

Mitigated Determination of Non-Significance
File Number SPR-05-0091-YL

Proponent: PACLAND, Inc.

Description of Proposal: Construction of a Wal-Mart Supercenter comprised of an 187,400 square foot retail building and 14,000 square foot garden center and associated parking and stormwater systems.

Location of the Proposal: Approximately 1,000 feet east of Grove Road, north of State Route 507 at 17020 SR 507 SE.

Section/Township/Range: A portion of the Northeast ¼ of Section 29, Township 1 North, Range 2 East, W.M.

Threshold Determination: The City of Yelm as lead agency for this action has determined that this proposal does not have a probable significant adverse impact on the environment. Therefore, an Environmental Impact Statement (EIS) will not be required under Section 43.21C.030 (2)(c) RCW. 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.

Conditions/Mitigating Measures: See Attachment A

Lead agency: City of Yelm

Responsible Official: Grant Beck, Community Development Director

Date of Issue: June 7, 2005

Comment Deadline: June 24, 2005

Appeal Deadline: July 1, 2005



Grant Beck, Community Development Director

This Mitigated Determination of Non-Significance (MDNS) is issued pursuant to Section 197-11-340 (2) WAC. Comments must be submitted to Grant Beck, Community Development Department, at City of Yelm, 105 Yelm Avenue West, P.O. Box 479, Yelm, WA 98597, by June 24, 2005, at 5:00 P.M. The City of Yelm will not act on this proposal prior to July 1, 2005, at 5:00 P.M.

You may appeal this determination to the Yelm Hearing Examiner, at above address, by submitting a written appeal no later than July 1, 2005 at 5:00 P.M. You should be prepared to make specific factual objections. Contact Grant Beck, Community Development Director, to learn more about the procedures for SEPA appeals. This MDNS is not a permit and does not by itself constitute project approval. The applicant must comply with all applicable requirements of the City of Yelm prior to receiving construction permits which may include but are not limited to the City of Yelm Comprehensive Plan, Zoning Code (Title 17 YMC), Critical Areas Code (Chapter 14.08 YMC), Stormwater Drainage Design and Erosion Control Manual, International Building Code, Critical Areas Regulations (Title 14 YMC), Road Design Standards, Platting and Subdivision Code (Title 16 YMC), and the Shoreline Master Program.

DO NOT PUBLISH BELOW THIS LINE

Published: Nisqually Valley News, June 10, 2005
Posted in public areas: June 7, 2005
Copies to: All agencies/citizens on SEPA mailing list and adjacent property owners
Dept. of Ecology w/checklist

Attachment A
Mitigated Determination of Non-Significance
SPR-05-0091-YL

Findings of Fact

1. This Mitigated Determination of Non Significance is based on the project as proposed and the impacts and potential mitigation measures reflected in the following environmental documents:
 - ✓ Environmental Checklist (March 2005, PACLAND)
 - ✓ Response to request for additional information (May 2005, PACLAND)
 - ✓ Revision to Environmental Checklist (May 2005, PACLAND)
 - ✓ Phase I Environmental Site Assessment (December 2004, Zipper Zeman Associates)
 - ✓ Site Reconnaissance Report (January 2005, TALASAEA)
 - ✓ Preliminary Drainage and Erosion Control Report (March 2005, PACLAND)
 - ✓ Transportation Impact Analysis (March 2005, the Transpo Group)
 - ✓ Water Supply Report (November 2004, PACLAND)
 - ✓ Geotechnical Engineering Evaluation (January 2005, Zipper Zeman Associates)
2. The environmental documents indicate that the property is composed of soils and substrates that are suitable for building and for stormwater infiltration, with the possible exception of an area of historic fill material, which will be removed and replaced with structural fill if it is not capable of supporting the building. There is no other indication that there are any potential significant impacts to the earth (geology, topography, soils).
3. There is no indication in any of the environmental documents that there will be any potential long-term significant impacts to air quality from the proposed development.
4. The City of Yelm is identified as a Critical Aquifer Recharge Area, a designated environmentally sensitive area. Potential Impacts to groundwater quality and quantity will be mitigated through measures that exceed the standards in the 1992 DOE stormwater manual as adopted by the City of Yelm. In addition, the northeast corner of the property is identified by Thurston County as a potential high groundwater flooding area based on floods that occurred in the mid 1990's. Thurston County, in other areas of the County that are potential high groundwater flooding areas, indicates in the Interim Site Development Standards for *New Development in Salmon Creek Basin* that if there is more than six feet of separation between the level of the high groundwater and the bottom of any infiltration gallery, the project should be designed to the effective drainage manual.

