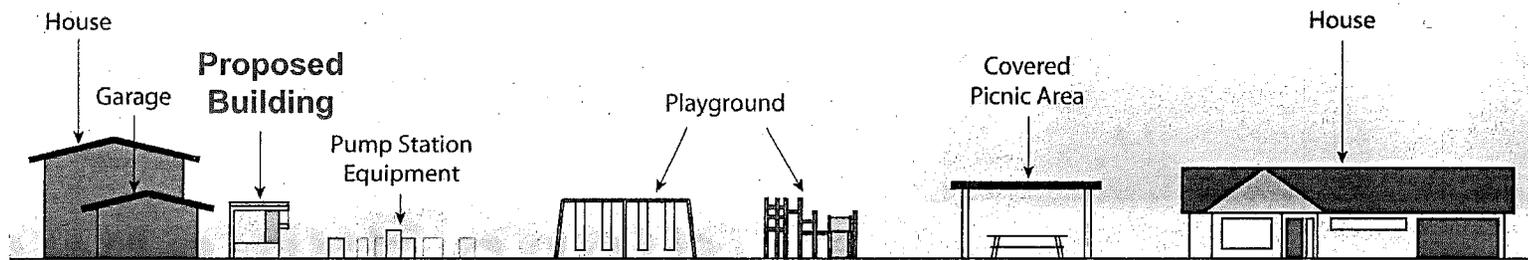
SMC 23.51A.002: Public Facilities in Single Family Zones

Visual Impacts

- Building located to minimize impacts
- New facilities building lower in elevation than neighboring houses
- Building replaces existing berm and large shrubs

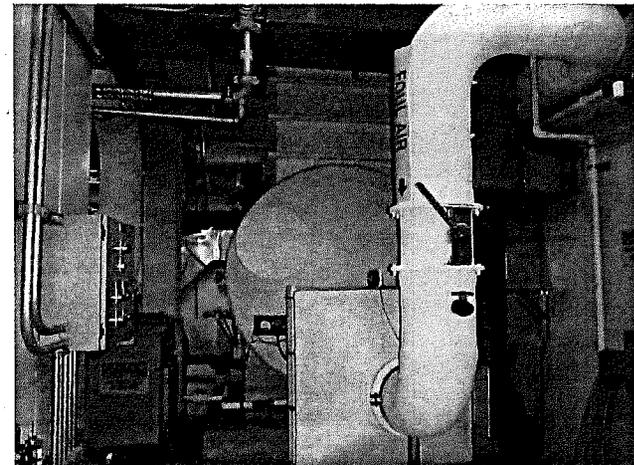
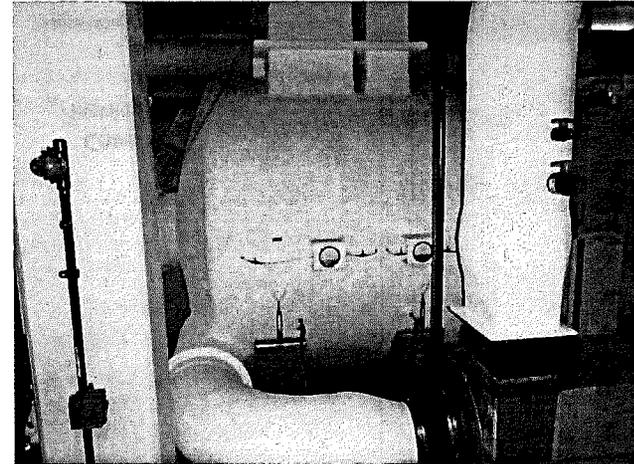


Proposed View from Triton Dr. NW



Controlling Odors

- Much less potential for nuisance odors – currently no odor control at existing pump station
- Installing odor control for the storage tank and existing pump station
- Modeled potential odors at site; evaluation determined no effect with control



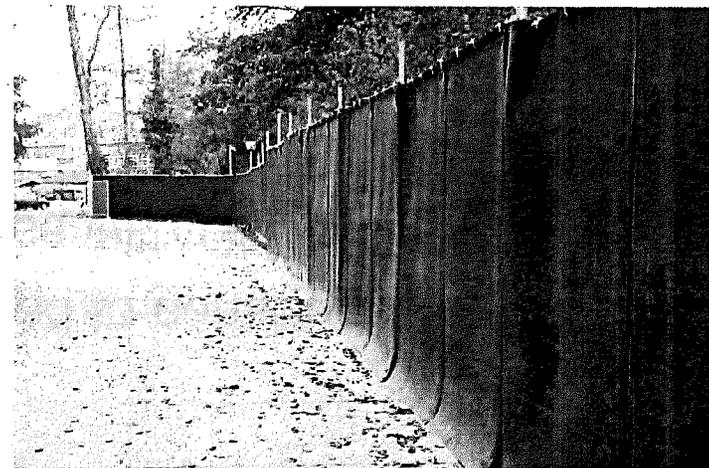
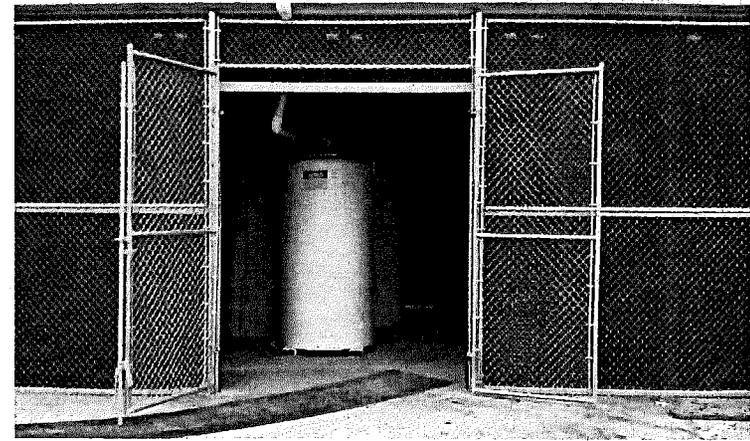
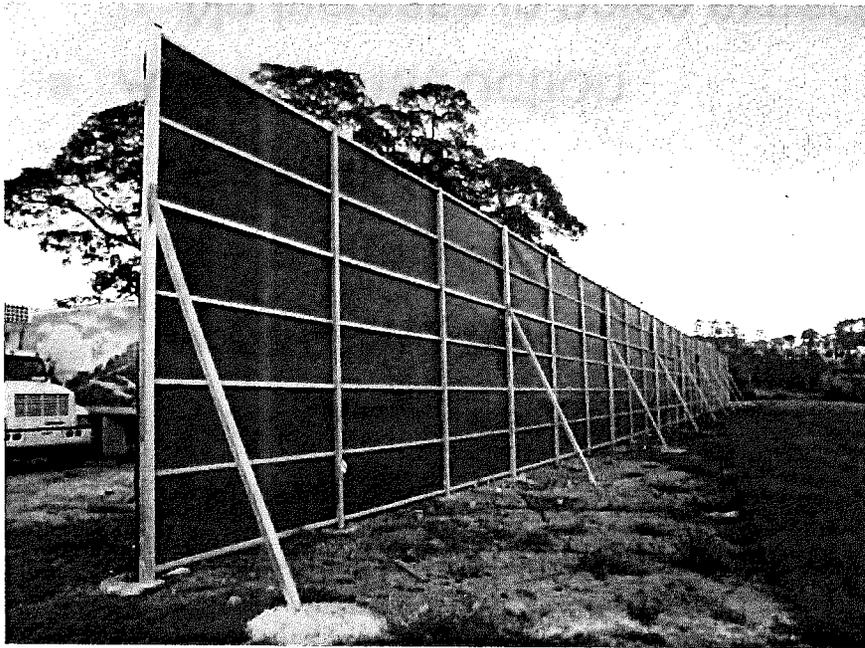
King Street Odor Control Facility

Noise

- During Construction
 - Short-term noise increase related to construction
 - Construction noise in compliance with City of Seattle noise ordinance
 - Potential noise mitigation measures
 - Screen walls
 - Enclosures
 - Mufflers
- After Construction
 - No increase in noise expected
 - Machinery in facilities is totally enclosed
 - Machinery not inherently noisy

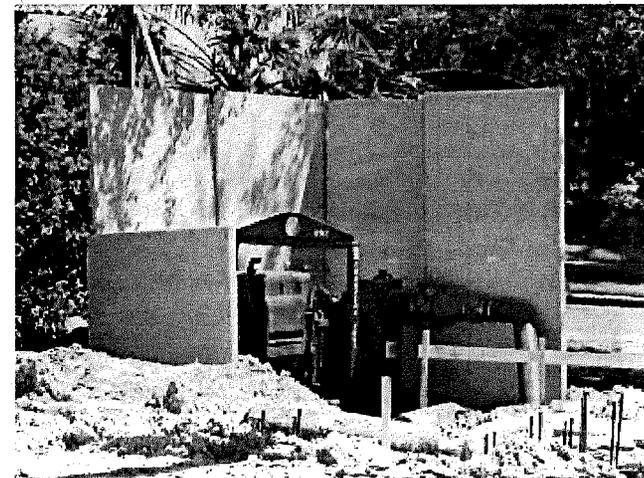
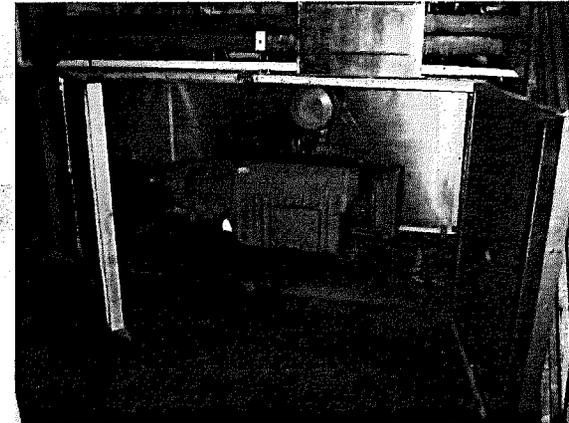
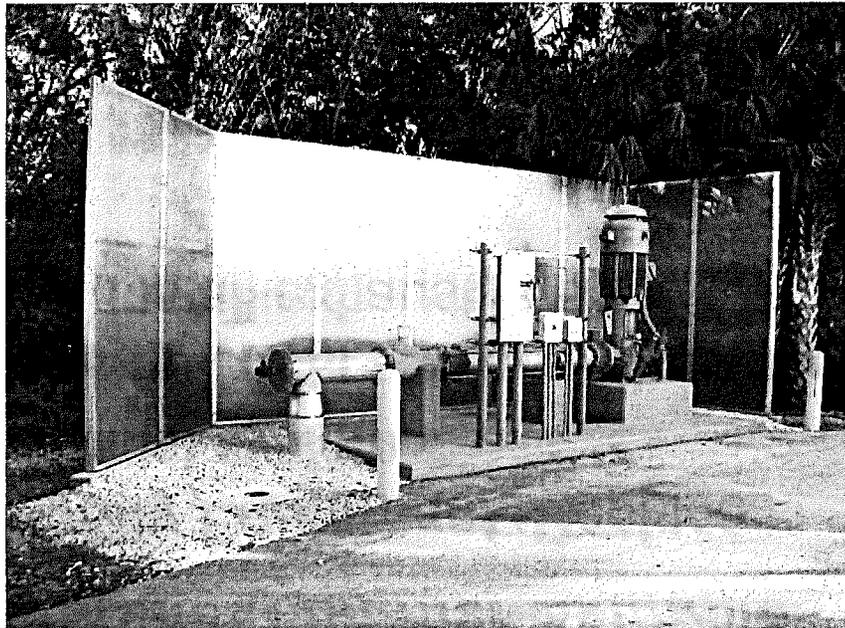
Noise Mitigation: Screen Walls

Screen Wall Examples



Noise Mitigation: Enclosures

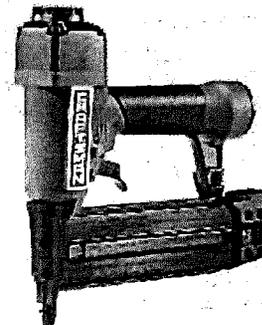
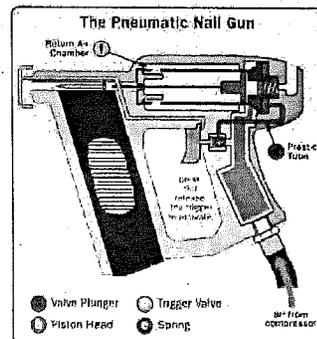
Noise Enclosure Examples



