



NOTICE OF SEPA MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)

File Name:	Arlington Garden Apartments
File Number:	PLN #1263 and PLN #1264
Owner:	Lane Properties, LLC
Applicant:	Quarterra Multifamily Communities
Contact:	Brad Machat / Peter Van Overbeek
Location:	21117 59 th Avenue NE
Parcel No.:	31051000402700
Date of Application:	October 31, 2025
Date of Completeness:	November 27, 2025
Date SEPA Checklist Prepared:	January 30, 2025
Date of Threshold Determination:	March 5, 2025
Date Published/Posting:	March 7, 2025
Lead Agency:	City of Arlington Community and Economic Development Department
Lead Agency Contact:	Amy Rusko, Deputy Director, arusko@arlingtonwa.gov , 360-403-3550

Project Description: The applicant is proposing to construct a mixed-use project consisting of 216 multi-family residential units and 13,500 square feet of retail commercial space on a single parcel of 8.86 acres. The residential units are proposed across nine three-story buildings surrounding a central clubhouse and outdoor pool/spa area. The commercial units are proposed across three buildings with associated parking. The site improvements include open space, recreation space, sidewalks, landscaping, street trees, wetland overlook area, surface parking, carports, stormwater infiltration systems, road extensions, improvements and dedication, utility extension and improvements. The binding site plan is proposing to divide the property into 6 lots with tracts for public roadways (dedication areas) and native growth protection areas.

Approvals Required: City of Arlington: Conditional Use Permit, Binding Site Plan, SEPA Review, Design Review, Civil Permit, Building Permits, Utility Permits. Department of Ecology: 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 reviewing 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:

1. **(B)(1) Earth:** The applicant proposes up to 118,000 cubic yards of fill on the site in order to raise the entire site to allow for infiltration of stormwater with adequate separation from groundwater. Imported fill material will be structural fill in most areas, and infiltrative sand and gravel in infiltration areas. To mitigate for potential earth impacts, the Applicant shall implement Best Management Practices, that include, but are not limited to: established clearing limits, stabilized construction entrance, silt fencing,

temporary construction swales with filter socks or check dams, and hydroseed of disturbed areas after grading. A temporary erosion and sediment control plan shall be approved as part of the civil construction permit, and the site shall be required to obtain a National Pollutant Discharge Elimination System permit from the Department of Ecology.

2. **(B)(2) Air:** 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.
3. **(B)(3)(a) Surface Water:** The property is located with Floodplain Zone X, a Type F-ESA Stream located on the adjacent property to the south, along with a Category III Wetland that extends on to the southeast corner of the subject property. Floodplain Zone X is not a Special Flood Hazard Area and is not regulated by the City of Arlington in AMC 20.64 – Floodplain Development Regulations. Zone X has a minimal to moderate flood hazard between the 100 and 500 year flood levels and has a 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile. The off-site stream is a tributary to Portage Creek which is a tributary to the Stillaguamish River. To mitigate potential impacts to surface water the Applicant shall provide stream and wetland buffers along the southern and southeast portion of the property. The applicant shall remove all invasive species from the stream and wetland buffer areas on the subject site and provide native enhancement plantings to improve wildlife habitat. The buffer areas shall be placed in a Native Growth Protection Area Tract and be dedicated to the City of Arlington.
4. **(B)(3)(b) Ground Water:** To mitigate potential impacts to ground water the Applicant shall follow a Spill Prevention, Control, and Countermeasure Plan developed for the site as part of the Clean Water Act section 401 compliance and employ best design practices meeting the current Department of Ecology's Stormwater Management Manual for Western Washington.
5. **(B)(3)(c) Water Runoff:** To mitigate for potential impacts to water runoff the Applicant shall follow an approved Stormwater Pollution Prevention Plan and the current edition of the Department of Ecology's Stormwater Management Manual for Western Washington and Best Management Practices used to protect groundwater. The stormwater on the site shall include enhanced water quality treatment and infiltration of stormwater runoff.
6. **(B)(4)(d) Plants:** In order to mitigate the removal of significant trees on the property the applicant shall replant trees on the site at a replacement calculation of a 3:1 ratio. There are eight significant trees proposed to be removed and twenty-four trees are required to be replanted. The landscaping plan shows that more than 300 trees are proposed throughout the site. All on-site vegetation outside of stream and wetland buffers will be removed and replaced as part of the project and the site shall be replanted with native and pacific northwest adapted plants and vegetation that are hardy and drought resistant.
7. **(B)(5)(d) Animals:** In order to mitigate potential impacts to animals on the property the applicant shall provide preservation and protection to the stream and wetland during construction and provide native growth protection fencing and signage along all buffers prior to issuance of final certificate of occupancy.
8. **(B)(6)(3) Energy and Natural Resources:** In order to mitigate potential impacts to solar energy on the site the applicant shall provide a solar panel glare study and receive approval from the Arlington Municipal Airport and FAA prior to installation on the site.
9. **(B)(7)(A) Environmental Health:** In order to mitigate potential impacts to environmental health hazards, the applicant completed a Phase I ESA on the property. This report did not identify recognized environmental conditions in connection with the subject property.
10. **(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. Low noise transformers will be utilized in the facility with the project completion.
11. **(B)(8) Land and Shoreline Use:**
 - The applicant has chosen to develop the property under the Mixed-Use Development Regulations, which requires both commercial and residential uses on the site. The applicant shall construct the commercial and residential portions of the project concurrent with one another so there is not a lapse of time with the total build out of the project.