The City has adopted the 1992 Department of Ecology Drainage Design Manual, which requires that stormwater generated from a parking facility be treated for oils, sediments, and heavy metals before infiltration.

The proposed Wal-Mart supercenter includes an auto repair and oil change facility, a pharmacy, grocery and meat sales, and prepared food service. Existing regulations require grease interceptors and hazardous material containment facilities.

5. The environmental documents do not indicate that there are any priority species or habitats or any endangered or threatened species on or near the property that would be impacted by the proposed development.
6. The environmental documents do not identify a potential significant impact related to the use of energy or natural resources.
7. The environmental checklist indicates noise would be generated from vehicles and freight unloading 'at variable hours' and proposes an 8-foot tall masonry wall along the northern property line and eastern property lines. These areas are either zoned or pre-zoned moderate density residential, which is a residential zoning district with a minimum density of 3 units per acre and a maximum density of 6 units per acre. Because adopted noise regulations exempt required safety equipment, including back-up beepers, there could be impacts to adjacent residential properties from noise related to freight unloading in the evening hours.
8. The environmental checklist indicates that the site will be lit to provide a safe level of lighting in the parking lot and around the building and that impacts will be mitigated through design of the lighting plan and placing down shields along the property line.
9. The City of Yelm has adopted a concurrency management system as required by the Growth Management Act. Chapter 15.40 YMC (Concurrency Management) is designed to ensure that the improvements required to support development are available at the time of development. A concurrency determination may be issued for a proposal as it relates to transportation issues when: the development provides on-site frontage improvements; the project makes off-site improvements as necessary to provide for the safe movement of traffic; and the project makes a contribution to projects identified the six-year transportation improvement program in the form of a Transportation Facilities Charge.
10. The Growth Management Act at Section 36.70.070 (6)(b) RCW states that a finding of concurrency can be issued when required improvements are in place at the time of development or that a financial commitment is in place to complete the improvements or strategies within six years.
11. The City of Yelm and the Washington State Department of Transportation ("WSDOT") have established a minimum intersection level of service ("LOS")

standard of “D” for all intersections in the City’s commercial zones, with the exception of the intersection of Yelm Avenue and First Street NW where the standard is LOS “F”.