Noise Mitigation: Equipment Mufflers

Equipment Muffler Examples

- **Modify Equipment**—Replace exhaust system
- **Modify Tools** – Improve muffler and install exhaust line



Truck Trips

During Construction

- Up to 2200 total truck trips during duration of project
- Up to 30 truck trips per day during peak construction

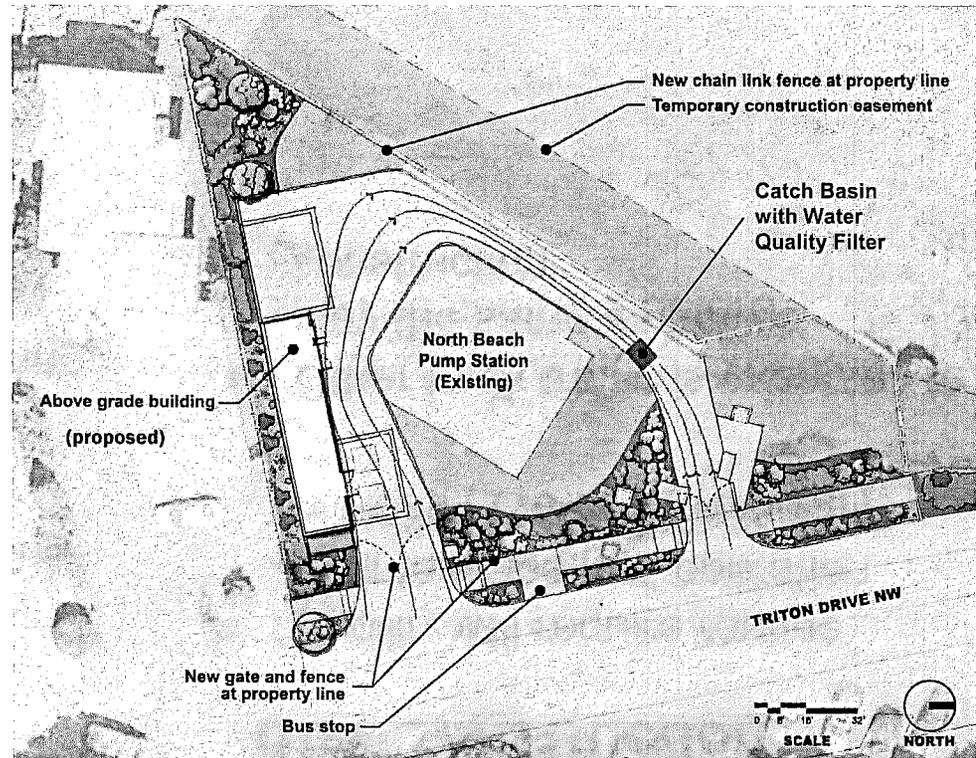
After Construction

- Facility will require routine maintenance and operation activities (~10-20 visits/year)
- Other truck traffic is expected to stay the same as before construction

Controlling Surface Runoff

Runoff will be controlled by:

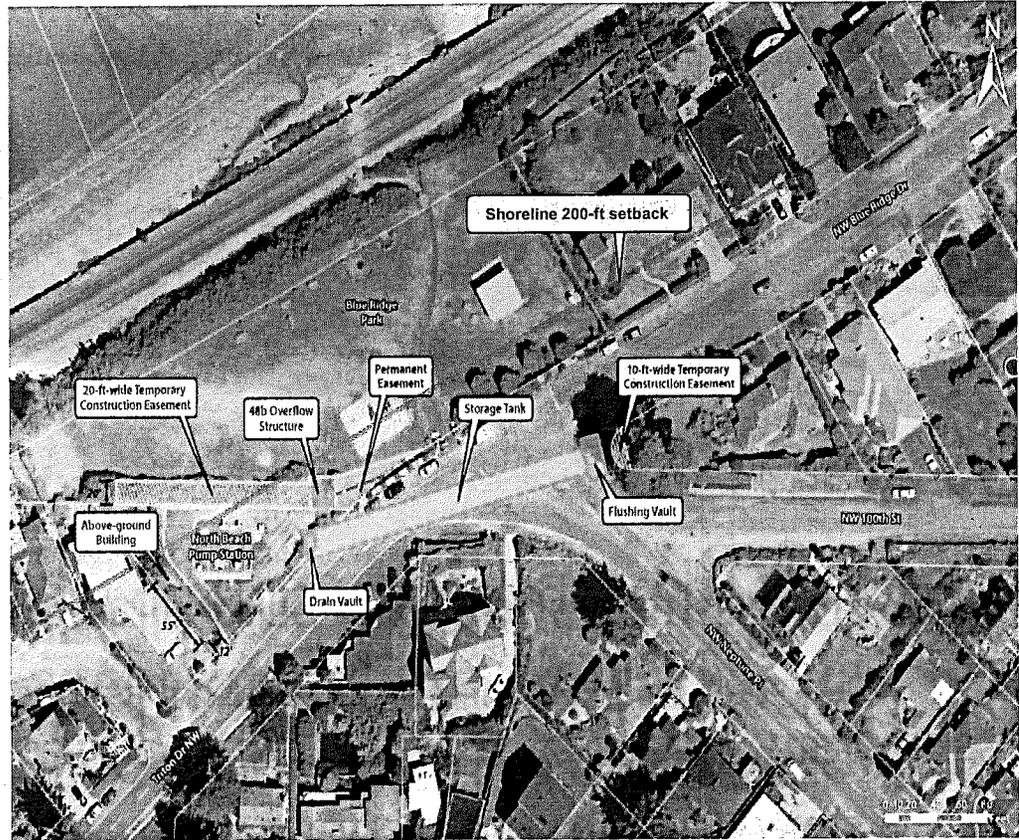
- ❑ Using pervious pavement for driveway
- ❑ Roof runoff from new building will be captured in bioretention planter
- ❑ Driveway will be sloped to direct runoff into two areas:
 1. Catch basin with water quality filter that eventually flows into Puget Sound
 2. Wet well where flows eventually treated at West Point Treatment Plant



Consistency with Code Requirements: Special Use Criteria

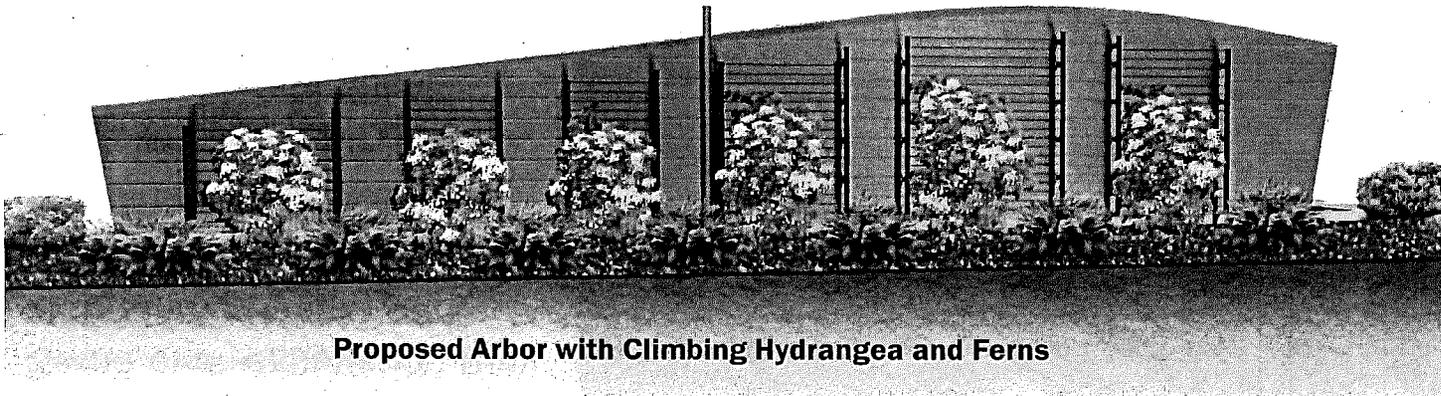
- ❑ Some over-excavation may extend into private park
- ❑ Easement was obtained from Blue Ridge Club Inc.
- ❑ Work will occur on grass lawn* outside of critical areas
- ❑ Work temporary in nature
- ❑ Minor excavation only
- ❑ Will restore area once construction is complete.

*Illustration is dated; vegetation shown were blackberries that have since been removed



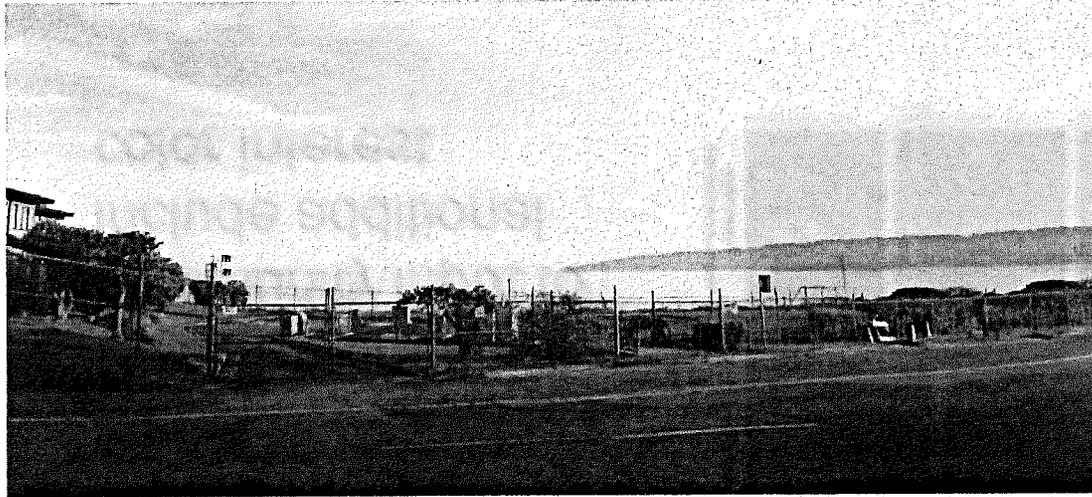
Consistency with Code Requirements: Setback Waivers

- Could not achieve standard setback requirements for new above-grade electrical building because of limited space at site
- Impacts mitigated by locating building next to residential garage and adjacent to street to minimize visual impacts
- Will construct an arbor with climbing hydrangea and ferns to help screen building.



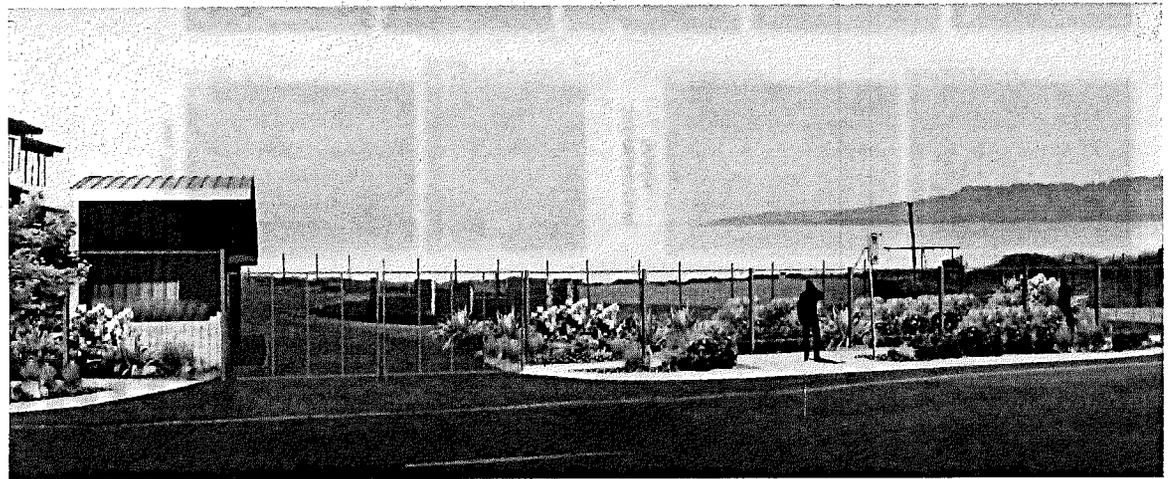
Proposed Arbor with Climbing Hydrangea and Ferns

