



# SEPA THRESHOLD DETERMINATION

## Mitigated Determination of Non-Significance (MDNS)

**FILE NAME:** THE EVERETT CLINIC

**FILE NUMBER:** PLN #705

**LEAD AGENCY:** City of Arlington Community and Economic Development Department

**DESCRIPTION:** The Applicant is proposing a 2-story podium style medical office building, comprised of 38,296 square feet, on property zoned Highway Commercial (HC) with a Mixed Use (MU) overlay. The first floor is 4,084 sf and consists of the lobby, elevator and parking. The public will be able to enter the lobby, which is located in the center of the structure via the first-floor parking from 172nd Street NE (street entry), and from covered drop off area, north of the building. There is also a service lobby located in the northeast corner of the first floor to transport supplies to the second floor. The second floor is 34,212 sf and consist of the medical office use. Access to the site will be from the newly constructed 40th Avenue NE located to the west of the site and vehicles enter north of the building. Vehicles have the option of entering the covered first floor parking or the open-air parking lot designed with two-way drive aisles and perpendicular parking stalls. In addition, bicycle parking is located on the first-floor parking on the west side of the lobby.

**LOCATION:** The project is located at 4011 172<sup>nd</sup> Street NE, Arlington, WA, Tax Parcel ID #31052100306700, 31052100306600, 31052100306500. The subject property is zoned Highway Commercial (HC).

**APPLICANT:** Market Street Development, Sheldon Anderson, Sheldon@marketstreetdex.com

**STAFF CONTACT:** Josh Grandlienard, [joshg@arlingtonwa.gov](mailto:joshg@arlingtonwa.gov)

**DATE CHECKLIST PREPARED:** May 1, 2020

**APPROVALS REQUIRED:** City of Arlington: Zoning Permit, SEPA, Design Review, Civil Permit, Utility Permit, Building Permits, Other Agencies: Stormwater General Permit

**SEPA THRESHOLD DETERMINATION:** The City has determined that with the mitigation measures identified herein, this proposal would not have a probable and unavoidable significant adverse impact on the environment. 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.

**(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 Department of Ecology's Stormwater Management Manual for Western Washington.

**(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.

**(B)(4)(b) Plants:** 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.

**(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) Environmental Health:** 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 38' (2-story). The buildings' exteriors will consist of a variety of metal panel siding materials, tilt-up concrete panels that is ribbed, painted and with a masonry pattern, as well as wood grain panels and metal screens that are laser cut aluminum panel that are complimentary to those in the surrounding neighborhood including lap siding, board and batten, shingles, and a brick veneer. 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 – Subdistrict B.

**(B)(13) Historic and Cultural Preservation:** There are no known buildings, structures, or sites located on or near the site that are in (or candidates for) the local historic preservation register. There are no known landmarks, features, or other evidence that would indicate Indian or historic use or occupation. Local registries were searched and it appears that no impacts to existing cultural and historic resources are anticipated to occur as a result of the proposed project. None the less, an Unanticipated 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 construction of frontage improvements along 172<sup>nd</sup> Street NE that will include a two foot dedication of the right-of-way and sidewalk improvements. New on-site drive aisles and sidewalks will be installed, improving pedestrian, bicycle, and vehicular access to and within the site.

**(B)(14)(f) Transportation:** Trip generation has been calculated at 129 PM Peak Hour Trips (PMPHT). The City traffic mitigation fee is \$3,355.00 per PMPHT for a total of \$432,795.00 in traffic mitigation fees. Traffic Impact fees, in this instance, were addressed in the Development Agreement between the City of Arlington and Baker-Mor, LLC. AFN: 201810160181

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

**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:** July 13, 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, written comments must be received prior to 5:00 p.m. on July 27, 2020. 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

July 9, 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.