12. All intersections in the City are currently operating in compliance with the adopted LOS standard and will continue to operate within the adopted standard after the opening of the Wal-Mart supercenter.
13. The traffic impact analysis (TIA) submitted as part of the application indicates that the project will generate an average of 7,998 vehicle trips per day, with a PM peak of 649 vehicles per hour. The TIA indicates that, with average growth:
 - ✓ The proposal will impact traffic movements at various signalized intersections, including lowering the level of service and increasing wait times at the lights at Yelm Avenue and First Street (SR 507 and SR 510) and 5 corners (Yelm Avenue (SR 507) and Bald Hills Road/Creek Street). Although the proposal has an impact on the level of service of these intersections, the LOS will not drop below the City’s adopted standards.
 - ✓ The proposal will lower the level of service and increase wait times at the intersection of Yelm Avenue and Cullens Road, Yelm Avenue and Edwards Street, and Yelm Avenue and Plaza Drive, although the LOS will not drop below the City’s adopted standards.
14. Section 14.04.055 YMC indicates that the principal guide in measuring environmental impact is consistency with the land use designations of the comprehensive plan and the development regulations designed to implement the plan.
15. Adding connections through the City transportation system decreases the impact of additional traffic, both regional and local, on Yelm Avenue (SR 507 and SR 510) and the intersections along Yelm Avenue. Based on the trip distribution of the TIA, connecting the future SR 510 Yelm Loop from the subject site to 103rd Street could reduce the amount of traffic the proposal would add to Yelm Avenue by eighteen percent (18%).
16. The checklist indicates that the proposal will require police protection. The Yelm Police Department provides police services to all City residents and businesses. According to CAPCOM, the dispatch agency for Thurston County, the Wal-Mart store in Lacey at Hawks Prairie, which is not a supercenter, generates an average of 300 calls for service per year. Wal-Mart has indicated that it has provided security mitigation in the form of parking lot security cameras in other jurisdictions.
17. The checklist indicates that the proposal will require fire protection services. SE Thurston Fire/EMS provides Fire and Basic Life Support services to City of Yelm residents and businesses. The Department currently operates a single ladder

truck purchased used that is near the end of its service life. Without the proper equipment to fight a fire in a store of the area and height of the proposed Wal-Mart, the fire insurance rating of SE Thurston Fire/EMS would be lower, which could trigger higher insurance rates for residents and businesses within the fire district.

18. Temporary construction impacts such as noise, light, water quality, and air quality, are mitigated by requirements of the Zoning Code and Development Guidelines relating to construction activities.

Mitigation Measures

1. The developer shall mitigate transportation impacts based on the peak PM trips generated by the project. The Transportation Facility Charge (TFC) shall be based on the engineers estimate of 649 peak PM trips in Traffic Impact Analysis at a rate of \$750 per peak PM trip.

Credits may be given for projects which create a significant economic benefit to the community. The size of the credit shall be measured at an appropriate percentage of the anticipated annual tax revenue increase to the community and available for capital contribution to transportation facilities on the approved plan as a result of the project. The credit is calculated as follows:

- a. Estimated gross revenue for six years.
- b. Multiply gross revenue by 0.2 percent (B and O tax).
- c. Multiply gross revenue subject to sales tax by 1.5 percent (city share of state sales tax).
- d. Add products of b and c above.
- e. Multiply total from line d by nine percent (percentage of tax revenue budgeted to city road fund).
- f. Multiply product from line e by 28 percent (percentage of money in the road fund that is designated as private share for projects on the TFC).

Based on the submitted site plan, the base TFC would be \$486,750.00 before the credit. The traffic facility charge must be paid prior to building permit issuance and will be calculated on the square footage of the building permit.

2. The applicant shall be responsible for the following transportation improvements:
 - a. Frontage improvements along State Route 507 to include a sidewalk, planter strips, curb and gutter, a drop lane on the north side of SR 507, and a west bound travel lane, a two way left turn lane, and a full eastbound travel lane.
 - b. Frontage improvements along the future SR 510 Yelm Loop to include a sidewalk, planter strip, curb and gutter, a northbound drop lane from the

intersection to the northernmost entrance to the site, a northbound lane, a two way left turn lane, and a southbound lane.

- c. A signal at the intersection of the SR 507 and the future SR 510 Yelm Loop, including a minimum 250-foot eastbound left turn lane.
- d. The light at 5 corners (the intersection of Yelm Avenue East (SR 507)/Bald Hills Road/Creek Street) shall be optimized.
- e. The future SR 510 Yelm Loop shall be connected to 103rd Street by constructing a new road with two 12-foot drive lanes and 4-foot shoulders. 103rd Street from the intersection of the SR 510 Yelm Loop road extension to the bridge over Yelm Creek shall be widened to include two 11-foot drive lanes and 4-foot shoulders. The applicant shall enter into a developer agreement with the City of Yelm for the purchase of the right-of-way required to connect the future SR 510 Yelm Loop with 103rd Street. Right-of-way acquisition would be completed by the City of Yelm and the applicant shall reimburse the City in whole for this acquisition.