Landscaping – Street View



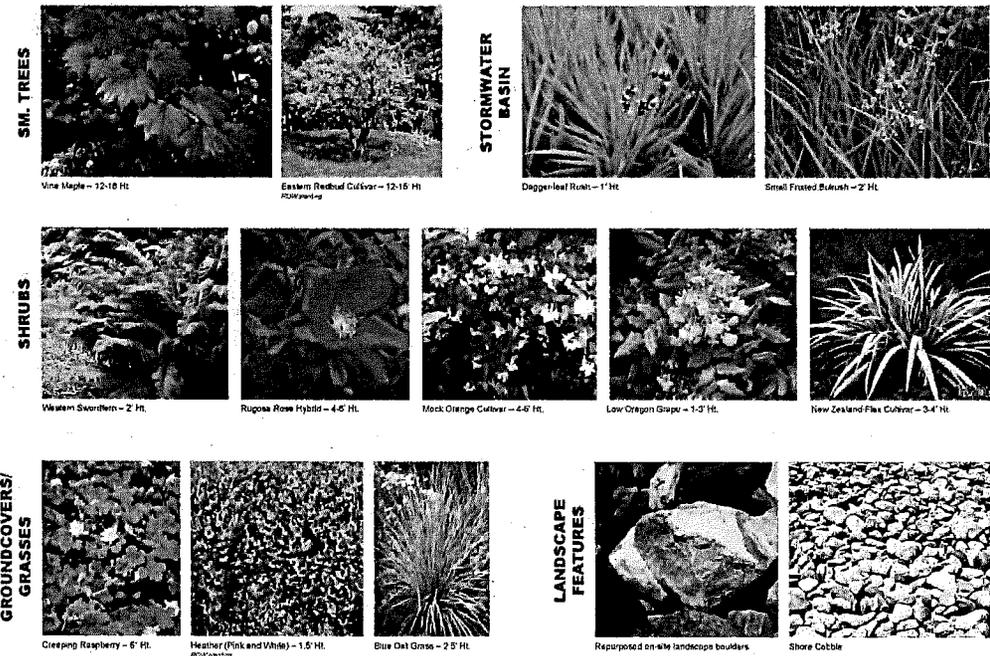
Before

After



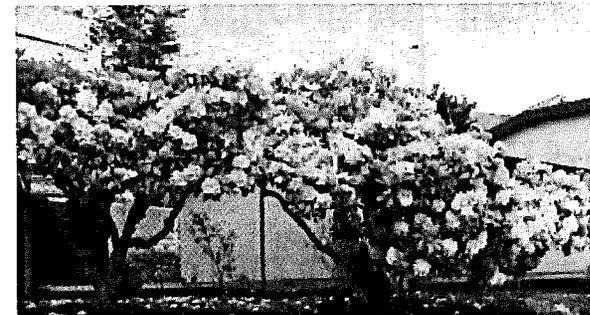
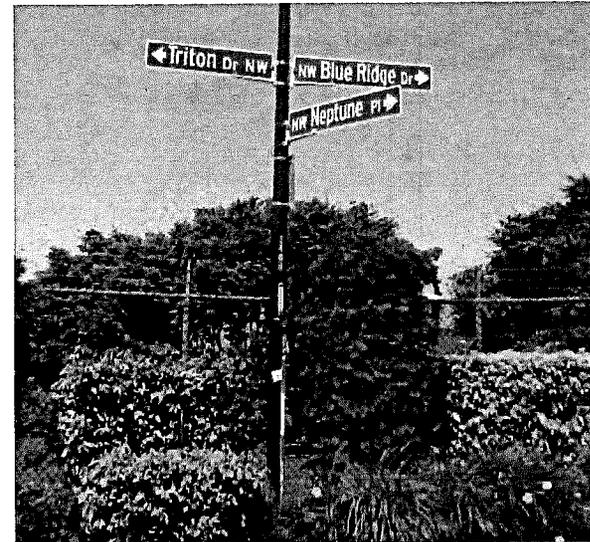
Community Recommended Planting Palette

- Drought tolerant, low maintenance plantings
- Includes native plants
- Palette refined with community input to include additional color interest

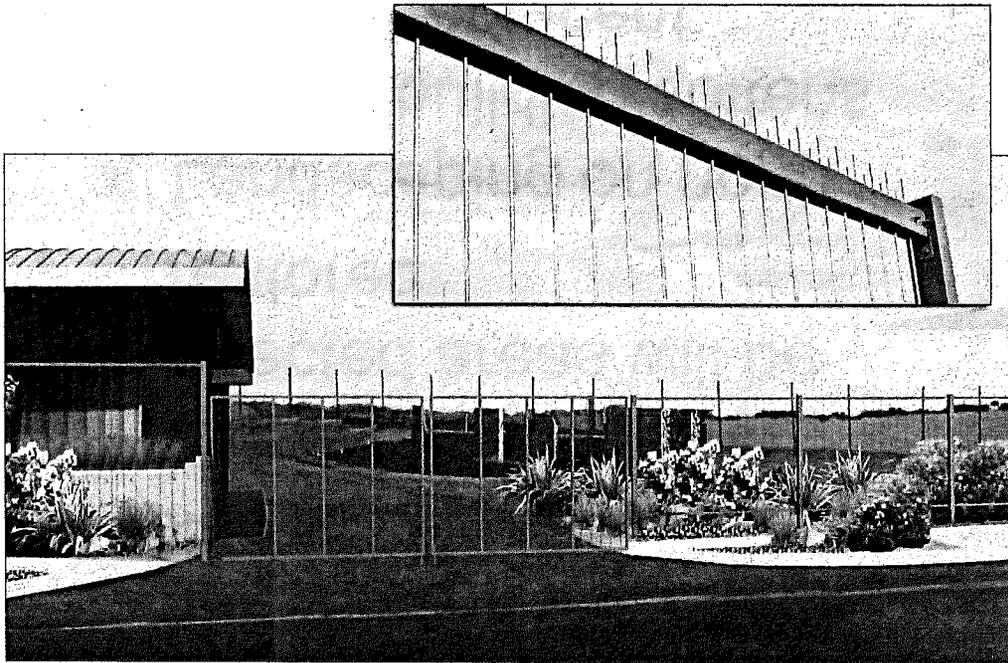


Other Landscaping Details

- Community is interested in salvaging plants
- Existing plantings in affected areas will be restored
- Landscaping on north side of building softens view for adjacent home



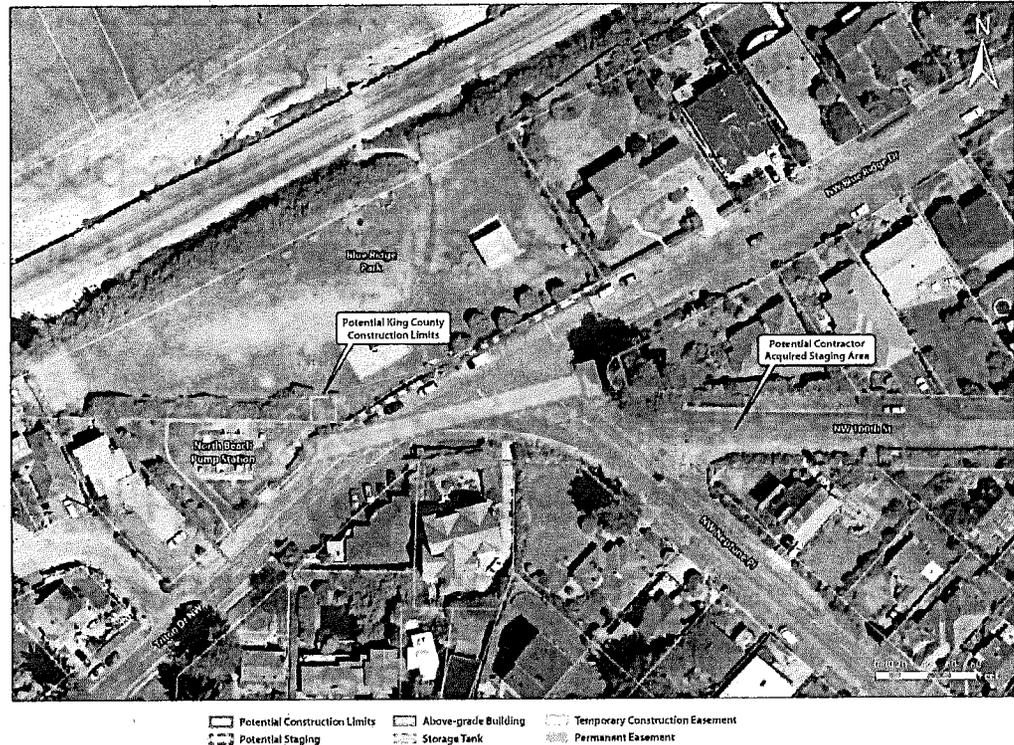
Community Recommended Fence



- Community favored fence type
 - Difficult to climb
 - Minimizes visual distraction/blockage
- Provides site safety & security

Construction

- Total project construction will take up to 24 months
- Work in street will take up to one year
- King County will work with neighbors on residential access, access to Blue Ridge Park, bus detours, and deliveries and services
- Working hours: will abide by City of Seattle Noise Ordinance



What the community can expect during construction

- King County will provide advance notice of construction activities and progress updates throughout the 2-year construction duration
- King County will work with the Metro Construction Coordinator to establish bus route detour during street closure
- Staff will work to ensure residential access and continued deliveries and services
- Staff will be available 24/7 on a construction hotline to address concerns and complaints

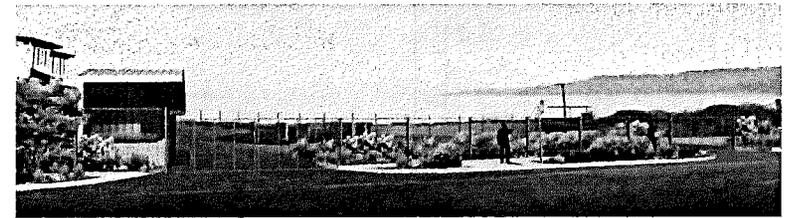
Keeping the community informed

- Community meetings, events and briefings
- Newsletters, fliers, and press releases
- One on one meetings with project neighbors
- Site visits with Blue Ridge Board
- Project website

www.kingcounty.gov/environment/wtd/Construction/Seattle/NBeachCSOStorage



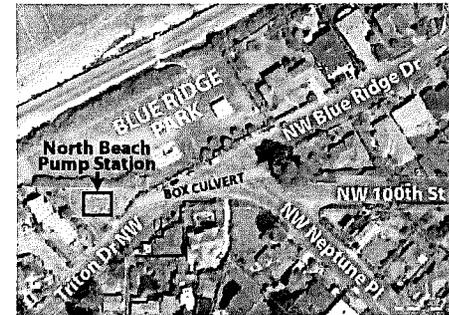
North Beach Pump Station Site Design Update



Beach-inspired building and landscape design

Community Input Helps Shape Design

King County Wastewater Treatment Division hosted a community design workshop on May 12, 2012 to hear the community's thoughts about three landscape and architecture design themes for the County's North Beach Pump Station site. The project team also discussed street restoration elements under discussion with the City of Seattle. The project team provided another opportunity for community input at the Blue Ridge Club General Meeting on June 11, which was opened to all interested community members. See page 2 for a summary of the community's thoughts and suggestions on design.

