



CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS

Record Number: 3042320-LU

Applicant: Nick Wheeler, JSA Civil, LLC

Address of Proposal: 13550 Aurora Avenue North

SUMMARY OF PROPOSAL

Land Use Application to allow the replacement of a portion of an existing building with new exterior walls, sidewalks, paving, and landscape, and reconfiguration of parking lot (WinCo Foods). Project to include 550 cubic yards of grading and update of existing underground stormwater facilities. Additional parking for 11 vehicles proposed (558 total).

The following approval is required:

I. SEPA Environmental Determination (SMC Chapter 25.05)

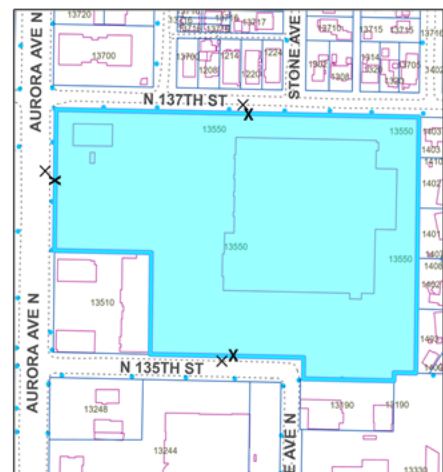
SEPA DETERMINATION

- ☒ Determination of Nonsignificance (DNS)
 - ☒ Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal has been conditioned to mitigate environmental impacts.
 - ☐ No mitigating conditions of approval are imposed.
- ☐ Determination of Significance (DS) – Environmental Impact Statement (EIS)
- ☐ Determination made under prior action.
- ☐ Exempt

SITE AND VICINITY

Site Description: The site is generally rectangular in shape with street frontage along portions of the north, south, and west property lines. The existing structure is approximately 145,000 square feet in size, is currently vacant, and sits approximately in the northeast corner of the site and is surrounded by surface parking lot and load/unload area. Surrounding development includes commercial uses to the north, south, and west, and single- and multi-family residential units to the north and east.

Site Zone: Commercial 1 with a 75-foot height limit, Medium Mandatory Housing Affordability Suffix and Commercial 1 with



The top of this image is north. This map is for illustrative purposes only. In the event of omissions, errors or differences, the documents in SDCI's files will control.

a 55-foot height limit, Medium Mandatory Housing Affordability Suffix - (C1-75(M)) and C1-55(M)

Zoning Pattern: (North) C1-75(M), Lowrise 2 (M) (LR2(M)) and Neighborhood Residential 3 (NR3)
(South) C1-75(M) and C1-55(M)
(East) NR3
(West) C1-75(M)

Environmentally Critical Areas: no mapped ECAs

PUBLIC COMMENT

The public comment period ended on May 14, 2025. Comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to construction impacts and operational impacts such as air quality, drainage, and transportation. Comments were also received that are beyond the scope of this review and analysis per SMC 25.05.

I. ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (RCW 43.21C), Washington Administrative Code (WAC) 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. The Seattle Department of Construction and Inspections (SDCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and considered any pertinent comments which may have been received regarding this proposed action. The information in the environmental checklist, the supplemental information, and the experience of the lead agency with the review of similar projects, form the basis for this analysis and decision.

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.

Under such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

SHORT TERM IMPACTS

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic impacts due to construction related vehicles, exposure of hazardous materials, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing

City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. Short term impacts, as well as mitigation, are identified in the environmental checklist annotated by SDCI with additional analysis provided below.

Air Quality – Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A (Air Quality Policy).

Construction Impacts – Traffic

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The area is subject to significant traffic congestion during peak travel times on nearby arterials. Large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

However, the amount of excavation and size of construction will result in a small and temporary increase in truck trips. Any closures of the public right of way will require review and permitting by Seattle Department of Transportation. Additional mitigation is not warranted pursuant to SMC 25.05.675.B (Construction Impacts Policy).

