



CITY AFFIDAVIT OF POSTING

I, Ameresia Lawlis, do hereby certify that on September 27, 2023, I posted public notice for planning File Number PLN #1000 Allen Town Homes at the following locations:

**COMMUNITY &
ECONOMIC
DEVELOPMENT
PLANNING & LAND USE
DIVISION**



ARLINGTON AIRPORT
OFFICE
18204 59th Ave NE
Arlington, WA 98223
8am - 5pm M-F
Closed 12 pm - 1 pm M-F
Closed Holidays

360.403.3551
arlingtonwa.gov

- City Hall Smokey Point Post Office Arlington Library
- City Website On-Site

and to the following persons and agencies:

- Applicant Agencies with Jurisdiction Property Owners (w/in 500' radius)
- Parties of Record

Stating:

- 1) that a public hearing will be held by the
- Planning Commission City Council Hearing Examiner

Date:

OR 2) that a Neighborhood Meeting will be held on _____

- 3) the City issued a SEPA Threshold Determination for this project
- 4) the City issued Notice of Application for this project
- 5) the City issued combined Notice of Application and SEPA Threshold Determination

Ameresia Lawlis
Signature

9/27/2023
Date

STATE OF WASHINGTON)
) ss.
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that Ameresia Lawlis is the person who appeared before me, and said person acknowledge that (he/she) posted the attached notice on the date specified and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument:



Raelynn M Jones
Notary Public in and for the State of Washington residing at

Arlington
My appointment expires
5-1-2027



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

File Name: Allen Townhomes Preliminary Unit Lot Subdivision
File Number: PLN #1000
Owner/Applicant: JM1 Holdings, LLC
Contact: Land Pro Group
Location: 8927 172nd St NE
Parcel No.: 31052400301000 and 31052400300900
Date of Application: October 13, 2022
Date of Completeness: October 24, 2022
Date Notice of Application: November 7, 2022
Date SEPA Checklist Prepared: October 1, 2021 – Updated August 17, 2023
Date of Threshold Determination: September 25, 2023
Date Published/Posting: September 27, 2023
Lead Agency: City of Arlington Community and Economic Development Department
Lead Agency Contact: Amy Rusko, arusko@arlingtonwa.gov

PROJECT DESCRIPTION: The applicant is proposing a preliminary unit lot subdivision through a conditional use permit for a 36 townhome development on approximately 4.89 acres site, of which 2.2 acres are developable, within the residential high capacity zone. The proposal is for a townhouse style project consisting of three five-unit buildings, three four-unit buildings, and three three-unit buildings. Each unit has its own attached garage for two parking spaces and guest parking will be provided throughout the development. Access to the site includes a new public road to the west and a private drive aisle to the east, both accessed from 172nd Street NE. The site contains a Category III wetland (Wetland A) that is proposed to remain protected with buffer averaging (no net loss) due to the irregular shape of the wetland. The project includes 13,000 cubic yards of cut and fill across the site. Approximately 55% of the site will remain in a Native Growth Protection Area Tract, however the proposal includes the removal of 13 significant trees and the planting of 95 trees. Project improvements to the site include frontage improvements along both public and private roads, landscaping, park and open space, critical area protection, and the extension of city water and sewer.

APPROVALS REQUIRED: City of Arlington: Conditional Use Permit, SEPA Review, Civil Permit, Utility Permit, Complete Streets and Building Permits. Department of Ecology: Stormwater General Permit and Water Quality Certification.

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 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 Certified Erosion and Sediment Control Lead is required to monitor the site.

(B)(2) Air: In order to mitigate 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)(a) Surface Water: In order to mitigate potential impacts to the on-site Category III wetland (Wetland A) and the off-site Category III wetland (Wetland B), the applicant shall follow the submitted Critical Area Study and Buffer Mitigation Plan completed by Wetland Resources. The project proposal shows that Wetland A is protected by a native growth protection area tract. The standard buffer for a Category III wetland is 110 feet. The project has proposed buffer width averaging as permitted through AMC 20.93.320, with a reduction of no more than twenty-five percent or a distance equal to 82.5 feet. The buffer reduction is 10,278 square feet and the buffer addition is 10,283 square feet.