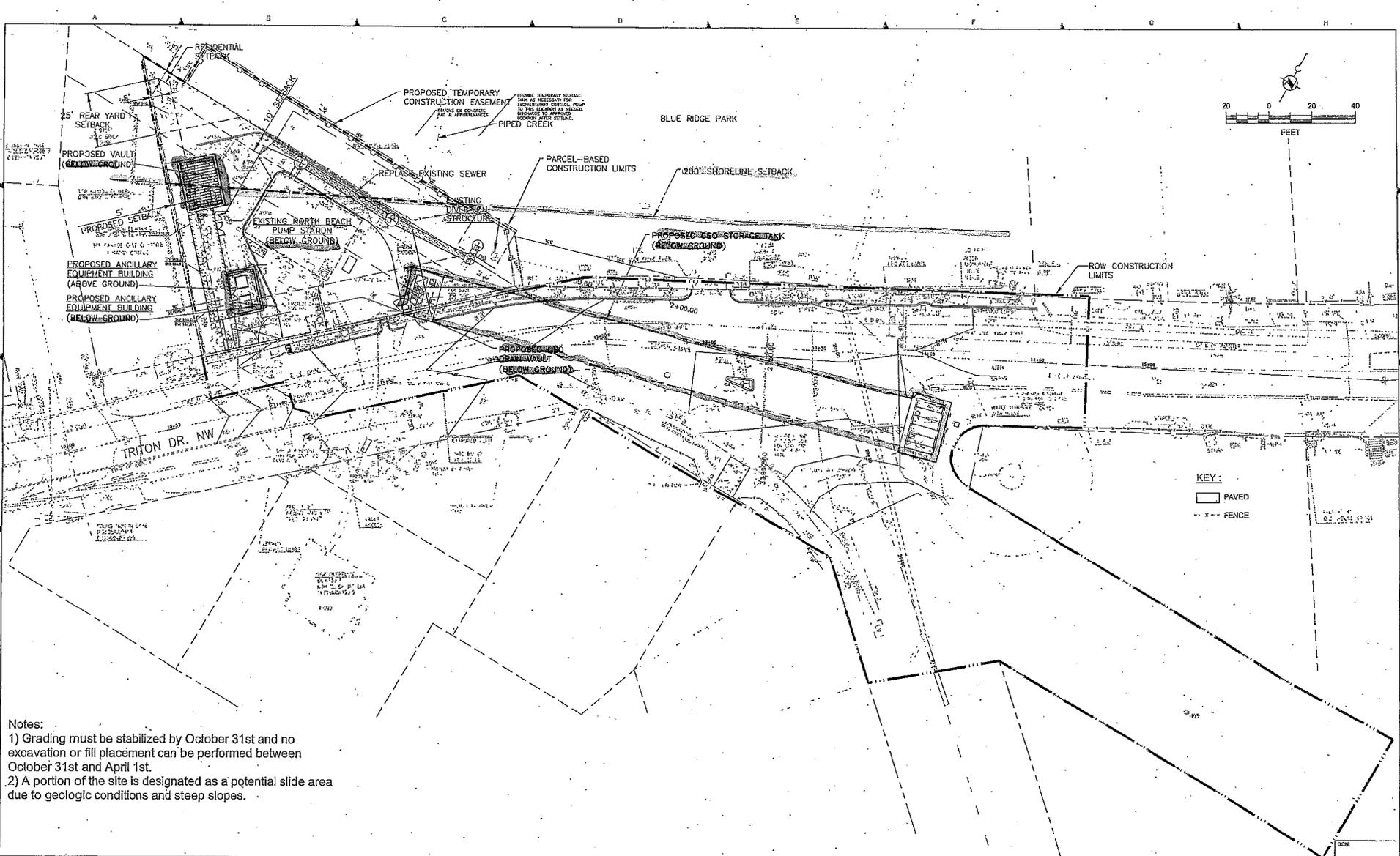


Storage facility configuration changes

King County conducts independent project reviews to look for opportunities to improve cost efficiency, constructability, and operations of our facilities. The current design developed for North Beach was largely confirmed by the review team, with one important change in the storage facility configuration, from twin pipelines to a concrete box culvert. See page 3 for more information on this new configuration and its benefits.

Proposed box culvert location and configuration

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 Date: 8/20/12 10:52:29 AM
 User: jharrington
 Project: North Beach CSO Control Facility
 Title: North Beach Site Proposed Site Plan



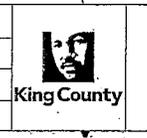
Notes:
 1) Grading must be stabilized by October 31st and no excavation or fill placement can be performed between October 31st and April 1st.
 2) A portion of the site is designated as a potential slide area due to geologic conditions and steep slopes.

No.	REVISION	BY	APP'D	DATE



LAND USE
 PERMIT
 SUBMITTAL

DESIGNED/DRAWN:	DA/UC:
PROJECT ENGINEER:	SCALE:
DESIGN APPROVAL:	H: 1"=20'
PROJECT ACCEPTANCE:	ONE INCH (REFERENCES)
	CONTRACT NO: E00203E10



DEPARTMENT OF NATURAL RESOURCES & PARKS
 WASTEWATER TREATMENT DIVISION
 NORTH BEACH CSO CONTROL FACILITY
 NORTH BEACH CSO PROJECT
**NORTH BEACH SITE
 PROPOSED SITE PLAN
 FIGURE 3**

DATE:	AUGUST 2012
PROJECT FILE NO:	423609
DRAWING NO:	
SHEET NO. OF	



DETERMINATION OF NONSIGNIFICANCE

TITLE OF PROPOSAL: North Beach Combined Sewer Overflow Control Project

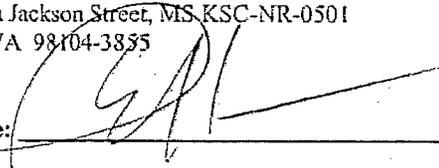
DESCRIPTION OF PROPOSAL: To meet the combined sewer overflow (CSO) control standard of the National Pollutant Discharge Elimination System permit for the West Point Treatment Plant, the King County Wastewater Treatment Division proposes to construct a wastewater storage pipeline in street right-of-way adjacent to the existing North Beach Pump Station and associated facilities including a new diversion structure and ancillary equipment facility on the King County-owned pump station property. Construction of the proposed project is expected to begin in the first half of 2013 and take approximately 18-24 months to complete.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: The proposal is located at King County's North Beach Pump Station property and adjacent Triton Drive NW and NW Blue Ridge Drive public right-of-way. The street address of the pump station is 9921 Triton Drive NW. It is located in the City of Seattle, which is in King County, Washington. The project site is located in Section 35, Township 26N, Range 3E.

SEPA Responsible Official: Pam Elardo, P.E.
Position/Title: Director, King County Wastewater Treatment Division

Address: 201 South Jackson Street, MS KSC-NR-0501
 Seattle, WA 98104-3855

Date: 4-21-11

Signature: 

Proponent and Lead Agency: King County Department of Natural Resources and Parks
 Wastewater Treatment Division

Contact Person: Sue Meyer, Water Quality Planner
 King County Wastewater Treatment Division
 201 South Jackson Street, MS KSC-NR-0505
 Seattle, WA 98104
 phone: 206-684-1171; e-mail: sue.meyer@kingcounty.gov

Issue Date: April 28, 2011

The State Environmental Policy Act (SEPA) lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement 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 Determination of Nonsignificance (DNS) is issued under WAC 197-11-340 (2); the lead agency will not act on this proposal for 17 days from the issue date. **Comments must be submitted by May 16, 2011.** Submit comments to Wesley Sprague, Supervisor, Community Services and Environmental Planning, King County Wastewater Treatment Division, 201 South Jackson Street, MS KSC-NR-0505, Seattle, WA 98104-3855.

The Director of King County Department of Natural Resources and Parks, consistent with King County Public Rule 7-4-1, Section 6.2.14 and RCW 43.21C.240, has determined that the environmental impacts identified in the SEPA environmental checklist for the North Beach CSO Control Project will be adequately addressed by the development regulations and other applicable requirements of the City of Seattle and by all other applicable state and federal regulations referred to in the environmental checklist for the North Beach CSO Control Project. Therefore, no administrative appeal of issuance of the DNS will be allowed for the North Beach CSO Control Project. The rule may be viewed at <http://www.kingcounty.gov/operations/policies/rules/utilities/put741pr.aspx>, or contact Sue Meyer, Water Quality Planner, at 206-684-1171 or sue.meyer@kingcounty.gov to obtain a copy of the rule.

[Statutory authority: RCW 43.21C.110. 84-05-020 (Order DE 83-39), §197-11-970, filed 2/10/84, effective 4/4/84.]

City of Seattle Hearing Examiner
EXHIBIT



Appellant
 Respondent ADMITTED
 Department DENIED



FILE #3012914, CF #312299



King County

Department of Natural Resources and Parks

Wastewater Treatment Division

King Street Center, KSC-NR-0505
201 South Jackson Street
Seattle, WA 98104

Environmental Checklist

for the

North Beach Combined Sewer Overflow Control Project

April 14, 2011

Prepared in compliance with the State Environmental Policy Act (SEPA)
(RCW 43.21C), the SEPA Rules (WAC 197-11), and Chapter 20.44 King
County Code, implementing SEPA in King County procedures.

This information is available in accessible formats upon request at
206-684-1280 (voice) or 711 (TTY).

ENVIRONMENTAL CHECKLIST

A. BACKGROUND

1. Name of proposed project, if applicable:

North Beach Combined Sewer Overflow Control Project

2. Name of applicant:

King County Wastewater Treatment Division (WTD), Department of Natural Resources and Parks (DNRP)

3. Address and phone number of applicant and contact person:

King County Wastewater Treatment Division
201 South Jackson Street, MS: KSC-NR-0505
Seattle, WA 98104-3855

CONTACT:

Sue Meyer, Water Quality Planner, telephone: 206-684-1171, email:
sue.meyer@kingcounty.gov

4. Date checklist prepared:

April 14, 2011

5. Agency requesting checklist:

King County Wastewater Treatment Division, Department of Natural Resources and Parks

6. Proposed timing or schedule (including phasing, if applicable):

Construction of the proposed project is expected to begin in the first half of 2013 and take approximately 18-24 months to complete.

7. Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, explain.

In the future, King County plans to identify and evaluate approaches for inspecting the North Beach force main to obtain a current estimate of remaining service life. The inspection of this buried pipeline is complicated by its location in sensitive tidelands and its dedication as the single conveyance line from the North Beach Pump Station to the Carkeek Wet Weather Treatment Facility.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Archaeological and Historical Resources in the North Beach Sub-Basin, Seattle, Washington, Cascadia Archaeology, November 2, 2009.

Environmental Conditions Technical Memorandum, North Beach Basin Puget Sound CSO Project, ESA Adolfson, April 23, 2010.

Noise Technical Memorandum, North Beach Basin Alternative 1B; Barton, Murray, Magnolia and North Beach CSO Project, ESA Adolfson, December 6, 2010.

Recreation and Aesthetic Resources Technical Memorandum, North Beach Basin Alternative 1B; Barton, Murray, Magnolia and North Beach CSO Project, ESA Adolfson, December 6, 2010.

Traffic Technical Memorandum, North Beach Basin Alternative 1B; Barton, Murray, Magnolia and North Beach CSO Project, ESA Adolfson, March 10, 2011.

Preliminary Geologic/Geotechnical Evaluation of North Beach Alternatives, Seattle, Washington, Shannon & Wilson, Inc., August 24, 2010.

Draft North Beach Combined Sewer Overflow Control Facility Plan, Carollo Engineers, December 2010. This report will be finalized and submitted to Ecology for approval by July 2011.

North Beach CSO Control Project Biological Assessment—Letter of “No Effect”, ESA Adolfson, March 10, 2011.

Washington State Water Pollution Control Revolving Fund State Environmental Review Process Environmental Issues Checklist—North Beach CSO Control Project, King County Wastewater Treatment Division, March 24, 2011.

Additional environmental information that will be prepared for the proposed project includes reports summarizing the findings of a cultural resources survey and subsurface geotechnical investigations that will be performed in the project area.

9. **Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.**

None known

10. **List any government approvals or permits that will be needed for your proposal, if known.**

City of Seattle

Department of Planning and Development:

- Master Use Permit (includes Shoreline Substantial Development Permit)
- Noise Variance Permit

Department of Transportation:

- Street Use: Major Utility Permit or Street Improvement Permit
- Street Use Permit

King County

- Industrial Waste Permit

Puget Sound Clean Air Agency

- Air Quality Permit

Washington State Department of Ecology

- National Pollutant Discharge Elimination System (NPDES) Construction Stormwater General Permit
- Underground Storage Tank Notification
- State Environmental Review Process

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description).

King County's North Beach Pump Station receives flows of combined sanitary sewage and stormwater collected in the North Beach Basin, which is located in north Seattle on Puget Sound. The Basin includes Seattle's Loyal Heights, Crown Hill and Greenwood areas. Wastewater in the Basin is collected by City of Seattle facilities and conveyed to the North Beach Pump Station. From there, flows are conveyed by the North Beach Force Main to the Carkeek Pump Station. During dry weather, flows are then routed to the West Point Treatment Plant in the Magnolia neighborhood of the City of Seattle where they are treated, disinfected, and then discharged to Puget Sound. Under peak flow conditions, some of the flow pumped from the North Beach Pump Station receives primary treatment at the Carkeek Wet Weather Treatment Facility and is then discharged to Puget Sound.

The North Beach Pump Station and Force Main have the capacity to convey a peak flow rate of approximately three million gallons per day (MGD). When heavy rains cause flows to exceed the capacity of the wastewater system, a combination of stormwater and diluted sewage is discharged to Puget Sound through two existing outfalls located near the pump station. Between 2000 and 2007, there was an average of 10 such combined sewer overflows (CSOs) annually in the North Beach Basin. The average annual total overflow volume was 2.2 million gallons (MG). King County's NPDES permit for the West Point Treatment Plant requires that the County implement controls to reduce CSOs in the North Beach Basin to an average of no more than one per year on a long term average.

