



CITY HALL
33325 8th Avenue South
Federal Way, WA 98003-6325
(253) 835-7000
www.cityoffederalway.com
Jim Ferrell, Mayor

February 4, 2019

Mr. Eric LaBrie
ESM Consulting Engineers, LLC
33400 8th Avenue South, Suite 205
Federal Way, WA 98003
eric.labrie@esmcivil.com

**Re: File #16-102947-UP; PROCESS III PROJECT APPROVAL
Greenline Warehouse "A"; 337XX Weyerhaeuser Way South, Federal Way**

Dear Mr. LaBrie:

The Community Development Department has completed an administrative land use review of the proposed Greenline Warehouse "A" project located at 337XX Weyerhaeuser Way South. The applicant proposes construction of a 45-foot-tall, 225,950 square-foot general commodity warehouse with 287 parking spaces (257 vehicle and 30 trailer), and associated site work, including wetland fill, on a 15.46 acre site (parcel 6142600005). A stormwater pond and associated site work, including wetland fill, is proposed on the adjacent 16.85 acre parcel to the south (parcel 6142600200).

The Process III Master Land Use application submitted June 17, 2016, with subsequent resubmittals dated July 8, 2016, July 14, 2016, July 19, 2016, July 26, 2016, August 10, 2016, August 12, 2016, April 3, 2017, August 25, 2017, October 5, 2017, March 13, 2018, May 8, 2018, and July 10, 2018, is hereby **approved** with conditions based on the enclosed findings of fact, incorporated into this decision in full, and the following conclusions based on those facts:

1. The proposal is consistent with the comprehensive plan;
2. As conditioned, the proposal is consistent with applicable zoning regulations in effect on August 23, 1994 (*Federal Way City Code* [FWCC]), and procedural requirements of current code (*Federal Way Revised Code* [FWRC]);
3. As conditioned, the proposal is consistent with the public health, safety, and welfare;
4. As conditioned, the streets and utilities in the area of the subject property are adequate to serve the anticipated demand from the proposal;
5. As conditioned, the proposed access to the subject property is at the optimal location and configuration; and
6. As conditioned, traffic safety impacts for all modes of transportation, both on and off site, are adequately mitigated.

The remainder of this letter outlines the land use review process required for this particular site improvement; summarizes the *State Environmental Policy Act* (SEPA) process; lists conditions of the land use decision; and provides other procedural information. This land use decision does not authorize initiation of construction activities.

REVIEW PROCESS

The proposal is subject to the provisions of the 1994 Weyerhaeuser Company Concomitant Pre-Annexation Development Agreement (CZA) and zoning regulations in effect on August 23, 1994 (*Federal Way City Code* [FWCC]). Any procedural requirements must meet current code (*Federal Way Revised Code* [FWRC]). The site is within the Corporate Park (CP-1) zoning district. Warehousing and distribution; and corporate offices are permitted uses in this zone pursuant to CZA Exhibit C, Section VII. The proposed uses, not exempt from SEPA, are procedurally reviewed under Use Process III, *Project Approval*. The Director of Community Development makes a written decision on the application based on the criteria listed under FWRC 19.65.100.

SEPA PROCESS

The City of Federal Way issued a Mitigated Determination of Nonsignificance (DNS) on October 26, 2018, pursuant to *Washington Administrative Code* (WAC) 197-11-350. Following review of the environmental checklist, the city determined the proposal, with appropriate mitigation, would not have a probable significant adverse impact on the environment, an *Environmental Impact Statement* would not be required, and SEPA based mitigation is necessary. A Modified MDNS was issued on November 30, 2018, pursuant to WAC 197-11-340(2)(f). A SEPA appeal was filed on November 30, 2018. The SEPA appeal hearing will occur after issuance of the Use Process III decision and expiration of its associated appeal period. The SEPA mitigation measures have been incorporated into the Use Process III conditions of approval, listed below.

CONDITIONS OF APPROVAL

Conditions of approval, which are listed in Finding of Fact #37 in Exhibit "A," are reasonably necessary to eliminate or minimize any undesirable effects of granting application approval.

BUILDING PERMIT REQUIREMENTS

This Process III land use decision does not constitute a building permit, or authorize clearing/grading activities. See the enclosed Commercial Building Permit Checklist. If you have any questions regarding building permit submittal, please contact the Permit Center at 253-835-2607, or permitcenter@cityoffederalway.com.

REQUESTS FOR CHANGE OF VALUATION

Per FWRC 19.65.100(4)(i), affected property owners may request a change in valuation for property tax purposes, notwithstanding any program of revaluation.

APPROVAL DURATION

Per FWRC 19.15.100(2), ". . .the applicant must substantially complete construction for the development activity, use of land, or other actions approved and complete the applicable conditions listed in the use process III decision within five years after the final decision of the city on the matter, or the decision becomes void. If a land use petition is filed under Chapter 36.70C RCW in King County superior court, the time limits of this section are automatically extended by the length of time between the commencement and final termination of that litigation. If the development activity, use of land, or other action approved under this chapter includes phased construction, the time limits of this section may be extended in the decision on the application, to allow for completion of subsequent phases." Time extensions to the decision may be requested prior to the lapse of approval following the provisions listed in FWRC 19.15.110.

APPEALS

Per FWRC 19.05.360, the effective date of issuance is three calendar days following the date of this letter, or **February 7, 2019**. Pursuant to FWRC 19.65.120(1), this land use decision may be appealed by the applicant, any person who submitted written comments or information, any person who has specifically requested a copy of the decision, or the city. Pursuant to FWRC 19.65.120(2), a written notice of appeal must be delivered to the Community Development Department within 14 calendar days after issuance of the decision of the director, or **February 21, 2019**. The appeal must be accompanied by cash or a check, payable to the City of Federal Way, in the amount of the fee as established by the city. The notice of appeal must contain: a statement identifying the decision being appealed, along with a copy of the decision; a statement of the alleged errors in the director's decision, including identification of specific factual findings and conclusions of the director disputed by the person filing the appeal; and the appellant's name, address, telephone number and fax number, and any other information to facilitate communications with the appellant. Appeals are governed by process IV (Federal Way Hearing Examiner).

CLOSING

This land use decision does not waive compliance with future City of Federal Way codes, policies, and standards relating to this development.

If you have any questions regarding this decision, please contact Senior Planner Stacey Welsh at 253-835-2634, or stacey.welsh@cityoffederalway.com.

Sincerely,



Brian Davis
Community Development Director

- enc: Exhibit 'A' Findings for Project Approval
Approved Elevations
Right-of-Way Modification Letter from City of Federal Way to ESM Consulting Engineers, June 22, 2018
Letter from Lakehaven Water & Sewer District, September 27, 2016
Commercial Building Permit Checklist
Approved Site Plan
Approved Landscape Plan
- c: Robert "Doc" Hansen, Planning Manager
Stacey Welsh, Senior Planner
Jim Harris, Senior Planner
Ann Dower, Senior Engineering Plans Reviewer
Rob Van Orsow, Solid Waste & Recycling Coordinator
Sarady Long, Senior Transportation Planning Engineer
Brian Asbury, Lakehaven Water & Sewer District
Chris Cahan, South King Fire & Rescue
Ramin Pazoooki, WSDOT, PazoookR@wsdot.wa.gov
John Wilson, King County Assessor, #ADM-AS-0708, 500 4th Avenue, Seattle, WA 98104
Dana Ostenson, dostenson@irp.cc
Matt Reider, Matt.Reider@esmcivil.com
UP III Commenters
SEPA Commenters