(B)(3)(b) Ground Water: In order to mitigate 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 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: In order to mitigate the removal of significant trees on the property the applicant shall replant trees on the site. Replacement of significant trees are calculated at a 3:1 ratio. The project removes 13 significant trees and more than 39 trees are shown to be replanted on the landscape plan.

(B)(5)(d) Animals: In order to mitigate potential impacts to animals on the property the applicant shall provide protection to the wetland and retained trees during construction and provide native growth protection fencing and signage along all buffers prior to approval of Final Unit Lot Subdivision.

(B)(7)(A) Environmental Health: The 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)(2) 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 light vehicle traffic will be generated during business hours at project completion.

(B)(10) Aesthetics: The proposal is required to meet the City of Arlington Development Design Standards of AMC 20.46 through a Design Review Board Decision prior to submittal of the Final Unit Lot Subdivision permit.

(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 D – that is comprised of the Federal Aviation Regulations (FAR) parts 77 Imaginary surfaces.

(B)(12)(c) Recreation: To mitigate the impacts on recreation the applicant is providing over an acre of on-site recreation for future residents. The applicant shall pay Community Park Impact Fees in the amount of \$1,497.00 per multi-family attached dwelling unit.

(B)(13) Historic and Cultural Preservation: If during construction 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 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. The applicant shall follow the submitted Unanticipated Discovery Plan

and shall notify the Stillaguamish Tribe prior to ground disturbance. The Stillaguamish Tribe may have a monitor on-site to observe site disturbances during the construction of the project.

(B)(14)(d) Transportation: The applicant is required to construct frontage improvements along 172nd Street NE, construct a public street along the west property line, and private drive aisles throughout the subdivision. The public street improvements and property is required to be dedicated to the City of Arlington at the time of Final Unit Lot Subdivision.

(B)(14)(f) Transportation: Trip generation has been calculated by Kimley Horn Traffic Consultants through a Traffic Impact Analysis, completed in August 2022. The report references land use code 215 for Single-Family Attached Housing per the ITE Trip Generation Manual, 11th Edition. The original report was completed for 43 town house units. The revised project proposes less units on the site. The analysis shows a rate of 0.57 PM Peak Hour Trips per unit. The project proposes 36 townhouse units, which results in 21 new PM Peak Hour Trips. City of Arlington Traffic Impact Fees are required in the amount of \$70,455.00 (\$3,355/trip x 21 trips).

(B)(15) Public Services: The applicant shall pay Arlington School District Mitigation Fees in the amount of \$3,455 per two/+ bedroom multi-family dwelling unit. The applicant shall provide proof of payment to the Arlington School District prior to building permit issuance.

(B)(16)(a) Utilities: The applicant shall 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 Site Civil Construction phase of the project. All utilities shall be installed underground.

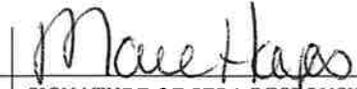
DISCLAIMER: The determination that an environmental impact statement does not have to be filed does not mean there will be no adverse environmental impacts. The City of Arlington codes governing noise control, land use performance standards, construction, and improvements of roads, off site road improvement 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.

Public SEPA Threshold Determination Comment Period: There is a 14-day comment period for this MDNS. If you would like to comment on this Threshold Determination, written comments must be received by **5:00 PM on Wednesday, October 11, 2023**. 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.