To meet the CSO control standard, King County proposes to construct a wastewater storage pipeline in street right-of-way adjacent to the existing North Beach Pump Station and associated facilities on the King County-owned pump station property. In addition to the storage pipeline, the proposed project would include construction of a new diversion structure and ancillary equipment facility (see attached Site Layout Plan). Also, site modifications would be made to the North Beach Pump Station site and adjacent public right-of-way where the storage pipeline would be located. Each of these project components is described in more detail below.

Diversion Structure and Storage Pipeline

All flow to the North Beach Pump Station would be routed through a new approximately 12'(l) x 8'(w) x 17'(d) diversion structure which would be located below ground on the North Beach Pump Station site. The structure would divert flows exceeding the capacity of the pump station and downstream force main to a new storage pipeline through a new approximately 20-inch-diameter influent pipeline.

The approximately 325-foot-long, 12-foot-diameter buried storage pipeline would be located in Triton Drive NW and NW Blue Ridge Drive public right-of-way and

provide 0.23 MG of storage volume for combined sewage. The attached Site Layout Plan shows the area where it would be technically feasible to locate the pipeline. The exact location would be determined during design. The pipeline would contain submersible pumps that would be used to empty the pipeline following a wet weather event. Flows would be pumped into a new six-inch-diameter effluent pipeline that would connect to the local sewer system and flow to the North Beach Pump Station. The storage pipeline would also contain a flushing system to facilitate pipeline cleaning, and access features for routine and long-term operations and maintenance.

Ancillary Equipment Facility

An approximately 40'(l) x 20'(w) one-story (about 15 feet) tall ancillary equipment facility would be constructed on the North Beach Pump Station site to support the storage pipeline. The facility would house electrical and motor control panels, a standby power generator and diesel fuel storage tank, an odor control system, a ventilation system, and a utility water system.

Site Modifications

Modifications to the North Beach Pump Station site would include the following items: 1) the existing access road would be relocated from the southwest side of the pump station site to the northeast side in order to make room for the new ancillary equipment facility and provide access to that facility and the pump station for operations and maintenance purposes, 2) the existing fence that surrounds the pump station site would be restored or replaced to restrict public access during construction and after project completion, 3) bioretention facilities would be installed to treat stormwater runoff, and 4) the existing rockery retaining wall along the southwestern property boundary would be modified or replaced to facilitate site grading and construction.

Modifications to the Triton Drive NW and NW Blue Ridge Drive public right-of-way would include the following items: 1) hatches and removable concrete lifting slabs would be installed to provide access to the buried storage pipeline, 2) pavement would be removed and restored, and 3) landscaping would be removed and the area replanted. Additionally, green stormwater infrastructure best management practices (BMPs) may be implemented to control and treat stormwater (for example, use of bioretention facilities).

12. **Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.**

The project site would include the approximately 10,300 square-foot King County-owned parcel on which the North Beach Pump Station is located and approximately 48,000 square feet of adjacent Triton Drive NW and NW Blue Ridge Drive public right-of-way. The street address of the pump station is 9921 Triton Drive NW. It is located in the City of Seattle, which is in King County, Washington. The project site is located in Section 35, Township 26N, Range 3E. Please see attached Vicinity Map and Site Layout Plan.

Offsite staging areas would be identified by the construction contractor.

B. ENVIRONMENTAL ELEMENTS**1. Earth**

- a. **General description of the site (circle one):** Flat, rolling, hilly, steep slopes, mountainous, other: gentle slopes.

In the project area, Triton Drive NW rises gently to the southwest and NW Blue Ridge Drive rises gently to the northeast. The North Beach Pump Station property is generally flat.

- b. **What is the steepest slope on the site? (approximate percent slope)?**

The steepest slope on the site is approximately 10 percent.

- c. **What general types of soils are found on the site? (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.**

The Seattle geologic map indicates that surface deposits on the project site are Vashon recessional outwash, typically consisting of sand or gravel. The map indicates that this deposit is underlain by glaciolacustrine silt and clay, commonly called the Lawton Clay. Typically, the Lawton Clay in the project area is 50 feet or more thick and contains interbeds of fine sand.

- d. **Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**

The westernmost tip of the North Beach Pump Station Site is identified by the City of Seattle as a potential landslide area. Excavation within this area is not planned.

- e. **Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**

A total of approximately 10,000 cubic yards (CY) of soil would be excavated during project construction, as described in the following paragraphs.

Approximately 100 cubic yards of material would be excavated for construction of the proposed diversion structure on the east end of the pump station site. The excavation would extend to a depth of approximately 17 feet and most likely be shored with stacked trench boxes or cantilevered shoring. Shoring is the process of bracing excavation walls in order to prevent their collapse. The use of shoring systems provides safety for workers in excavations and facilitates the excavation process.

An open trench would be excavated for construction of the proposed buried storage pipeline in Triton Drive NW and/or NW Blue Ridge Drive, depending on where the storage pipeline was located. Up to approximately 9,000 CY of material would be excavated and the depth of the excavation would be approximately 25 feet. The excavation would likely be supported by a braced, soldier pile and lagging shoring system in conjunction with dewatering and possible groundwater recharge (see Section B.3.b.1). Soldier pile tie backs may

be required. It is possible that the storage pipeline could also require the installation of piles to support it or tie downs to prevent it from uplifting.

If drawdown-induced settlement-sensitive soils were present and groundwater recharge was not feasible to prevent unacceptable settlement, then a relatively impermeable or watertight shoring system could be required. This would likely consist of soldier piles and sheet piles, secant piles, or a soil-mixed or slurry wall system. Soldier piles are steel beams with an I-shaped cross section. To create a relatively impermeable shoring system, they are installed approximately four to six feet apart and steel plates are placed between them. Secant pile walls consist of intersecting concrete piles. Piles would likely be sunk to depths of between 30 and 60 feet.

Open trenches would also be excavated between the proposed diversion structure and storage pipeline for installation of the proposed influent and effluent pipelines. This would require excavation of approximately 1,000 CY of material. Trench boxes would most likely be used to shore the effluent pipeline excavation. Excavation for the influent pipeline would use the same type of shoring system that was used for the storage pipeline excavation.

Approximately 100 CY of material would be excavated for construction of the proposed ancillary equipment facility just west of the existing North Beach Pump Station. The facility would likely be supported on spread footings or a mat foundation. Minor over-excavation could be required if soft or loose soils were present at or below the foundation grade elevation. Shoring would probably not be required for construction of the ancillary equipment facility.

Up to approximately 7,500 CY of fill would be required to backfill the excavations described above. If the native materials were suitable, excavation spoils would be stockpiled and used for backfill. Excavated soils not used as backfill would be legally disposed of off-site at a location determined by the contractor. If the excavated soils were not of the appropriate quality for backfill, other material would be brought to the site and used as backfill. The source of imported material would be determined by the contractor and meet all pertinent project and legal requirements.

The existing rockery retaining wall along the southwestern property boundary would be partially or completely removed to facilitate site grading and construction. It would be replaced with a similar three-to five-foot-tall rock or concrete retaining wall following construction of the ancillary equipment facility.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Yes, construction activities such as site grading and excavation, materials handling, and stockpiling could cause erosion on a short-term basis. Short-term erosion could also result from the exposure of stockpiled spoils and fill. Erosion control measures would be implemented to minimize potential erosion (see Section B.1.h., below).

Operation of the completed project would not result in any erosion.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

Approximately 3,800 square feet of the approximately 10,800 square-foot pump station site (where the ancillary equipment facility would be built) is currently covered with impervious surface. After the project was completed, the site would contain an additional approximately 1,400 square feet of impervious surface. It is estimated that the impervious surface on the pump station site would increase from 35 percent to 48 percent.

Approximately 46,000 square feet of the approximately 48,000 square-foot pipeline storage project area is currently covered with impervious surface. After the project is completed, this area could contain an additional approximately 2,000 square feet of impervious surface, depending on permit requirements. The impervious surface on the pipeline storage area could increase from 96 percent to 100 percent.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

Project construction activities would utilize construction-related BMPs such as temporary erosion and sediment control measures to minimize the potential for erosion and sedimentation. Typical BMPs that could be used include installing silt fences, covering bare soil and stockpiles, and regularly inspecting and repairing erosion and sediment control measures. Additional BMPs and other measures could include using appropriate means to minimize tracking of sediment onto public roadways by construction vehicles and restoring disturbed areas by replanting or repaving as soon as practical after construction is completed.

Temporary erosion and sediment control measures would be identified in the project plans and construction specifications and would be implemented as required by the City of Seattle.

During construction, measures would be taken to ensure that surrounding structures were not damaged as a result of vibration or settlement. These measures would be specified in project plans and construction specifications and could include monitoring for vibration and/or settlement at the project site and/or nearby residences.

King County would conduct subsurface geotechnical investigations during design. Soil and groundwater information collected during these investigations would be used to design a shoring system(s) and dewatering plan that minimized the potential for vibration and settlement that could impact nearby structures.

Groundwater reinjection could be done to limit potential groundwater drawdown-induced settlement (Section B.3.b.1 describes potential excavation dewatering activities).

2. Air

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile emissions, odors, industrial wood smoke) during construction**

and when the project is completed? If any, generally describe and give approximate quantities if known.

During construction of the project, the primary source of air emissions would include fossil fuel combustion by-products from construction equipment and trucks used to haul material to and from the project site, and dust from the excavation and grading activity. Air emissions from engines could increase during certain activities, such as queuing trucks for loading and offloading of materials, or during heavy excavation.

After the project is constructed, it is not anticipated that sewage odors would be noticeable outside of the proposed facility under normal operating conditions. Odors associated with operation and maintenance of the facility would be minimized and mitigated through several design features (see Section B.2.c).

When the project is completed, diesel engine emissions would be emitted through a new exhaust stack on the pump station property during maintenance and operation of the standby power generator. It is anticipated that the generator would be operated for maintenance purposes once a month for approximately one hour. It is anticipated that the generator would be operated during emergency circumstances one or two times per year for a maximum of 24 hours.

A King County Greenhouse Gas Emissions Worksheet is attached.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

No

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:**

BMPs would be implemented to control dust during construction. Types of BMPs that would be used include street sweeping, watering exposed soil surfaces, and covering soil stockpiles to help minimize the amount of fugitive dust and particulate pollution to the surrounding areas.

Long-term impacts from odors associated with operation of the proposed project would be minimized and mitigated through several design features. Odor generation in the proposed diversion structure would be minimized by designing the structure to limit turbulence and keeping the hatches to the structure closed. Odors generated at the proposed storage pipeline would be minimized through use of the flushing system that would be installed to clean settled solids from the pipeline after each storage event.

Any odors generated within the pipeline from stored wastewater or solids not removed from the wash-down system would be mitigated through operation of the odor control facility housed in the ancillary equipment facility. The odor control system would consist primarily of a carbon adsorption scrubber vessel, mist eliminator, and fan. Gas concentrations at the odor control facility would be actively monitored to determine the functional performance of the facility and create an accurate schedule for replacement of the carbon filter media.

The standby power generator would use a diesel engine designed to minimize the discharge of gaseous pollutants to the atmosphere. The engine would meet a minimum of Environmental Protection Agency Non-road Tier One diesel engine emissions requirements.

3. Water

a. Surface:

- 1) **Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, or wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

The project site is located next to Puget Sound.

Two streams enter the storm drainage system approximately 200 feet southeast of the proposed project site near the intersection of Marmount Drive NW and NW North Beach Drive. The storm drain that carries the streams crosses through the project area and discharges to Puget Sound.

Stormwater is conveyed by sections of open ditch and pipe along the southeast side of the NW Blue Ridge Drive right-of-way. After the stormwater enters a pipe at the intersection of NW Neptune Place and NW Blue Ridge Drive, it is conveyed to Puget Sound by a stormwater pipe.

- 2) **Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

Yes. The ditch located along NW Blue Ridge Drive would be in or next to the proposed storage pipeline excavation footprint. Stormwater conveyed by this ditch would likely be diverted around the storage pipeline excavation during construction (See Section B.3.a.4).

The storm sewer pipeline that carries the two streams described in Section B.3.a.2 could be in or next to the storage pipeline excavation footprint. Flow in this pipeline may need to be temporarily bypassed around or over the excavation in order to construct the proposed project.

The proposed project would not require any in-water work or work within 200 feet of Puget Sound.

