

**MEMORANDUM**

**To:** Councilmember Rob Johnson, Chair  
Councilmembers Lisa Herbold and Mike O'Brien, Members  
Planning, Land Use and Zoning (PLUZ) Committee

**From:** Lish Whitson, Council Central Staff

**Date:** **August 11, 2016**

**Subject:** Clerk File 314341  
Council Conditional Use Application by King County to allow a new combined sewer overflow treatment facility (Georgetown Wet Weather Treatment Station) at 6185 4th Avenue South (Project 3021372, Type IV).

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On August 16, 2016, the Planning, Land Use and Zoning (PLUZ) Committee will discuss and potentially vote on a Council Conditional Use application from the King County Wastewater Division related to the Georgetown Wet Weather Treatment Station (GWWTS). The GWWTS would be located at 6185 4<sup>th</sup> Avenue South near the Georgetown neighborhood in the Duwamish Manufacturing/Industrial Center. Classified as a sewage treatment plant, the project requires Council Conditional Use approval. Council review of public facilities, like the GWWTS, is a Type IV, Quasi-Judicial action. Both the Seattle Department of Construction and Inspections and the Seattle Hearing Examiner have recommended that the Council APPROVE the Council Conditional Use.

This memo briefly describes the project and approvals required.

**Project Description**

The GWWTS is one of nine Combined Sewer Overflow (CSO) projects required under a Consent Decree between King County, the Washington State Department of Ecology, the Environmental Protection Agency and the Department of Justice to achieve CSO control. As depicted in Attachment A, the GWWTS would be located at the northwest corner of Michigan Avenue and 4<sup>th</sup> Ave. S., on a 2.8 acre site zoned General Industrial 2 with a base height limit of 85 feet (IG2-85), within the Greater Duwamish Manufacturing and Industrial Center.

The GWWTS would include:

- Wastewater screening facilities
- Flow equalization basin/influent pump station
- High-rate clarification, using ballasted sedimentation
- Solids holding tanks
- Ultra-violet (UV) disinfection
- Ancillary facilities, including an operation and maintenance support building, electrical buildings, odor control, chemical storage, a generator to provide standby power for essential services, and a meeting space

It would be designed to treat up to 70 million gallons of combined rain and wastewater per day. These flows would otherwise discharge directly to the Lower Duwamish Waterway without treatment during wet weather events, as many as 20 times a year.

### **Criteria**

Seattle Municipal Code (SMC) 23.50.012 classifies Sewage Treatment Plants as Council Conditional Uses in IG2 zones. Criteria for approval of conditional uses in industrial zones are included in 23.50.014, including the following conditions for sewage treatment plants:

- D. Sewage treatment plants may be permitted as a Council conditional use in General Industrial 1 (IG1), General Industrial 2 (IG2) and Industrial Commercial (IC) zones according to the following criteria:
  - a. The plant shall be located so that adverse impacts would not affect large concentrations of people, particularly in residential and commercial areas;
  - b. The negative impacts of the use can be satisfactorily mitigated by imposing conditions to protect other property in the zone or vicinity and to protect the environment. Appropriate mitigation measures shall include but are not limited to:
    - (1) A facility management and transportation plan shall be required. The level and kind of detail to be disclosed in the plan shall be based on the probable impacts and/or scale of the proposed facility, and shall at a minimum include discussion of sludge transportation, noise control and hours of operation, and shall be incorporated into the design and operation of the facility;
    - (2) Measures to minimize potential odor emission and airborne pollutants including methane shall meet standards of and be consistent with best available technology as determined in consultation with the Puget Sound Clean Air Agency (PSCAA), and shall be incorporated into the design and operation of the facility;
    - (3) Methods of storing and transporting chlorine and other hazardous and potentially hazardous chemicals shall be determined in consultation with the Seattle Fire Department and incorporated into the design and operation of the facility;
    - (4) Vehicular access suitable for trucks shall be available or provided from the plant to a designated arterial improved to City standards; and
    - (5) Landscaping and screening, separation from less-intensive zones, noise, light and glare controls, and other measures to insure the compatibility of the use with the surrounding area and to mitigate adverse impacts shall be incorporated into the design and operation of the facility.

### **Review**

On March 11, 2016, King County Department of Natural Resources as State Environmental Policy Act (SEPA) Lead Agency for the project, issued a Determination of Non-Significance. Environmental review of the project identified some environmental contamination on one of the four lots that make up the site. Detailed plans for identification, removal and disposal of contaminated/hazardous materials will be prepared. Other than construction noise within the

maximum permitted noise levels for an industrial area and some traffic closures during construction, no other environmental impacts were identified.

On May 19, 2016, the Director of the Seattle Department of Construction and Inspections recommended conditional approval of the Council Condition Use for the new CSO facility.

On, June 28, 2016, the City of Seattle's Hearing Examiner held an open record hearing on the petition. On July 5, 2016, the Hearing Examiner issued Findings and Recommendations recommending City Council approval of the requested Council Conditional Use with the following conditions:

Prior to Issuance of a Demolition, Grading or Building Permit

1. If the applicant intends to work outside of the limits of the hours of construction described in item #2 below, a Construction Noise Management Plan shall be required, subject to review and approval by Seattle DCI, and prior to a demolition, grading, or building permit, whichever is issued first.

During Construction

2. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing and painting) shall be limited to non-holiday weekdays from 7 am to 6 pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9 am and 6 pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, and weather protection, shall not be limited by this condition. This condition may be modified through a Construction Noise Management Plan, required prior to issuance of the permits noted above in condition 1.

There was no appeal of the Hearing Examiner's recommendation to the City Council. Under SMC 23.76.004, review of "public projects that require Council approval" are considered Quasi-Judicial or Type IV land use decisions. Under SMC 23.76.005 D3, the Council has 90 days to review a Type IV land use decision when there is no appeal. Council's review period will end on October 3, 2016.

I have prepared a draft Findings, Conclusions and Decision document for the PLUZ Committee discussion on August 16, which will be included with the agenda for the meeting. Please let me know if you have any questions, concerns or would like to see any changes to that document.

cc: Kirstan Arestad, Central Staff Executive Director  
Ketil Freeman, Supervising Analyst

## ATTACHMENTS

- A. Location of the Georgetown Wet Weather Treatment Station
- B. Rendering of the Georgetown Wet Weather Treatment Station, looking from the southeast
- C. Street-level Rendering (view from 4<sup>th</sup> Ave S. and S. Michigan St.)

Attachment A: Location of the Georgetown Wet Weather Treatment Station





Attachment B: Rendering of the Georgetown Wet Weather Treatment Station, looking from the southeast



Attachment C: Street-level rendering (view from 4<sup>th</sup> Ave S. and S. Michigan St.)