Construction Impacts – Noise

The project is expected to generate loud noise during demolition, grading, and construction. The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development construction and equipment between the hours of 7:00 AM and 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends and legal holidays in commercial zones.

If extended construction hours are necessary due to emergency reasons or construction in the right of way, the applicant may seek approval from SDCI through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated.

The limitations stipulated in the Noise Ordinance are sufficient to mitigate noise impacts and no additional SEPA conditioning is necessary to mitigate noise impacts pursuant to SMC 25.05.675.B (Construction Impacts Policy).

Construction Impacts – Mud and Dust

Approximately 550 cubic yards of material will be excavated and removed from the site. Transported soil is susceptible to being dropped, spilled or leaked onto City streets. The City's Traffic Code (SMC 11.74.150 and 160) provides that material hauled in trucks not be spilled during transport. The City requires that loads be either 1) secured/covered; or 2) a minimum of six inches of "freeboard" (area from level of material to the top of the truck container). The regulation is intended to minimize the amount of spilled material and dust from the truck bed enroute to or from a site.

No further conditioning of the impacts associated with these construction impacts of the project is warranted pursuant to SMC 25.05.675.B (Construction Impacts Policy).

LONG TERM IMPACTS

Long term or use-related impacts are also anticipated as a result of approval of this proposal. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies. Long term impacts, as well as mitigation, are identified in the environmental checklist annotated by SDCI with additional analysis provided below.

Air Quality – Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, no further mitigation is warranted pursuant to SMC 25.05.675.A (Air Quality Policy).

Drainage

Property development and redevelopment often create increased volumes and rates of stormwater runoff, which may cause property damage, safety hazards, nuisance problems, and water quality degradation. It is the City's policy to protect wetlands, riparian corridors, lakes, drainage basins, wildlife habitat, slopes, and other property from adverse drainage impacts. The scope of the project includes demolition of approximately 17,000 square feet of an existing building and the addition of impervious surfaces on site. The applicant submitted a geotechnical report ("Geotechnical Engineering Report," Terracon, May 20, 2024), addendum ("Geotechnical Addendum Letter No.2 – Shoring Design Recommendations," Terracon, June 11, 2025), and conceptual shoring and excavation plans. SDCI Drainage experts reviewed the information. Authority provided through [Chapters 22.800](#) through [22.808](#) and [Chapter 25.09](#) is intended to achieve mitigation of drainage impacts in most cases, although these ordinances may not anticipate or eliminate all impacts.

The requirements of the stormwater and drainage ordinance (Chapter 22) are sufficient to mitigate stormwater impacts and no additional SEPA conditioning is necessary to mitigate stormwater impacts pursuant to SMC 25.05.675.C (Drainage Policy).

Historic Preservation – Archaeological Resources

The project is outside the U. S. Government Meander Line buffer, which marks the historic shoreline – an area with the potential for discovery of pre-contact and early historic period resources. However, the Duwamish Tribe submitted a comment expressing concern about the potential discovery of pre-contact and early historic resources if excavation cuts through fill and into recent alluvium. The proposed development includes excavation approximately eight feet in depth. The geotechnical addendum notes that fill was found at depths of 4-18 feet.

Since the information showed there was low probable presence of archaeologically significant resources on site, Section A of Director's Rule 2-98 applies. Pursuant to SMC 25.05.675.H (Historic Preservation

Policy) and consistent with Section A of Director's Rule 2-98, the conditions listed at the end of this decision are warranted to mitigate impacts to potential archaeological resources.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- ☒ **Determination of Nonsignificance (DNS).** This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355 and early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

CONDITIONS – SEPA

Prior to Issuance of a Master Use Permit

1. The owner and/or responsible parties shall provide SDCI with a statement that the contract documents for their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 27.53, 27.44, 79.01, and 79.90 RCW, and Chapter 25.48 WAC as applicable) and that construction crews will be required to comply with those regulations.

During Construction

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

Carly Guillory, Senior Land Use Planner
Seattle Department of Construction and Inspections

Date: October 20, 2025