- 3) **Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

None

- 4) **Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.**

Yes. During project construction, surface water runoff carried by the ditch along NW Blue Ridge Drive would most likely need to be diverted around the storage pipeline excavation. Street frontage modifications required for the proposed project could involve permanent reconfiguration or replacement of the ditch for stormwater conveyance. Modifications to the right-of-way could also include implementation of green stormwater infrastructure BMPs to control and treat stormwater (for example, use of bioretention facilities).

Flow in the storm sewer pipeline that carries the two streams described in Section B.3.a.2 may need to be temporarily bypassed around or over the storage pipeline excavation in order to construct the proposed project.

Following construction of the proposed project, stormwater runoff on the pump station site would be directed to new bioretention facilities on the property.

The completed project would reduce the volume of untreated stormwater and sanitary sewage that is discharged to Puget Sound in the form of CSOs. During wet weather events where the capacity of the North Beach Pump Station and Force Main was exceeded, sanitary sewage and stormwater collected in the North Beach Basin would be diverted to the storage pipeline then pumped back to the local sewer system when capacity was available. These flows would be conveyed to the Carkeek and/or West Point Treatment Plants for treatment prior to being discharged to Puget Sound.

- 5) **Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

No

- 6) **Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

No. As described above in Section B.3.a.4, the proposed project would reduce the discharge of untreated sanitary sewage and stormwater to Puget Sound.

b. Ground:

- 1) **Will ground water be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.**

The depth to groundwater at the project site is not currently known, but it is probably close to the ground surface because the project site is located at the bottom of the North Beach surface water drainage basin. It is assumed that groundwater would be encountered during excavation for the proposed storage pipeline, diversion structure, and pipelines that would connect those two facilities. Some form of dewatering would be required to keep the excavations free of water. It is expected that dewatering would be required for approximately 12-16 months.

The amount of dewatering required would depend, in part, on the type(s) of shoring system used for the excavations and selection of shoring methods would be determined, in part, by groundwater conditions. If a permeable shoring system was used, such as soldier piles and wood lagging, dewatering volumes could be 700,000 gallons per day or more. Some of this water may be reinjected into the ground to limit potential groundwater drawdown-induced settlement. If a relatively impermeable shoring system was used, such as secant piles, dewatering volumes would be closer to approximately 25,000 gallons per day.

Dewatering water would be discharged to the King County sewer system or directly to Puget Sound through the existing stormwater drainage system. The stormwater drainage system would only be used if capacity were available. Some dewatering water could also be reinjected into the ground. Discharge of dewatering water to the sewer system would require a King County Industrial Waste Discharge Permit. Any dewatering water discharged directly to Puget Sound would have to meet Washington State Water Quality Standards.

- 2) **Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example, Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

None

c. Water Runoff (including storm water):

- 1) **Describe source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

The source of runoff during and after construction would be rainfall. Runoff on the site currently enters a storm drainage system that either discharges to Puget Sound or flows into the sewer system. Runoff control measures during and after construction would comply with the City of Seattle's stormwater management requirements.

Stormwater conveyed in the existing drainage ditch located along the southeast side of NW Blue Ridge Drive right-of-way would likely be diverted around the storage pipeline excavation. It would then be directed back into either the wastewater system or a storm drain that discharges to Puget Sound.

After the proposed project is completed, stormwater on the pump station site would flow into new bioretention facilities on the property. The soils and plantings in the bioretention facilities would settle, absorb, and filter the stormwater runoff prior to infiltration. Runoff from the construction area in Triton Drive NW and NW Blue Ridge Drive would continue to enter the existing stormwater drainage system or a new system that would

consist of a combination of pipe, ditch and/or bioretention facilities in the right-of-way.

2) Could waste materials enter ground or surface waters? If so, generally describe.

Construction-related materials could enter ground or surface waters due to accidental spills, mechanical failures, or if construction activities were performed outside specified conditions.

Following completion of the project, diesel fuel could enter ground or surface waters if accidentally spilled during filling of the approximately 200-gallon storage tank. It is anticipated that the storage tank would be filled one or two times per year.

See Section B.1.h and B.3.d for measures to minimize the potential for these impacts.

d. Proposed measures to reduce or control surface, ground and runoff impacts, if any:

Erosion and sedimentation control BMPs would be used during construction to reduce and control stormwater runoff impacts. Examples of typical BMPs that would be used during construction are presented in Section B.1.h.

Additional construction BMPs that could be implemented to prevent the introduction of contaminants into surface water or groundwater during construction include:

- maintaining spill containment and clean up materials in areas where equipment fueling is conducted
- refueling construction equipment and vehicles away from surface waters whenever practicable
- containing equipment and vehicle wash water associated with construction and keeping it from draining into surface waters
- storing fuels and other potential contaminants away from excavation sites and surface waters in secured containment areas
- conducting regular inspections, maintenance and repairs on fuel hoses, hydraulically operated equipment, lubrication equipment, and chemical/petroleum storage containers
- establishing a communication protocol for the unlikely event of a spill

If dewatering water were discharged to the King County sewer system, reinjected, or discharged directly to Puget Sound, it would be monitored to ensure that it met applicable standards. If necessary to meet those standards, measures would be taken to improve the water's quality before it was discharged. Dewatering water would only be discharged to the sewer system if adequate capacity was available. Discharges of dewatering water directly to Puget Sound would be routed through a settling tank, if necessary, to reduce turbidity.

Measures would be taken to minimize the potential for fuel spills associated with the standby power generator's diesel fuel storage tank. These measures could include installation of a double-walled tank, automatic shut-off valves, a leak detection system, or a concrete spill containment berm. In addition, appropriate BMPs would be implemented to minimize the risk of fuel spills. These could include installation of a fuel level indicator, signage to discourage overfilling, and staff training.

The proposed project includes implementation of green stormwater infrastructure BMPs to the maximum extent feasible. These BMPs would include, but not be limited to the creation of bioretention facilities for stormwater control and treatment on the project site.

The project itself is a measure to reduce surface water impacts. The purpose of the proposed project is to reduce the number of CSOs that are discharged to Puget Sound from the North Beach Basin.

4. Plants

a. Check or circle types of vegetation found on the site:

- deciduous tree
- evergreen tree
- shrubs
- grass
- pasture
- crop or grain
- wet soil plants
- water plants:
- other types of vegetation

The pump station property is sparsely landscaped with grass and shrubs. The edges of the right-of-way along Triton Drive NW and NW Blue Ridge Drive are landscaped with grass, shrubs and small trees.

b. What kind and amount of vegetation will be removed or altered?

Most of the vegetation on the pump station property and near the storage pipeline location in the right-of-way would be removed during construction. This would include grass, small shrubs, and small trees.

c. List threatened or endangered species known to be on or near the site.

None known

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Vegetated areas removed or disturbed during construction would be replanted with drought-tolerant or native plantings, or both. Bioretention facilities would be created to control and treat stormwater on the pump station property and possibly in the right-of-way. Landscaping would be consistent with City of Seattle standards and King County would consider input from the community.

when developing the landscaping plan. Temporary irrigation systems would be used for one or two years following construction to reduce plant mortality.

5. Animals

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other: rodents

fish: bass, salmon, trout, herring, shellfish, other:

- b. List any threatened or endangered species known to be on or near the site.

The following species are listed under the federal Endangered Species Act (ESA) and could be near the site. The proposed project is not expected to adversely affect these species.

Common Name	Scientific Name	ESA Status	Jurisdiction
Puget Sound ESU Chinook Salmon	<i>Oncorhynchus tshawytscha</i>	T	NMFS
Puget Sound DPS Steelhead	<i>Oncorhynchus mykiss</i>	T	NMFS
Coastal-Puget DPS Bull Trout	<i>Salvelinus confluentus</i>	T	USFWS
Canary Rockfish	<i>Sebastes pinniger</i>	T	NMFS
Yelloweye Rockfish	<i>Sebastes ruberrimus</i>	T	NMFS
Boccaccio Rockfish	<i>Sebastes paucispinis</i>	E	NMFS
Southern DPS North American Green Sturgeon	<i>Thaleichthys pacificus</i>	T	NMFS
Steller Sea Lion	<i>Eumetopias jubatus</i>	T	NMFS
Humpback Whale	<i>Megaptera novaeangliae</i>	E	NMFS
Southern Resident Killer Whale	<i>Orcinus orca</i>	E	NMFS
Marbled Murrelet	<i>Brachyramphus marmoratus</i>	T	USFWS

ESU = Evolutionarily Significant Unit

DPS = Distinct Population Segment

T = Threatened

E = Endangered

NMFS = National Marine Fisheries Service

USFWS = United States Fish and Wildlife Service

- c. Is the site part of a migration route? If so, explain.

The entire Puget Sound is part of the Pacific flyway migration route.

- d. Proposed measures to preserve or enhance wildlife, if any:

The project itself is a measure to minimize potential impacts on wildlife. Construction of the proposed CSO storage facility would reduce the volume of untreated sanitary sewage and stormwater that is discharged to Puget Sound from the North Beach Basin, thereby reducing the potential for related adverse effects on aquatic life.

6. Energy and Natural Resources

- a. **What kinds of energy (electric, natural gas, oil, woodstove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**

Temporary project energy needs would be limited to those required to operate construction equipment. Construction equipment would use fossil fuels.

In the completed project, electricity would be used for lighting and to operate equipment in the storage pipeline and ancillary equipment facility. This would include the effluent pumps and flushing system equipment, the odor control system, and the ventilation system. The standby power generator would be powered by diesel fuel.

- b. **Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**

No

- c. **What kind of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**

The proposed lighting systems would be energy efficient.

7. Environmental Health

- a. **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.**

Potential exposure to construction-related materials such as fuel and hydraulic fluid could occur as the result of accidental spills, mechanical failures, or if the construction activities deviate from the project construction specifications or permit conditions.

Diesel fuel could be spilled when the approximately 200-gallon storage tank is filled.

- 1) **Describe special emergency services that might be required.**

None

- 2) **Proposed measures to reduce or control environmental health hazards, if any:**

Section B.3.d discusses typical BMPs that could be implemented to prevent spills of contaminants and minimize exposure to environmental health hazards in the event of a spill.

The project itself is a measure to reduce environmental health hazards. Installation of the CSO storage pipeline and associated facilities would reduce the risk of CSOs, which can present a public health hazard.

b. Noise

- 1) **What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**

The project site is located in a residential community where the primary regular sources of noise include light automobile traffic along surrounding roadways and train traffic along the adjacent Burlington Northern Santa Fe (BNSF) railroad tracks. Noise generated by these sources would not affect the proposed project.

- 2) **What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.**

Construction of the proposed project would create a new, temporary source of noise in the project area that would be audible to nearby residences and within Blue Ridge Park. Construction-related noise would include engine and mechanical and scraping noises associated with the use of heavy equipment such as bulldozers, graders, loaders, excavators, and concrete mixers. These types of equipment typically generate noise in the range of 80-90 dBA at a distance of 50 feet. Hauling activities to and from the project site would contribute to traffic noise.

Noise levels associated with the installation of the shoring system(s) and storage pipeline support piles (if necessary) would depend on the type of shoring used and the method of pile installation. This would be determined by the contractor. An impact pile driver can generate noise measuring up to approximately 100 dBA at a distance of 50 feet. Other installation tools, such as a vibratory hammer or drilling, would generate less noise. It is anticipated that it would take three to four months to install a shoring system that used soldier piles.

Noise would also be generated during construction by pumps used to dewater the storage pipeline excavation. The pumps would generate noise levels measuring approximately 80 dBA at a distance of 23 feet. Exact noise levels would depend on the dewatering method used, which would be determined by the contractor, and the amount of dewatering required. The dewatering pumps would likely be powered by a generator that would create noise levels measuring up to 60 dBA at a distance of 23 feet.

Construction activity would take place during daytime hours. It is anticipated that nighttime construction activity would not be required. Dewatering pumps would run 24 hours per day during storage pipeline excavation and move as the excavation proceeded. It is anticipated that dewatering pumping would occur for approximately 12-16 months.

Following construction, noise would be generated by equipment such as the odor control unit, effluent pumps, and the standby diesel generator for very limited durations when maintenance occurred and during the one to two times each year that this equipment is expected to operate.