To View: The project notices and submittal documents are available for review on the city's website at www.arlingtonwa.gov under public notices or at the Community and Economic Development Department, located at 18204 59th Avenue NE, Arlington, WA 98223

SEPA Responsible Official: Marc Hayes, Director of Community and Economic Development

September 25, 2023
DATE


SIGNATURE OF SEPA RESPONSIBLE OFFICIAL

To Appeal The Decision: 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, October 11, 2023**

For Publication in the Wednesday, September 27, 2023 edition of the Herald:

City of Arlington
Notice of SEPA Mitigated Determination of Non-Significance

File Name: Allen Townhomes Preliminary Unit Lot Subdivision
File Number: PLN #1000

The City of Arlington has issued a Notice of SEPA Mitigated Determination of Non-Significance for the Allen Townhomes Preliminary Unit Lot Subdivision Conditional Use Permit.

The applicant is proposing a preliminary unit lot subdivision through a conditional use permit for a 36 townhome development on approximately 4.89 acres site, of which 2.2 acres are developable, within the residential high capacity zone. The proposal is for a townhouse style project consisting of three five-unit buildings, three four-unit buildings, and three three-unit buildings. Each unit has its own attached garage for two parking spaces and guest parking will be provided throughout the development. Access to the site includes a new public road to the west and a private drive aisle to the east, both accessed from 172nd Street NE. The site contains a Category III wetland (Wetland A) that is proposed to remain protected with buffer averaging (no net loss) due to the irregular shape of the wetland. The project includes 13,000 cubic yards of cut and fill across the site. Approximately 55% of the site will remain in a Native Growth Protection Area Tract, however the proposal includes the removal of 13 significant trees and the planting of 95 trees. Project improvements to the site include frontage improvements along both public and private roads, landscaping, park and open space, critical area protection, and the extension of city water and sewer.

The Public Notices, MDNS and project documents are available for review on the city's website at www.arlingtonwa.gov under public notices or at the Community and Economic Development Department, located at 18204 59th Avenue NE, Arlington, WA 98223.

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 PM on Wednesday, October 11, 2023. 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.

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, October 11, 2023.

Staff Contact: Amy Rusko, Planning Manager, arusko@arlingtonwa.gov, Community & Economic Development Department, 18204 59th Avenue NE, Arlington, WA 98223



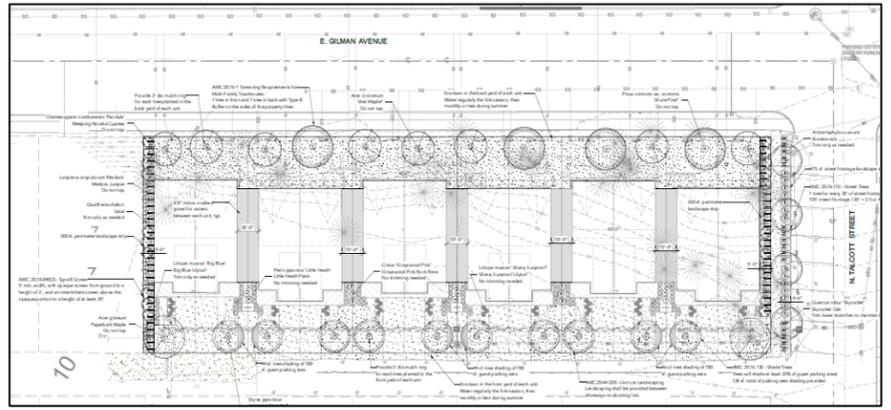
CITY OF ARLINGTON

Notice of SEPA Mitigated Determination of Non-Significance (MDNS) and Neighborhood Meeting
Allen Townhomes Preliminary Unit Lot Subdivision

File Number: PLN #1000 **Neighborhood Meeting:** October 17, 2023 @ 5:30 pm
Applicant: JM1 Holdings, LLC **Neighborhood Meeting Location:** Online via Zoom
Location: 8927 172nd St NE **Parcel No.:** 31052400301000 & 31052400300900
Date of Application: Oct. 13, 2022 **Date of Threshold Determination:** Sept. 25, 2023
Date of Completeness: Oct. 24, 2022 **Date Notice of Application:** November 7, 2022
Date SEPA Checklist Prepared: October 1, 2021 – Updated August 17, 2023
Notice Publication Date: September 27, 2023
Notice of Application Written Comment Deadline: October 11, 2023 @ 5:00 pm