Mitigation measures c, d, and e are appropriate to provide for the safe movement of traffic and are not necessary to mitigate potential, significant impacts.

Plans for approval for all transportation improvements shall be submitted to the Washington Department of Transportation and the City of Yelm for review and approval prior to issuance of a certificate of occupancy.

All required improvements shall be constructed by the applicant pursuant to the approved plans and inspected and approved by the City of Yelm and Washington Department of Transportation. The plans for approval shall include a schedule for construction of all required improvements that is consistent with requirements for issuance of a finding of concurrency as follows:

- ✓ Frontage improvements, including the traffic signal at the intersection of SR 507 and the SR 510 Yelm Loop shall be constructed prior to issuance of a final certificate of occupancy for the building.
- ✓ The 103rd connection shall be constructed no later than 18 months from the approval of construction plans and acquisition of required right-of-way.

Frontage improvements to both SR 507 and the future SR 510 Yelm Loop shall be based on the urban arterial section of the Yelm Development Guidelines, as modified by the addition of drop lanes.

All required improvements and right-of-way acquisition shall be secured with a letter of credit prior to issuance of a certificate of occupancy.

3. Prior to building permit issuance, the applicant shall enter into a mitigation agreement with the Yelm Police Department which includes the provision of a secure, private space at least 120 square feet in area within the facility for use by

the Yelm Police Department and SE Yelm Fire/EMS and shall address the use, furnishing, and location of the space.

4. The applicant shall provide one parking space within 75 feet of the entrance dedicated to emergency vehicles.
5. The applicant shall install security cameras covering the entire parking lot. Prior to building permit issuance, the specifications of the video surveillance system shall be provided to the Yelm Police Chief for approval and coordination with a potential citywide video system.
6. Prior to building permit issuance, the applicant shall pay a mitigation fee to SE Thurston Fire/EMS for use towards the replacement of equipment specifically required to fight a fire in large commercial structures and maintain the existing insurance rating. The mitigation fee shall be based on the applicant's aliquot impact on the need for replacement equipment.
7. Civil plan submission shall include an updated preliminary stormwater plan that meets or exceeds the standards in the 1992 Stormwater Manual as adopted by the City of Yelm. The stormwater plan shall include the following elements:
 - a. The elevation of the bottom of the infiltration gallery shall be a minimum of six feet above the elevation of the high groundwater area as identified by Thurston County (approximate elevation 335).
 - b. The pump system of the stormwater system shall be wired to an automatic emergency generator sufficient to provide stormwater treatment during an extended power outage.
 - c. Separate water quality treatment for roof runoff shall be provided.
 - d. The stormwater system shall be designed to accommodate stormwater generated by all required frontage improvements, unless a stormwater system that meets the adopted standards of the City of Yelm is designed, approved, and constructed to serve frontage improvements off site.
 - e. The final stormwater plan shall include a maintenance and operation plan, which includes an annual report to the City of Yelm regarding the maintenance and operation of the system.
8. The civil plan submission shall include a noise mitigation plan that clearly shows that the standards found in Chapter 173-60 Washington Administrative Code – Maximum Environmental Noise Levels will be met and shall include, at a minimum, an 8-foot tall masonry wall along the northern and eastern property lines. The noise mitigation plan shall mitigate the noise from freight unloading to the thresholds for noise from a Class B EDNA to a Class A EDNA. Exemptions for warning devices or intermittent safety equipment as found in Sections 173-60-050 (4) (d) and (e) WAC shall not apply from 7 PM to 7 AM in order to protect

neighboring residential uses. Best available noise abatement technology as found in Section 173-60-050 (6) shall be included in the mitigation plan.

10. The civil plan submission shall include a lighting plan that maintains a light level of 0.1 candle-foot 5 feet off the edge of the property.