3) Proposed measures to reduce or control noise impacts, if any:

During construction, all activities would be performed consistent with the City of Seattle's Noise Control Ordinance. All impacts from noise generated by construction would be short-term and temporary in nature and would not constitute a significant effect on the surrounding land uses. Construction BMPs would be used to minimize construction noise. Examples of BMPs that could be used include:

- using effective vehicle mufflers, engine intake silencers, and engine enclosures, and shutting off equipment when not in use
- locating activities away from sensitive receptors when possible
- using portable noise barriers placed around stationary equipment
- encouraging equipment drivers to avoid backing up as much as possible to reduce the use of back-up alarms
- using broadband back-up alarms to eliminate impacts of single-frequency high-pitched alarms
- notifying residents and businesses near the project area of upcoming noisy construction activities
- creating a 24-hour construction hotline to promptly respond to questions and complaints

Additionally, King County would notify adjacent residences in advance of project construction scheduling and sequencing of construction activities.

8. Land and Shoreline Use**a. What is the current use of the site and adjacent properties?**

The project site is located in a residential waterfront community. King County's North Beach Pump Station site, which would house the ancillary equipment facility and diversion structure, is bordered to the northwest by railroad tracks and Puget Sound, to the southwest by single family residences, and to the southeast by Triton Drive NW and single family residences. It is bordered to the northeast by Blue Ridge Park, an open space owned by the Blue Ridge Homeowners' Association.

The storage pipeline site is in City of Seattle right-of-way under Triton Drive NW and NW Blue Ridge Drive. Adjacent properties on the southeast side of the right-of-way contain single family residences. Adjacent properties on the northwest side of the right-of-way contain single family residences, Blue Ridge Park, and the North Beach Pump Station.

b. Has the site been used for agriculture? If so, describe.

No

c. Describe any structures on the site.

King County's North Beach Pump Station is located on the project site. It is an approximately 1,600 square-foot below-grade structure.

d. Will any structures be demolished? If so, what?

No

e. What is the current zoning classification of the site?

The current zoning classification of the site is Single Family Residential.

f. What is the current comprehensive plan designation of the site?

The current comprehensive plan designation of the site is Single Family Residential.

g. If applicable, what is the current shoreline master program designation of the site?

The current shoreline master program designation of the site is Urban Residential.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

Yes. The westernmost tip of the North Beach Pump Station property is identified by the City of Seattle as a potential landslide area. Excavation within this area is not planned.

i. Approximately how many people would reside or work in the completed project?

No people would reside in the completed project. It is estimated that the completed project would be visited by King County staff between one and three times per month for routine operation and maintenance purposes. The proposed storage pipeline would be intensively cleaned approximately once every three to five years. This would require the temporary closure of one lane of traffic in Triton Drive NW and/or NW Blue Ridge Drive for approximately one or two weeks.

j. Approximately how many people would the completed project displace?

None

k. Proposed measures to avoid or reduce displacement impacts, if any:

None needed

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposed project would be consistent with current and projected land uses. The ancillary equipment facility would be designed with community input on architectural design features and materials to ensure that it is consistent with the residential waterfront setting. The other project components (for example, storage pipeline and diversion structure) would be located below grade.

9. Housing

- a. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

None

- b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

None

- c. **Proposed measures to reduce or control housing impacts, if any:**

None

10. Aesthetics

- a. **What is the tallest height of any proposed structure(s), not including antennae; what is the principal exterior building material(s) proposed?**

The footprint of the proposed ancillary equipment facility would be approximately 40 feet by 20 feet and the height of the building would be approximately 15 feet. Exhaust stacks for the odor control system and standby generator would extend above the roofline. The facility's principal exterior building material would be determined during the final design phase with consideration of community input.

- b. **What views in the immediate vicinity would be altered or blocked?**

The visual quality of the immediate project area would be temporarily impacted during the approximately 18- to 24-month construction period. The most intensive construction work would occur during a six-month period when excavation for the storage pipeline is performed. Temporary visual impacts during construction would include the presence of construction equipment, work crews, dust/exhaust, materials, signage, temporary fencing, staging areas in the construction zone, and traffic congestion along haul routes. An approximately 50-foot-tall crane could be located on the project site for approximately four months.

After the project was completed, views of the North Beach Pump Station site would continue to be partially screened by a chain-link fence and landscaping. However, the ancillary equipment facility would be noticeable from surrounding properties that currently have views of the site and from vehicles traveling on Triton Drive NW, NW Blue Ridge Drive, and NW Neptune Place. The presence of the new above grade facility would alter views, but not block them.

- c. **Proposed measures to reduce or control aesthetic impacts, if any:**

The design process for the ancillary equipment facility would follow City of Seattle policies and guidelines for incorporating aesthetic considerations into design. King County would also consider input from the community on exterior materials and architectural elements of the facility to ensure that it is consistent with the residential waterfront setting. The design would likely include plantings of shrubs around the exterior which would provide partial screening of the facility.

Any areas where landscaping was removed to construct the proposed project would be replanted. Bioretention facilities may be installed in some of these areas. This will depend, in part, on City of Seattle stormwater management requirements.

The large decorative "Blue Ridge" rock sign located in front of Blue Ridge Park would either be protected in place or moved and temporarily stored in a secure place to avoid damage during construction. If moved, the sign would be returned to its existing location at the end of the construction period.

11. Light and Glare

- a. **What type of light or glare will the proposal produce? What time of day would it mainly occur?**

Temporary lighting may be used at the beginning and end of work days when daylight hours are short. No nighttime construction is anticipated.

The proposed ancillary equipment facility would include exterior security lighting that could result in light and glare effects. This would mainly occur during nighttime hours.

- b. **Could light and glare from the finished project be a safety hazard or interfere with views?**

The ancillary equipment facility's exterior security lighting would be noticeable from surrounding properties that currently have views of the site.

- c. **What existing off-site sources of light or glare may affect your proposal?**

None

- d. **Proposed measures to reduce or control light and glare impacts, if any:**

Full cutoff, low-intensity light fixtures would be used for the ancillary equipment facility's exterior security lighting. The light fixtures would be configured so that light was not cast beyond the edge of the pump station property and to minimize light and glare that would be noticeable from surrounding properties.

The use of highly reflective building materials and/or finishes in the design of the ancillary equipment facility exterior would be restricted.

12. Recreation

- a. **What designated and informal recreational opportunities are in the immediate vicinity?**

Blue Ridge Park is located northeast of and adjacent to the North Beach Pump Station site at the intersection of NW Neptune Place and Triton Drive NW/NW Blue Ridge Drive. The 1.4-acre park is a private, covenant-restricted, members-only facility that includes playground equipment, a playfield, picnic tables, and a picnic shelter.

Other nearby parks include Golden Gardens Park and Carkeek Park. Both of these City of Seattle parks are located along the shore of Puget Sound and approximately 0.75 mile from the project site to the southwest and northeast, respectively.

b. Would the proposed project displace any existing recreational uses? If so, describe.

Activities required for construction of the proposed facilities would result in temporary visual and noise impacts on recreational users of Blue Ridge Park. Impacts could also include temporary and intermittent access disruptions when construction is occurring in the right-of-way next to the park. It is possible that the contractor would occasionally not be able to provide safe pedestrian access to the park for several days at a time during construction. Measures would be implemented to minimize impacts to park access (see Section B.12.c). Additionally, the approximately five to six on-street parking spaces in front of the park along Triton Drive NW would be unavailable for use during most of the construction period.

Operation of the proposed facilities would not displace any existing recreational uses.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

The contractor would be required to maintain safe pedestrian access to Blue Ridge Park during construction, to the maximum extent practicable. Measures to ensure pedestrian safety could include the use of signage regarding park access routes, the placement of steel plates over open excavations to provide access, the use of temporary fencing or ecology blocks to designate safe walkways, and the use of flaggers or escorts to assist people accessing the park through or near the construction area. It is possible that access to the park could be intermittently unavailable for several days at a time during the construction period. Measures that could be taken to limit the number and duration of access restrictions to the park include considering the ability to maintain park access during design (siting) of the storage pipeline and development of construction sequencing. Additionally, a second park gate could be installed in a location where pedestrian access could be safely provided when access to the existing gate is blocked by construction activity.

Construction BMPs would be implemented to minimize construction noise (see Section B.7.b.3). Likewise, traffic control measures would be implemented to ensure that people could access Blue Ridge Park safely (see Section B.14.g).

King County would provide advance notification of construction activities to all residents adjacent to the construction area, including notification of periods during which the contractor could not provide safe access to Blue Ridge Park. Advance notifications would include posting signage at the site, as well as written notification to the Blue Ridge Club, Incorporated, Board of Directors. The notification would include the name and phone number of the King County staff to be contacted regarding questions or concerns about construction activity.

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state or local preservation registers known to be on or next to the site? If so, generally describe.

None known

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific or cultural importance known to be on or next to the site.

None known

- c. Proposed measures to reduce or control impacts, if any:

The proposed project would comply with the requirements of the National Historic Preservation Act. This would include the completion of a cultural resources survey at the project site. If artifacts were uncovered during excavation, work would be stopped pending notification of and response from appropriate agencies.

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

Access to the project site is primarily provided by Triton Drive NW and NW Blue Ridge Drive via NW Neptune Place and 24th Avenue NW. These roadways are two-lane residential streets that serve limited residential access only. Access to 24th Avenue NW is provided by NW 96th Street and 15th Avenue NW.

The proposed storage pipeline and associated influent/effluent pipelines would be constructed in the Triton Drive NW and NW Blue Ridge Drive rights-of-way.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Yes. King County Metro Transit provides bus service to the area. Route 18 provides service along 24th Avenue NW, NW Neptune Place, and Triton Drive NW. There is a transit stop located on Triton Drive NW in front of the North Beach Pump Station site.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

During construction, most of the on-street parking on the sections of Triton Drive NW and NW Blue Ridge Drive that lie within the project site, including the parking area for five to six cars in front of Blue Ridge Park, would be temporarily unavailable. The duration of disruption would vary depending upon the location and stage of construction activity. The majority of the residences in the area have off-street parking and on-street parking is available just outside of the project area.

The completed project would not create any parking spaces. Between approximately two and four parking spaces within the public right-of-way on Triton Drive NW and/or NW Blue Ridge Drive would be permanently eliminated. Two approximately 4' (w) x 8' (l) metal hatches would need to be placed on top of or near the proposed CSO storage pipeline to provide access for operation and maintenance staff. If these hatches were placed outside of the travelled right-of-way, parking would not be allowed on top of the hatches. Additionally, one or two on-street parking spaces could be permanently reserved for WTD operations and maintenance staff to ensure that they could safely and quickly access the proposed storage pipeline with the necessary equipment.

At each end of the proposed storage pipeline, an approximately 10' (w) x 12' (l) opening would be covered with concrete lifting slabs. These slabs would be removed approximately once every three to five years so that the pipeline could be intensively cleaned. The slabs would most likely be located in the travelled right-of-way, but on-street parking spaces next to the slabs could be temporarily unavailable for approximately one or two weeks when this maintenance is occurring.

Additional on-street parking spaces could be permanently replaced by the installation of bioretention facilities. These modifications to the right-of-way would be determined during design and depend, in part, on City of Seattle requirements.

- d. **Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).**

A portion of the project site in Triton Drive NW and NW Blue Ridge Drive public right-of-way would be excavated during construction for the storage pipeline and influent/effluent pipelines. Following construction, the right-of-way in the project area would be repaved (travelled portion) or otherwise restored (non-travelled portion) to meet current City of Seattle Department of Transportation pavement and street restoration requirements. Restoration of the disturbed right-of-way would include the installation of landscaping and stormwater control and/or treatment facilities that would meet City of Seattle standards and requirements. The restored right-of-way would also include the access hatches described in Section B.14.c.

The existing access road on the southwest side of the King County-owned pump station property would be relocated to the northeast side of the property to make room for the new ancillary equipment facility.

Northwest Neptune Place, which could be identified as part of a construction haul route for the proposed project, has recently experienced numerous failures (sinkholes). Improvements to this road, and to any other roads near the project site that are proposed for use by heavy equipment, may be required before and/or after construction to ensure that they can be travelled safely.

- e. **Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

Yes, construction at the North Beach Pump Station property would occur somewhat near the active BNSF railroad tracks that border the park to the northwest. The project would not disrupt railroad activity.

- f. **How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**

Construction of the proposed project would require hauling of excavated soil from the site and delivery of construction materials by truck to the site. Excavation hauling and delivery of concrete/piping would require approximately 3,600 one-way truck trips. The most intense truck traffic would occur during a six- to eight-month period. It is estimated that during peak months, the project would generate up to approximately 60 one-way truck trips per day. The number of trips would be dependent on contractor planning and sequencing, and the daily average noted above could be exceeded at times. Additional vehicular trips would occur related to materials delivery, as well as workers going to and coming from the site.