Project Description: The applicant is proposing a preliminary unit lot subdivision through a conditional use permit for a 36 townhome development on approximately 4.89 acres site, of which 2.2 acres are developable, within the residential high capacity zone. The proposal is for a townhouse style project consisting of three five-unit buildings, three four-unit buildings, and three three-unit buildings. Each unit has its own attached garage for two parking spaces and guest parking will be provided throughout the development. Access to the site includes a new public road to the west and a private drive aisle to the east, both accessed from 172nd Street NE. The site contains a Category III wetland (Wetland A) that is proposed to remain protected with buffer averaging (no net loss) due to the irregular shape of the wetland. The project includes 13,000 cubic yards of cut and fill across the site. Approximately 55% of the site will remain in a Native Growth Protection Area Tract, however the proposal includes the removal of 13 significant trees and the planting of 95 trees. Project improvements to the site include frontage improvements along both public and private roads, landscaping, park and open space, critical area protection, and the extension of city water and sewer.

How to View the Project: View current project documents by accessing the city’s website at <https://www.arlingtonwa.gov/310/Public-Notices-Hearings> or the file may be viewed at the Community & Economic Development Department.



Notice of Neighborhood Meeting: A neighborhood meeting will be held at 5:30 pm on Tuesday, October 17, 2023, via Zoom virtual meeting. To participate in the neighborhood meeting you may email the staff contact or log/call in to the Zoom meeting.

Online Zoom Meeting: To attend and/or participate in the hearing you may log in or call into the Zoom Meeting.

<https://arlingtonwa.zoom.us/j/89917051751?pwd=QlVpNzNoSmNTMDg5VTBIMjhRZ2pVdz09>

Phone No.: 1-253-215-8782

Meeting ID: 839 4077 9154 Passcode: 2822091

Special Accommodation: Please call the staff contact listed if internet access is a concern.

Contact Information: Amy Rusko, Planning Manager, arusko@arlingtonwa.gov



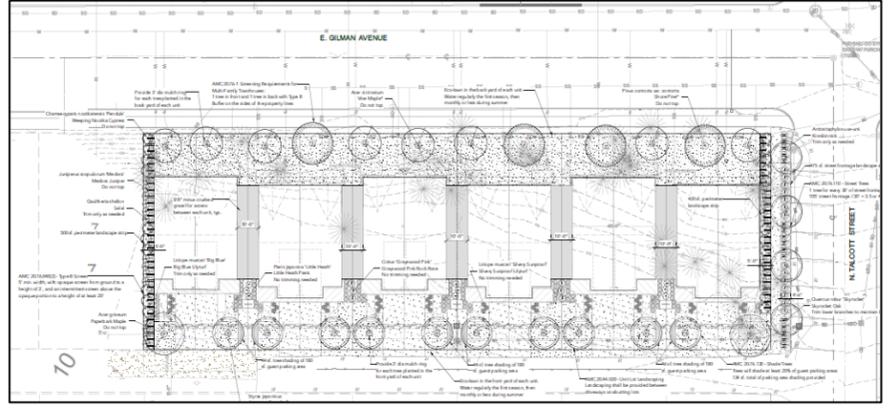
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Phone No.: 1-253-215-8782

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Contact Information: Amy Rusko, Planning Manager, arusko@arlingtonwa.gov