- The property is located within Subdistrict C and shall comply with the Federal Aviation Regulations (FAR) Part 77 and complete a Federal Aviation Administration form 7460. An Avigation Easement shall be placed on the Binding Site Plan and be recorded with the final document at the Snohomish County Auditor's Office.
12. **(B)(10) Aesthetics:** The applicant shall meet the requirements of AMC 20.110 Mixed-Use Development Regulation Design Standards. The residential buildings are three stories and approximately 41 feet in height (above the first floor). To reduce the mass of the façade, the building is articulated with a strong base, middle, and top. The building base incorporates horizontal lap siding, and the upper walls incorporate varying textures and colors of siding. The façade is also articulated with recessed balconies and topped with double-gabled roof forms. The principal wall material is simulated wood siding with a variety of textures and colors, including board and batten, horizontal and vertical siding. The roofing consists of composition shingles.
 13. **(B)(11)(a) Light and Glare:** To mitigate 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.
 14. **(B)(12)(c) Recreation:** The proposed mixed-use residential development of 216 multi-family dwelling units shall pay the following Community Park Impact Fees:
 - Community Park Impact Fees: \$323,352.00 (\$1,497 x 216 units)
The applicant shall pay all community park impact fees prior to building permit issuance. The impact fees may be proportionately charged per building on the site with each building permit. Impact fees do not vest and are the fees in place at the time of payment.
 15. **(B)(13) Historic and Cultural Preservation:** The applicant submitted an Unanticipated Discovery Plan. If historical, cultural, or archaeological sites or artifacts are discovered in the process of development, work on that portion of the site shall be stopped immediately, the site secured, and the find reported as soon as possible to the community and economic development director. The property owner also shall notify the Washington State Department of Archaeology and Historic Preservation and affected tribes. The applicant shall provide ground disturbance notification to the Stillaguamish Tribe of Indians and allow for monitoring on the site.
 16. **(B)(14)(c) Transportation:** The applicant shall construct frontage improvements that include curb, gutter, sidewalk, landscape planting strip, multi-modal trail, and pavement, along 59th Avenue NE, through the project site, along the future public roadway along the northern property line between the subject parcel and State Route 530 and construct a 22 foot wide access road with a 12 foot multi-modal trail from the property's east boundary parallel to State Route 530 and connect to 211th Place NE with an intersection providing the required secondary access for the project.
 17. **(B)(14)(f) Transportation:** Trip generation for the proposed development has been calculated by TENW through a Traffic Impact Analysis, completed on October 16, 2024 and revised on January 30, 2025. The report references Land Use Code 822 (Strip Retail Plaza) for the proposed commercial portions of the project and Land Use Code 220 for Multi-Family Low Rise residential housing for the proposed residential apartment units per the ITE Trip Generation Manual, 11th Edition. The subject uses result in 150 PM Peak Hour Trips (PMPHT). The Applicant is required to pay the following Traffic Impact Fee as proposed in the Traffic Impact Analysis:
 - City of Arlington Traffic Impact Fees: \$503,250.00 (\$3,355/trip x 150 PMPHT)
The applicant shall pay all traffic impact fees prior to the building permit issuance. Impact fees do not vest and are the fees in place at the time of payment. The applicant may be allowed credit to traffic impact fees for new roadway and frontage improvements on the north side of the property and parallel to SR 530.
 18. **(B)(16)(a) Utilities:** The applicant shall receive approval and connect to the City of Arlington water and wastewater systems, extend utility lines as necessary, and pay water and sewer connection fees. All improvements shall be installed during the Civil Construction phase of the project.
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 and transmission lines) telephone, gas distribution, cable television, and other communication and utility lines in or adjacent to any land use or building permit 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.

The placement of Snohomish County PUD transformer cases shall be reviewed and approved by the city. All cases that abut or can be viewed from the public right-of-way are required to be decoratively wrapped.

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/or 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 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.

Public SEPA Threshold Determination Comment Period: This MDNS is issued under WAC 197-11-350; the lead agency will not act on this proposal for 14 days from the date of the published decision. Written comments must be submitted no later than **5:00 p.m. on March 21, 2025**. 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 5, 2025

Marc Hayes

DATE

SIGNATURE OF SEPA RESPONSIBLE OFFICIAL

Appeal Process: The MDNS may be appealed pursuant to the requirements of AMC 20.98.210, AMC 20.20, and AMC 20.24. The fourteen (14) day appeal period commences on the date of publication of notice. Any appeal to the Hearing Examiner must be addressed to the City Hearing Examiner, accompanied by an application, written findings, a filing fee of \$600.00 (plus the actual cost of the Hearing Examiner), and be filed in writing at the City of Arlington, Community and Economic Development Department, 18204 59th Avenue NE, Arlington, WA 98223. An appeal hearing of the MDNS shall be combined with the Public Hearing for the project. The appeal must be received by **5:00 p.m. on March 21, 2025**.

Proposed Site Plan

