



## KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

### State Environmental Policy Act MITIGATED DETERMINATION OF NONSIGNIFICANCE

- Description:** Love's Travel Stops & Country Stores, Inc. is proposing the construction of travel stop facility which includes a convenience store, fast food restaurant with drive-thru, truck fuel canopy, auto fuel canopy, truck parking area, auto parking area, and tire shop. The project is proposed on a site that is zoned General Commercial. The proposal is classified under Kittitas County Code (KCC) 17.15.070.1 as "retail sales general," and "vehicle/equipment service and repair." As proposed, these are permitted outright uses in the existing zone and land use designation.
- Proponent:** Patryk Kowalczyk, Applicant  
Nick Wheeler (SCJ Alliance), Agent
- Location:** 1 parcel, located approximately 10 miles Northwest of the City of Cle Elum on the north side I-90 in the SE 1/4 of SW 1/4, Section 2, Township 20N, Range 13E, in Kittitas County, bearing Assessor's map number 20-13-02030-0009, tax parcel number 778834.
- Lead Agency:** Kittitas County Community Development Services

The lead agency for this proposal has determined that the proposal will 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) and WAC 197-11. This decision was made after review of a SEPA environmental checklist and other information on file with the lead agency, after considering voluntary mitigation measures which the lead agency or the applicant will implement as part of the proposal, and after considering mitigation measures required by existing laws and regulations that will be implemented by the applicant as part of the Kittitas County permit process. The responsible official finds this information reasonably sufficient to evaluate the environmental impact of this proposal. This information is available to the public on request.

The lead agency has determined that certain mitigation measures are necessary in order to issue a Mitigated Determination of Non-Significance (MDNS) for this proposal. Failure to comply with the mitigation measures identified hereafter will result in the issuance of a Determination of Significance (DS) for this project. The mitigation measures include the following:

#### Earth

- 1) A fill and grade permit is required pursuant to Kittitas County Code 14.05.050

### **Transportation**

- 1) The applicant shall adhere to all applicable regulations as set forth in the current Kittitas County Road Standards.
- 2) The access locations shall be reviewed by the Kittitas County Department of Public Works to ensure that the access locations meet all applicable criteria for ingress/egress
- 3) The Kittitas County Grading Ordinance requires a permit if grading activity in excess of 100 cubic yards occurs pursuant to KCC 14.05. Contact Kittitas County Public Works for information relating to permitting at 509-962-7523.

### **Water and Waste Disposal**

- 1) Prior to issuance of building permits, applicant shall obtain a permit through the Washington State Department of Health for a Large On-site Sewage System (LOSS) to serve the project or other type of system with written approval from Washington State Department of Health.
- 2) Adequate proof of water availability to serve the proposed project from the Kittitas County Water District #3 (Easton) shall be provided to the Department of Health and Kittitas County Public Health Department to satisfy all requirements prior to or at the time of building permit submittal.

### **Stormwater**

- 1) A Stormwater Plan prepared by a State of Washington licensed engineer, and approved by the Kittitas County Public Works Department is required prior to issuance of any building permit.
- 2) All stormwater and surface runoff generated by this project shall be retained and treated on-site. If any is to be discharged off site a NPDES Construction Stormwater General Permit is to be obtained through the Department of Ecology Prior to any clearing, grading or construction.

### **Building**

- 1) All buildings and structures shall require full engineering for lateral gravity and fire life-safety.
- 2) All restrooms, office, and retail space shall be ADA accessible. ADA accessible parking shall also be provided.
- 3) All structures shall meet Kittitas County Code Title 14
- 4) All commercial building permits shall require a pre-application meeting with Kittitas County prior to submittal
- 5) All proposed buildings, landscaping, and other improvements shall comply with certain height restrictions. It is the applicant's responsibility to contact Patrick Wright of the WSDOT Aviation Division at 360-709-8019 for requirements.

### **Fire**

- 1) All structures shall have adequate fire apparatus access.
- 2) Exterior siding and materials shall meet wildland-urban interface requirements.
- 3) All future development must comply with the International Fire Code (IFC) and Appendices

### **Cultural Resources and Historic Preservation**

- 1) Should ground disturbing or other activities related to the proposed plat result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the immediate area and contact be made with the Washington State DAHP. Work shall remain suspended until the find is assessed and appropriate consultation is conducted. Should human remains be inadvertently discovered, as dictated by Washington State RCW 27.44.055, work shall be immediately halted in the area and contact made with the coroner and local law enforcement in the most expeditious manner possible.

### **Light and Aesthetics**

- 1) All outdoor lighting shall be shielded and directed downward to minimize the effect to nearby properties and roads.
- 2) Any signage for the proposed use will require a sign permit as per KCC 17.70 and may not be located in State or County right-of-way.
- 3) All outdoor advertising or motorist signing shall comply with state criteria. It is the applicant's responsibility to contact Trevor McCain of the WSDOT Headquarters Traffic Office at 360-705-7282 for requirements.
- 4) A landscaping plan shall be provided to Kittitas County CDS for review and approval prior to issuance of the first building permit. This plan shall include vegetative buffer/vegetative barrier on the east side of the property to decrease noise impacts to the neighboring residences. Additionally, the subject property is located adjacent to Interstate 90 with a federally-designated National Scenic Byway known as the Mountains to Sound Greenway. The landscaping plan shall provide a buffer of conifer trees along the southwest property line that is adjacent to Interstate 90. Final approval of any and all building permits will not be granted until verification that the approved landscaping has been installed in conformance with the County approved landscaping plan.
- 5) All required landscaping shall be permanently maintained in a healthy growing condition by the property owner or the property owner's designee. The property owner shall remove and, if required to meet the County approved landscaping plan, shall replace any unhealthy or dead plant material immediately or as the planting season permits.

### **Utilities**

- 1) Installation of new underground storage tanks must meet the requirements of the state underground storage tank regulations (WAC 173-360A). It is the applicant's responsibility to contact the Department of Ecology for requirements.

### **Noise**

- 2) Development and construction practices during building of this project shall only occur between the hours of 7:00 am to 7:00 pm to minimize the effect of construction noise on nearby properties.

### **Air**

- 1) A dust control plan shall be developed and implemented during construction of the project.
- 2) During construction, reduction of construction caused dust and airborne contaminants shall be reduced through the use of water or other Department of Ecology approved methods.

This MDNS is issued under WAC 197-11-350 and KCC Title 15. The lead agency will not act on this proposal for 15 days. Any action to set aside, enjoin, review, or otherwise challenge this administrative SEPA action's procedural compliance with the provision of Chapter 197-11 WAC shall be commenced within 10 working days (on or before 5:00 pm, January 28, 2020).

**Responsible Official:**   
Lindsey Ozbolt

**Title:** Planning Official

**Address:** Kittitas County Community Development Services  
411 N. Ruby Street, Suite 2  
Ellensburg, WA. 98926  
Phone: (509) 962-7506

**Date:** January 13, 2020

**Pursuant to Chapter 15A.07 KCC, this MDNS may be appealed by submitting specific factual objections in writing with a fee of \$1560.00 to Kittitas County Community Development Services office at 411 North Ruby Street, Suite 2, Ellensburg, WA 98926. Timely appeals must be received no later than 5:00 pm, January 28, 2020.**