



SEPA THRESHOLD DETERMINATION

Mitigated Determination of Non-Significance (MDNS)

FILE NAME: BAKER-MOR, LLC

FILE NUMBER: PLN #418

LEAD AGENCY: City of Arlington Community and Economic Development Department

DESCRIPTION: This project consists of creating a binding site plan to subdivide an existing 8.39 acre parcel into 5 parcels. Parcels A-D are to be developed as Commercial/Retail uses. Parcel E is to be developed as senior apartments. All parcels will be developed under individual permits. The subject property is located on 172nd St. NE/State Route 531 in Arlington, within the Highway Commercial Zone and within the Mixed Use Overlay. A new public road, 40th Avenue NE, will be constructed as part of this project and dedicated to the City of Arlington.

LOCATION: The project is located at 3909 172nd Street NE, Arlington, WA. Township 31, Range 05, Section 21, Quarter SW. Tax Parcel ID # 31052100306300.

APPLICANT: Carmel Gregory, CG Engineering on behalf of Baker-MOR, LLC

STAFF CONTACT: Permit Center, ced@arlingtonwa.gov

DATE CHECKLIST PREPARED: February 12, 2018

APPROVALS REQUIRED: City of Arlington: Binding Site Plan, SEPA, Full Site Civil Permit, Utility Permit, Right of Way, Building Permits. Department of Ecology: Construction Stormwater General Permit. City of Marysville Developer Extension for Sewer Main.

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. 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.

(B)(3)(b) Ground Water: In order to mitigate for potential impacts to ground water the Applicant shall utilize Low-Impact Design techniques to manage storm water on-site.

(B)(3)(c) Water Runoff: In order to mitigate for potential impacts to water runoff the Applicant shall follow DOE requirements of the 2015 Stormwater Management Manual for Western Washington.

(B)(4)(b) Plants: The applicant shall adhere to tree protection measures outlined in AMC 20.76.120. The applicant shall provide mitigation for the removal of 102 significant trees as indicated on the tree survey. AMC 20.76.120(d)(e) any significant trees that are removed shall be replaced by five-gallon size native species at a ratio of 3:1. The applicant will be replanting 306 trees on the project site. The applicant may pay a Tree Mitigation In-Lieu Fee of \$32.50 per tree not replanted on the site. Trees planted in the 40th Avenue right of way shall be deducted from the total count.

(B)(7)(b) Noise: The applicant shall comply with the City of Arlington noise standards found in AMC 9.20.060. Specifically, in section 9.20.060(8) noises resulting from any construction activity or the operation of heavy equipment from 7:00pm to 7:00am Monday through Saturday and all day Sunday shall be prohibited.

(B)(10) Aesthetics: The applicant shall remove all tree stumps and logging debris from the subject property within thirty (30) days of any clearing or grading activity.

Street trees shall be installed along all new 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)(12)(c) Recreation: Community parks mitigation fees will be determined as each lot develops under individual permits.

(B)(13) Historic and Cultural Preservation: The project site may be within the vicinity of historic and cultural activity; therefore, the applicant shall submit a completed Unanticipated Discover Plan (UDP). If any historic or archaeological items are discovered during the grading of the site, the State Historical Preservation Officer, Stillaguamish Tribe, and the City of Arlington shall be contacted and measures taken to implement the UDP.

(B)(14)(f) Transportation: Traffic mitigation fees will be determined as each lot develops under individual permits.

(B)(15) Public Services: Lakewood School District mitigation fees will be determined as each lot develops under individual permits.

(B)(16)(a) Utilities: The applicant shall connect to the City of Arlington water and City of Marysville sewer 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: June 12, 2018

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 June 26, 2018. 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

<u>June 12, 2018</u>	<u>Marc Hayes</u>
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 of the land use permit must be made to the Hearing Examiner within 14 days of the date the permit is issued.