



NOTICE OF SEPA MITIGATED THRESHOLD DETERMINATION (MDNS)

File Name: Cascade Mixed Use
File Number: PLN #888
Applicant: ImarArch Solutions, behalf of Cascade Apartments LLC
Location: 3600 Block of 173rd Street NE, Arlington, WA 98223
Parcel No.: 31052100307300
Date of Application: September 27, 2021
Date of Completeness: October 18, 2021
Date Notice of Application: October 20, 2021
Date SEPA Checklist Prepared: October 17, 2022
Date of Threshold Determination: November 7, 2022
Date Published: November 9, 2022
Lead Agency: City of Arlington
Lead Agency Contact: Amy Rusko, arusko@arlingtonwa.gov, 360-403-3550

PROJECT DESCRIPTION: The Owner, Cascade Apartments, LLC is proposing to construct an up to 108-unit Multi-family and Commercial Mixed-Use Development (known as “Cascade Mixed Use”) on 1.85 acres located northeast of the 172nd Street NE and Smokey Point Boulevard intersection, on parcel number 31052100307300. The proposed project will be constructed in conformance with Title 20 (Zoning) of the Arlington Municipal Code, including Chapter 20.110, the Mixed-Use Development Regulations.

The Cascade Mixed Use community will consist of one 4-story mixed use building, with a total of 123,960 square feet. The unit mix will provide 43 studio units, 50 1-bedroom units, and 15 2-bedroom units. The multi-tenant commercial areas consist of three suites with a total of 12,136 square feet, a leasing office with a total of 1,393 square feet, and residential entry lounge with a total of 1,842 square feet. The recreation on the site consists of a 2,352 square foot play area, 2,351 square foot picnic area, and a 6,343 square foot second story open deck with a variety of amenities.

The project site consists of vacant 1.85-acre parcel that is primarily flat with no mature trees. Existing soil conditions underlying most of the subject properties consist of Lynnwood loamy sand.

APPROVALS REQUIRED: City of Arlington: Conditional Use Permit, SEPA Review, Design Review, Site Civil Permit, Right-of-Way Permit, Utility Permit, Complete Streets, Building 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 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:

1. **(B)(1) Earth:** The applicant proposes an estimated grading of 1.9 acres including approximately 8,000 cubic yards of excavation and 2,000 cubic yards of embankment. 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.
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)(b) Ground Water:** The applicant proposes underground parking on the site that is at or near groundwater. 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. Final approval of hydrology and underground parking shall be completed with the Civil Permit.
4. **(B)(3)(c) Water Runoff:** 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. Stormwater plan shall be approved with the Site Civil Permit.
5. **(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.
6. **(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 vehicle traffic and residential units will be generated after project completion.
7. **(B)(8) Land and Shoreline Use:** The applicant shall comply with the Airport Protection District Overlay within AMC 20.38. The property is located within Subdistrict B. An Avigation Easement is recorded over the property under AFN 201912105002.
8. **(B)(10)(c) Aesthetics:** The project shall comply with the design requirements set forth in the Mixed-Use Development Regulations of AMC Chapter 20.110. The project is located in the T5N-LV Transect that allows for 3 stories by right per AMC 20.110.014(c)(4). The building may be built to 4 stories if the applicant builds to one of the following: affordable housing, LEED certified building, if the development provides the same or more square footage of the 4th floor in on-site civic space or pay fee in-lieu towards identified civic space within the surrounding area. The in-lieu fee amount is 25% of the construction cost for the additional floor based on the IBC Building Valuation Table. The applicant has chosen to pay the in-lieu fee for this project. The total is to be determined by the Building Official and is required to be paid prior to building permit issuance. The in-lieu fee will go towards the new city park to be located at 180th Street and Smokey Point Boulevard.
9. **(B)(11)(a) Light and Glare:** 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.
10. **(B)(12)(c) Recreation:** A variety of on-site common recreation areas are proposed to meet the mini-park requirement, including a play area, picnic areas, gathering space and game area, within 10,595 square feet. Each residential development shall pay a Community Park Impact fee of \$1,497 per multi-family dwelling unit for a total of \$161,676 in Park Mitigation fees for 108 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 4,020 square feet of required open space, where the applicant has provided 5,200 square feet of common use open space.

11. **(B)(13) Historic and Cultural Preservation:** The applicant shall notify the Stillaguamish Tribe of Indians prior to any ground disturbance on the site.
12. **(B)(13) Historic and Cultural Preservation:** The applicant is required to submit an Unanticipated Discovery Plan prior to land clearing or construction on the site. 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 planning director. The property owner also shall notify the Washington State Department of Archaeology and Historic Preservation and affected tribes.
13. **(B)(14)(c) Transportation:** The property owner shall manage all parking for residents and commercial uses on the property. The city requires that the property owner establishes a parking permit system for tenants to show who is allowed to park in the private parking lot and to track compliance with parking.
14. **(B)(14)(d) Transportation:** The applicant is required to provide pedestrian and bicycle paths from the public and private streets into and throughout the site.
15. **(B)(14)(f) Transportation:** Trip generation has been calculated at 78 PM Peak Hour Trips (PMPHT) per the Traffic Impact Analysis that was submitted by Kimley Horn, dated February 2022. The analysis includes the traffic calculation for 108 multi-family residential units and 12,136 square feet of commercial space. The city traffic mitigation fee is \$3,355 per PMPHT for a total of \$261,690 in traffic mitigation fees. The Traffic Impact Analysis identified that the project impacts the Snohomish County intersection of 67th Avenue NE and 152nd Street NE, under project INT-007. Snohomish County bases mitigation fees from Peak Hour Trips (PHT). The required traffic mitigation for this intersection is \$185 for 59 PHT and \$157 for 30 PHT for a total of \$15,625. All City and Snohomish County traffic mitigation fees shall be paid prior to building permit issuance.
16. **(B)(15)(b) Public Services:** The proposal is within the Lakewood School District and will be required to pay \$1,641 for every 2-bedroom multi-family dwelling unit for 15 units and \$445 for every 1-bedroom multi-family dwelling unit for 50 units, for a total of \$46,865 in school mitigation fees. The applicant shall provide the City a copy of payment/receipt to Lakewood School District prior to building permit issuance.
17. **(B)(16)(a) Utilities:** The applicant shall connect to the City of Marysville water and wastewater systems.
18. **(B)(16)(a) 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/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 Wednesday, November 23, 2022**. 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

DATE	SIGNATURE OF SEPA RESPONSIBLE OFFICIAL
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Appeal Process: An agency or person may appeal the City’s procedural compliance with WAC 197-11. The appeal shall meet 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 (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 combined with the Public Hearing for the project. The appeal must be received by **5:00 PM on Wednesday, November 23, 2022**.

Date Issued: November 7, 2022
Date Published: November 9, 2022
End Comment Period: November 23, 2022