



SEPA THRESHOLD DETERMINATION

Mitigated Determination of Non-Significance (MDNS)

FILE NAME: 51ST AVENUE URBAN VILLAGE

FILE NUMBER: PLN #634

LEAD AGENCY: City of Arlington Community and Economic Development Department

DESCRIPTION: The proposed development includes retail and commercial uses which qualify under the mixed use overlay of the General Commercial zoning, which includes a total of 500 units within six multi-family residential buildings with attached commercial, sixteen Live-Work units, and eight commercial buildings with multifamily on the second story, with all adjoining parking, walks, utilities and parks and landscaping on a 20.035 acre site.

LOCATION: The project is located at 16612 51st Avenue NE, Arlington, WA, Tax Parcel ID #31052800100900. The subject property is zoned General Commercial (GC).

APPLICANT: Arlington 51st Street LLC, paul@bykconstruction.com

STAFF CONTACT: Josh Grandlienard, joshg@arlingtonwa.gov

DATE CHECKLIST PREPARED: January 30, 2020

APPROVALS REQUIRED: City of Arlington: Conditional Use Permit, BSP, SEPA, Design Review, Civil Permit, Utility Permit, Building Permits, Stormwater General Permit.

SEPA THRESHOLD DETERMINATION: The City of Arlington has determined that with the mitigation measures identified herein, this proposal would not have a probable and unavoidable significant adverse impact on the environment. Pursuant to WAC 197-11-350(3), the proposal has been clarified, changed, and conditioned to include necessary mitigation measures to avoid, minimize or compensate for probable significant impacts. 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. However, we have identified impacts by the proposed project that requires mitigation. In addition to the requirement that the development must comply with all City of Arlington zoning and development regulations, the following conditions of approval of the permit decision apply:

(B)(1) Earth: In order to mitigate for potential earth impacts, the Applicant shall implement Best Management Practices per Department of Ecology for Stormwater Pollution Prevention and TESC Controls to prevent erosion during and after construction. A construction Stormwater General Permit is required through the Department of Ecology.

(B)(2) Air: In order to mitigate for potential air impacts, the Applicant shall implement dust control measures to reduce fugitive dust emissions during construction. A Construction Management Plan shall be submitted to the City prior to commencement of construction to ensure these measures. Construction equipment emissions shall comply with all State and Federal regulations for emissions.

(B)(3)(b) Ground Water: In order to mitigate for potential impacts to ground water the Applicant shall employ best design practices meeting the current D.O.E Stormwater Manual.

(B)(3)(c) Water Runoff: In order to mitigate for potential impacts to water runoff the Applicant shall follow the current edition of the Department of Ecology's Stormwater Management Manual for Western

Washington and Best Management Practices used to protect groundwater. All onsite stormwater will be collected, treated, and detained or infiltrated to match preexisting runoff conditions on site.

(B)(4)(b) Plants: The existing site has been previously cleared. The project will remove existing vegetation and import fill. Landscaping amounting to approximately 25% of the site will be included as part of the development consisting of native grasses and street trees as required by AMC 20.76. As Per AMC 20.76, the applicant is required to provide 20% of the parking area to be shaded, and the applicant has provided for 25% of the parking area to be shaded.

(B)(6) Energy: The project will comply with the latest Washington State Energy Code requirements.

(B)(7)(A) Environmental Health: Applicant shall comply with current codes to reduce or control environmental health hazards. A spill prevention plan shall be in place according to local, State and Federal policies.

(B)(7)(B) Noise: City of Arlington noise standards found in AMC 9.20.060 shall be complied with. Specifically, in section 9.20.060(8) noises resulting from any construction or development activity or the operation of heavy equipment from 7:00pm to 7:00am Monday through Saturday shall be prohibited. The project will generate short term noise associated with construction activities. Construction hours will conform to City requirements. Noise from light vehicle traffic will be generated during business hours at project completion.

(B)(10) Aesthetics: The height of the tallest proposed building will be approximately 50' (4-story). The buildings' exteriors will consist of a variety of panel siding materials that represent masonry block, steel, and glazing. Street trees shall be installed along all streets associated with the development in accordance with AMC 20.76.110.

(B)(11)(a) Light and Glare: In order to mitigate for potential light pollution the Applicant will be required to install light fixtures that are down shielded. The property is located within the Arlington Airport Protection District – Subdistricts A and B.

(B)(12)(c) Recreation: The applicant is proposing to provide a central courtyard as well as a number of other courtyards between structures for a total of approximately 99, 738 sq ft of useable open space. Community parks mitigation fees will be determined as each lot develops under individual permits.

