



SEPA THRESHOLD DETERMINATION

Mitigated Determination of Non-Significance (MDNS)

FILE NAME: THE LUX

FILE NUMBER: PLN #771

LEAD AGENCY: City of Arlington Community and Economic Development Department

DESCRIPTION: The Lux project is a multi-use development with three buildings onsite. The two four story buildings along the Olympic Place NE frontage would be connected via a skybridge and have retail units on the ground floor with residential units on the remaining floors. The northern building would have a parking garage for 17 parking spaces. A three-story residential building would be located in the east of the property. A total of 132 residential units are proposed for this project. A parking area for 184 outside spaces, drive aisles, sidewalks, dog run, playfield, sports court, playground and courtyard with fountain would be constructed as part of the project. Frontage improvements will be required in the form of replacing existing driveways not being used with curb, gutter, sidewalk, and replacing any non-ADA compliant sidewalk.

LOCATION: The project is located between the 20000 and 21000 blocks of Olympic Place NE, Arlington, WA, Tax Parcel ID #00847300001200, 00847300001300. The subject property is zoned General Commercial (GC).

APPLICANT: Grandview North LLC, gv@grandviewinc.net

STAFF CONTACT: Josh Grandlienard, joshg@arlingtonwa.gov

DATE CHECKLIST PREPARED: September 24, 2020

APPROVALS REQUIRED: City of Arlington: Conditional Use Permit, SEPA, Administrative Design Review, Civil Permit, Utility Permit, Building Permits **Other Agencies:** DAHP permit, NPDES 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 42' (4-story). The project is designed to meet the development guidelines of the GC (with T4-F Mixed Use Overlay) City of Arlington zoning code. The T4-F transect requires the development to be permitted as affordable housing, LEED certified buildings, or if the development provides the same square footage, as the additional floor, of civic space on-site or pay a fee in-lieu towards identified civic space within the Place type to allow for the fourth floor. The applicant has provided for on-site civic space for the fourth floor of Building 2, for a total of 10,700 square feet identified for the mitigation of Building 2. The applicant also proposed to mitigate the fourth floor of Building 1 by paying a fee in-lieu for civic space within the place type at a rate of 25% of the construction cost for the additional floor based on the IBC valuation Table, for total of \$283,649.08 due in mitigation. 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 C.

(B)(12)(c) Recreation: A variety of on-site common open space recreation areas are proposed, that will include a child's playground, basketball court, a dog run, and various picnic tables placed throughout the site. Each residential development shall pay a Community Park Impact fee of \$1,497 per multi-family dwelling unit for a total of \$197,604 in Park Mitigation fees for 132 units. Every Development shall be developed so that at least 5 percent of the total area remains permanently usable open space. In this instance, the open space requirement equals to a total of 6,967 sq ft of required open space, where the applicant has provided 7,128 sq ft of common use open space.

(B)(13) Historic and Cultural Preservation: A cultural Archaeological study was completed on the site, by David R. Iversen of ASM Affiliates. The extent of investigation from ERCI and the Department of Archaeology and Historic Preservation did identify archeological evidence on or near the subject property. If any potential evidence is encountered during the site work, work will be halted and the local authorities will be contacted, and the submitted unanticipated discovery plan will be followed. An

Archaeological Site Alteration, Excavation, and Monitoring Permit has been applied for by the applicant through the Department of Archaeology and Historic Preservation.

(B)(14)(d) Transportation: The proposal will require replacing existing driveways not being used with curb, gutter, sidewalk, and replacing any non-ADA compliant sidewalk. 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 84 PM Peak Hour Trips (PMPHT). The City traffic mitigation fee is \$3,355 per PMPHT for a total of \$281,820 in traffic mitigation fees.

(B)(15)(b) Public Services: The proposal is within the Arlington School District and will be required to pay \$3,455 for every 2/+ bedroom multi-family dwelling unit for 27 units, for a total of \$93,285 in school mitigation fees.

(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: March 25, 2021

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 April 8, 2021. 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

March 22, 2021

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.