- g. **Proposed measures to reduce or control transportation impacts, if any:**

Temporary localized traffic impacts are anticipated during the approximately 18- to 24-month construction period. Temporary traffic impacts in the project area would include street closures, traffic and parking restrictions, and restricted access to residences and Blue Ridge Park. These impacts and measures that could be implemented to reduce or control them are described generally in the following paragraphs.

Construction of the proposed approximately 325-foot-long, 12-foot-diameter storage pipeline in Triton Drive NW and NW Blue Ridge Drive would entail large open excavations in the right-of-way. This would require the temporary closure of portions of Triton Drive NW and NW Blue Ridge Drive in the project area for approximately six to twelve months. The road segments closed would change as excavation for the storage pipeline progressed. During the six- to twelve-month period, vehicular access to residences on the northwest and southeast sides of NW Blue Ridge Drive closest to the active construction zone may be limited and, at times, unavailable. The contractor would be required to provide safe pedestrian access to all residences at all times.

The duration of road closures and specific impacts to individual homes would be determined during final design and would depend upon the final location of the storage pipeline, the type of construction methods used, and construction sequencing. Impacts to specific properties would depend upon the extent and duration of construction activities next to each parcel, as disturbance at each parcel could vary greatly. King County would work with residents during final design to evaluate residential access needs. Siting of the storage pipeline and construction sequencing would be developed so as to minimize the impacts to residential access.

If necessary, contractor parking in and near the project area would be limited in order to ensure adequate on-street parking for residents and visitors. Contractors could be required to park off-site and carpool or shuttle to the project area.

Temporary impacts to bus service would occur as a result of road closures, particularly along Triton Drive NW and NW Blue Ridge Drive. Detours and/or

temporary bus routes would be required to maintain service to the area. School bus routes, garbage and recycling service, mail delivery, and other services requiring vehicular access in this area would also be temporarily disrupted. The extent and duration of the road closures, as well as temporary revisions to bus routes and other services, would be determined prior to the start of construction.

To construct the proposed project, a street use right-of-way permit would be required from the City of Seattle. Permit conditions would require a traffic control plan to be submitted and approved prior to the start of construction. The plan would identify traffic and parking restrictions and the locations of traffic control devices and signage. It would include detailed measures to address residential access, emergency vehicle access, road closures and detours, temporary bus route changes, and pedestrian safety. Potential measures that could be implemented include the use of protective barriers, fences, flaggers, foot and/or vehicle bridges, specified hours of residential vehicular access during active construction, provisions for emergency access, and steel plating.

King County would provide advance notification of construction activity to all residents adjacent to the construction area. Advance notification would include posting signage at the site, as well as written notification of the Blue Ridge Club, Incorporated, Board of Directors and impacted residences. The notification would include the name and phone number of the King County staff person to be contacted regarding questions or concerns about construction activity.

After the proposed project is completed, maintenance of the storage pipeline would require infrequent, intensive cleaning. To provide adequate work space for crews to perform this work, one lane of traffic in Triton Drive NW and/or NW Blue Ridge Drive would need to be closed temporarily. It is anticipated that intensive cleaning of the storage pipeline would take one or two weeks to complete and occur approximately once every three to five years.

15. Public Services

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.**

No

- b. **Proposed measures to reduce or control direct impacts on public services, if any:**

The contractor would be required to maintain access to residences by fire, emergency medical technician, and police vehicles and personnel at all times during construction.

16. Utilities

- a. **Circle the utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.**

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

The completed project would use water and electricity provided by the City of Seattle.

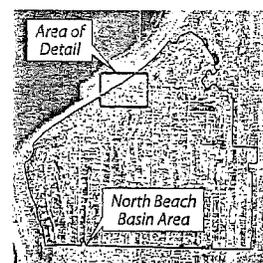
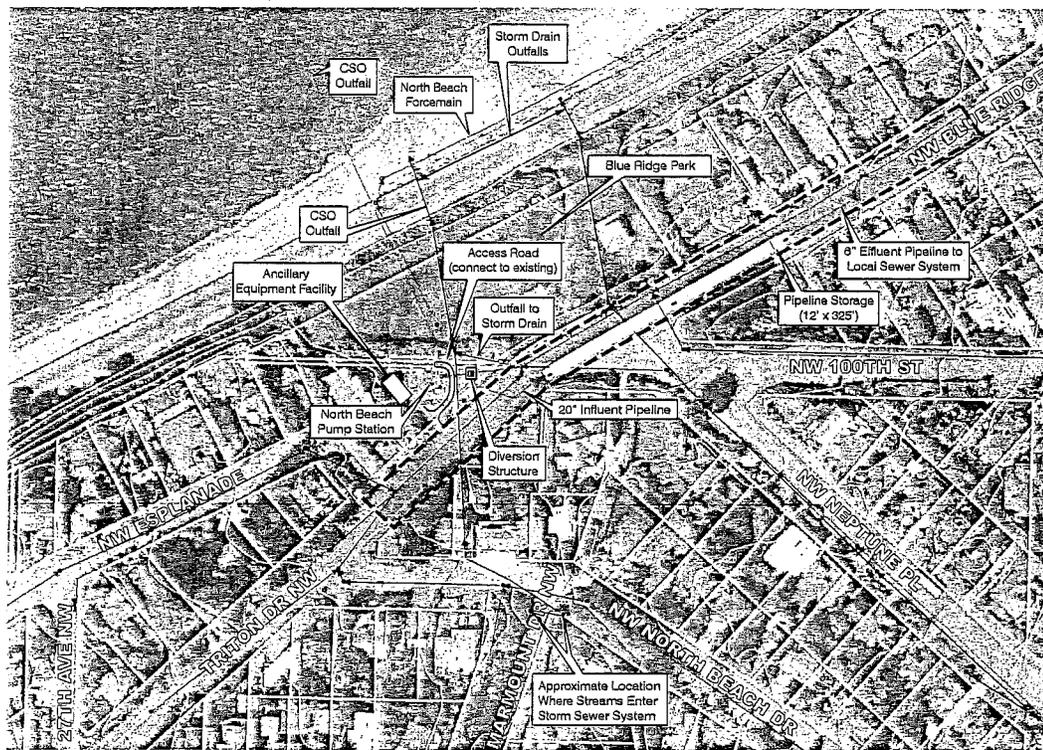
Some of the utilities in Triton Drive NW and NW Blue Ridge Drive would most likely need to be relocated to construct the storage pipeline and influent/effluent pipelines. This could cause temporary, short-term disruption of some utility service to some residences.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Wesley Lyrique

Date Submitted: 4/15/11



0 50 100 150'
Approximate Scale

Legend

- Combined Sewer System
- Storm Sewer System
- Sanitary Sewer System
- 10' Topographic Contour
- Feasible Area for Pipe Location

**NORTH BEACH
COMBINED SEWER OVERFLOW
CONTROL PROJECT SITE LAYOUT PLAN**

King County
Department of Natural Resources and Parks
Wastewater Treatment Division

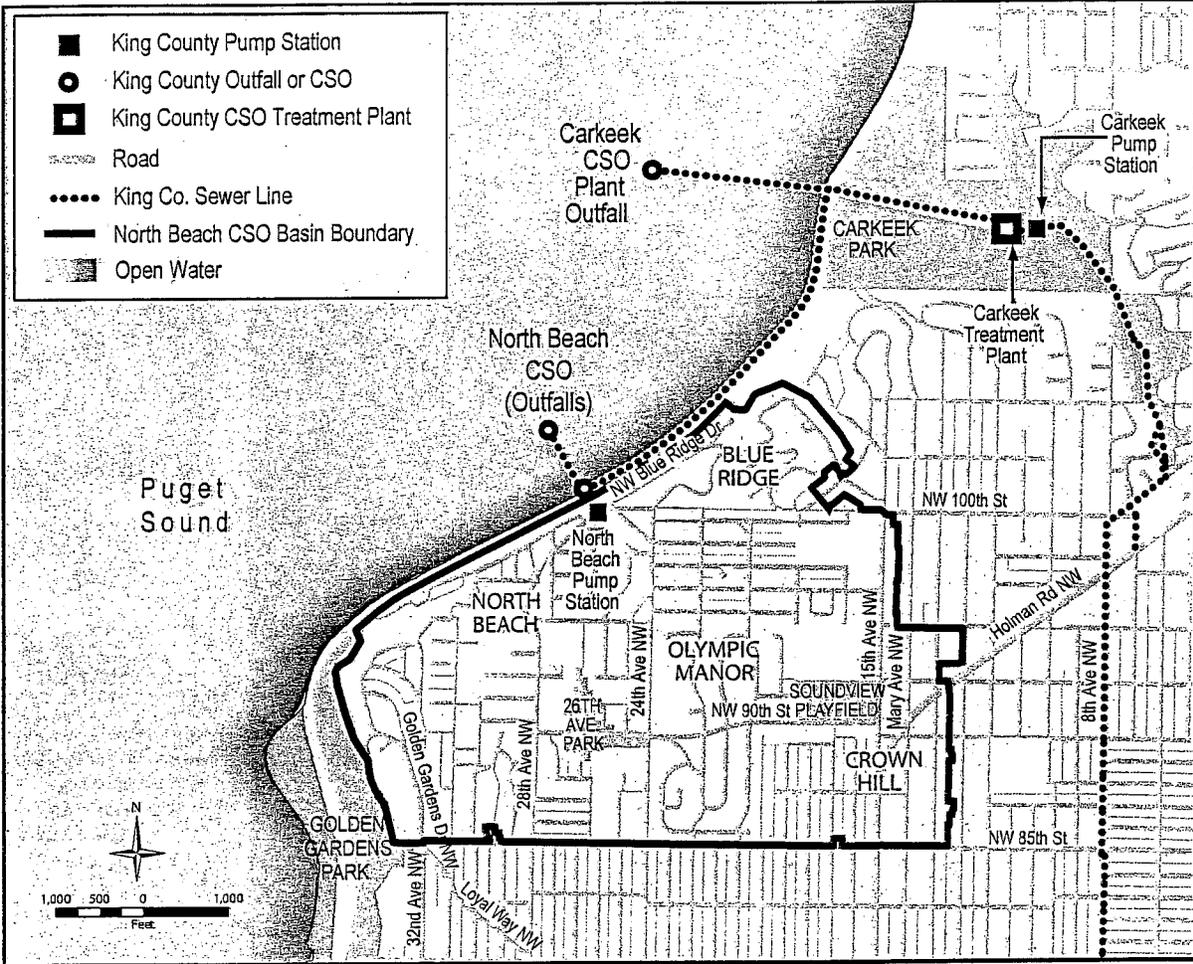


Figure 2-1_new.ai

NORTH BEACH COMBINED SEWER OVERFLOW CONTROL PROJECT VICINITY MAP

King County
 Department of Natural Resources and Parks
 Wastewater Treatment Division

King County Greenhouse Gas Emissions Worksheet—North Beach CSO Control Project

Section I: Buildings

Type (Residential) or Principal Activity (Commercial)	# Units	Square Feet (in thousands of square feet)	Emissions Per Unit or Per Thousand Square Feet (MTCO _{2e})			Lifespan Emissions (MTCO _{2e})
			Embodied	Energy	Transportation	
Single-Family Home.....	0		98	672	792	0
Multi-Family Unit in Large Building	0		33	357	766	0
Multi-Family Unit in Small Building	0		54	681	766	0
Mobile Home.....	0		41	475	709	0
Education		0.0	39	846	361	0
Food Sales		0.0	39	1,541	282	0
Food Service		0.0	39	1,994	561	0
Health Care Inpatient		0.0	39	1,938	582	0
Health Care Outpatient		0.0	39	737	571	0
Lodging		0.0	39	777	117	0
Retail (Other Than Mail).....		0.0	39	577	247	0
Office		0.0	39	723	588	0
Public Assembly		0.0	39	733	150	0
Public Order and Safety		0.0	39	899	374	0
Religious Worship		0.0	39	339	129	0
Service		0.0	39	599	266	0
Warehouse and Storage		0.0	39	352	181	0
Other		1.0	39	1,278	257	1574
Vacant		4.0	39	162	47	990

Section II: Pavement.....

Pavement.....		10.00				500
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Total Project Emissions:

3064

Note: The proposed project consists of a new approximately 325-foot-long, 12-foot-diameter buried storage pipeline, an approximately 96-square-foot diversion structure, and an approximately 800 square foot ancillary equipment facility. It also includes restoration of the existing street above the proposed storage pipeline and, possibly, the installation of curbs, gutters and sidewalks.