(B)(13) Historic and Cultural Preservation: The site lies within the Stillaguamish, Tulalip Historic Area per WISAARD. No inadvertent discovery has been made within 0.5 miles of the site. A cultural Archaeological study was completed on the site, by Mr. Garth Baldwin M.A. RPA, Drayton Archaeology. The extent of investigation from Drayton Archaeology and the Department of Archaeology and Historic Preservation did not identify any archeological evidence on or near the subject property. None the less, an Unintended Discovery Plan will be required, and if any potential evidence is encountered during the site work, work will be halted and the State Historical Preservation Officer, Stillaguamish Tribe, and the City of Arlington will be contacted, and measures taken to implement the UDP.

(B)(14)(d) Transportation: The proposal will require improvements along 51st Avenue, as well as constructing 3/4th street improvements on 168th Street and half street improvements on 47th Avenue NE. New on-site drive aisles and sidewalks will be installed, improving pedestrian, bicycle, and vehicular access to and within the site. An ADA path will be provided from the site to 172nd along 51st Ave to ensure non-motorized travel. The applicant is also proposing to include intersection improvements for a roundabout at 51st Avenue and 168th St NE.

(B)(14)(f) Transportation: Trip generation has been calculated at 373 PM Peak Hour Trips (PMPHT). The City traffic mitigation fee is \$3,355.00 per PMPHT for a total of \$1,251,415.00 in traffic mitigation fees. The City in reviewing the Traffic Impact Analysis submitted by Gibson Traffic Consultants, Inc, noticed some inaccuracies where the Consultant calculated the live-work units as multi-family units when they are fee simple and should be calculated like single family residents instead of multi-family.

(B)(16)(a) Utilities: The applicant shall connect to the City of Arlington water and wastewater systems.

(B)(16)(b) Utilities: The Applicant shall construct all existing, extended, and new electrical power lines (not to include transformers or enclosures containing electrical equipment including but not limited to, switches, meters, or capacitors which may be pad mounted), telephone, gas distribution, cable television, and other communication and utility lines in or adjacent to any land use or building permit approved after the effective date of this chapter shall be placed underground in accordance with the specifications and policies of the respective utility service providers and located in accordance with the administrative guideline entitled "Public Works Construction Standards and Specification." Even in the event the distribution line originates from a point opposite any public roadway from the new construction the service lines shall be placed beneath said roadway by means of boring or surface excavation across said roadway.

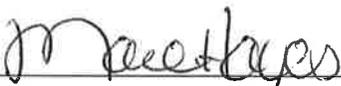
DISCLAIMER: The determination that an environmental impact statement does not have to be filed does not mean there will be no adverse environmental impacts. The City of Arlington codes governing noise control, land use performance standards, construction and improvements of roads, off site road improvement obligations, drainage control, traffic, school, park, stormwater, and utility mitigations, fire protection; and building practices will provide substantial mitigation of the aforementioned impacts.

The issuance of this MDNS should not be interpreted as acceptance or approval of this proposal as presented. The City of Arlington reserves the right to deny or approve said proposal subject to conditions if it is determined to be in the best interest of the city and/or necessary for the general health, safety, and welfare of the public to do so.

DATE OF MITIGATED DETERMINATION OF NONSIGNIFICANCE: February 21, 2020

COMMENT PERIOD: There is a 14-day comment period for this MDNS. If you would like to comment on this Application or Threshold Determination, this MDNS is issued under WAC 197-11-340(2) and written comments must be received prior to 5:00 p.m. on March 6, 2019. The Responsible Official may incorporate any substantial comments into the MDNS. If the MDNS is substantially modified, it will be reissued for further public review.

SEPA Responsible Official: Marc Hayes, Director of Community and Economic Development

February 21, 2020	
DATE	SIGNATURE OF SEPA RESPONSIBLE OFFICIAL

TO APPEAL A DECISION: An agency or person may appeal the City's procedural compliance with WAC Chapter 197-11 (SEPA) for issuance of this MDNS. Appeal of the final MDNS must be made to the Hearing Examiner within 10 days of the date the MDNS is final (see WAC 197-11-390(2) (a)). The MDNS is a final MDNS when the City issues the land use permit. Appeal shall be made to Snohomish County Superior Court Pursuant to the Land Use Petition Act, Chapter 36.70C RCW, within twenty-one days of the date the decision or action becomes final, unless another applicable appeal process or time period is established by state law or local ordinance.