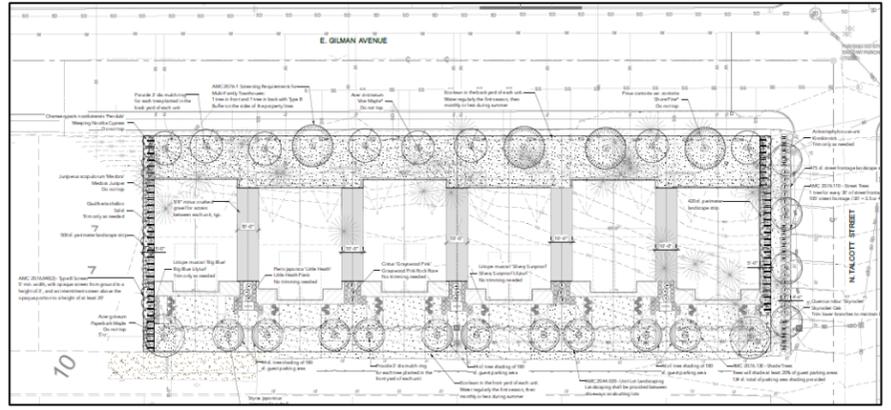
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Contact Information: Amy Rusko, Planning Manager, arusko@arlingtonwa.gov



City of Arlington
Community & Economic Development Department
18204 59th Avenue NE
Arlington, WA 98223



City of Arlington
Community & Economic Development Department
18204 59th Avenue NE
Arlington, WA 98223



City of Arlington
Community & Economic Development Department
18204 59th Avenue NE
Arlington, WA 98223

From: [Amy Rusko](#)
To: [Legal Advertising EDH](#)
Subject: City of Arlington Public Notice Publishing
Date: Monday, September 25, 2023 11:58:00 AM
Attachments: [image001.png](#)
[20230925_Chapter20.44_NOPH_Newspaper.docx](#)
[20230925_Title13_NOPH_Newspaper.docx](#)
[20230925_PLN1000_Allen_MDNS_Newspaper.docx](#)
[20230925_PLN1000_Allen_NONM_Newspaper.docx](#)
[Williams_NOA_Newspaper.docx](#)

Legals –

Please publish the attached public notices in the Wednesday, September 27, 2023 edition of The Herald.

- AMC Chapter 20.44 Notice of Public Hearing
- AMC Title 13 Notice of Public Hearing
- Allen Townhomes MDNS
- Allen Townhomes Notice of Neighborhood Meeting
- Williams Binding Site Plan Notice of Application

Thank you!

Sincerely,
Amy Rusko



Amy Rusko | Planning Manager
Phone: 360-403-3550
Email: arusko@arlingtonwa.gov
Website: www.arlingtonwa.gov
18204 59th Ave NE, Arlington, WA 98223

From: [Legal Advertising EDH](#)
To: [Amy Rusko](#)
Subject: Re: [edh legals] City of Arlington - Public Notice Publication for September 29, 2023
Date: Wednesday, September 27, 2023 6:52:52 AM
Attachments: [image001.png](#)
[image001.png](#)

This message is from an External Sender

This message came from outside the City of Arlington

Amy,
I will schedule the notice to publish September 29, 2023.
Thank you,
Karen

Herald Legals

The Daily Herald | 1800 41st Street, S-300 | Everett, WA 98203
425-339-3089 | legals@heraldnet.com | www.heraldnet.com



[Map](#) [Media Kit](#) [Sound Info](#)

On Tue, Sep 26, 2023 at 3:18 PM Amy Rusko <arusko@arlingtonwa.gov> wrote:

Legals -

Please publish the attached public notice in the Friday, September 29, 2023 edition of The Herald.

- AMC Chapter 20.98 Amendment DNS

Sincerely,

Amy Rusko



Amy Rusko | Planning Manager

Phone: 360-403-3550

Email: arusko@arlingtonwa.gov

Website: www.arlingtonwa.gov

18204 59th Ave NE, Arlington, WA 98223

From: [Ameresia Lawlis](#)
To: [Ryan Larsen](#)
Cc: [Amy Rusko](#)
Subject: Allen Townhomes PLN1000
Date: Wednesday, September 27, 2023 12:32:00 PM
Attachments: [20230927_PLN1000_Allen_MDNS.pdf](#)
[image001.png](#)
[20230927_PLN1000_Allen_NONM.pdf](#)

Good afternoon,

The City of Arlington has issued a Mitigated Determination of Non-Significance and Notice of Neighborhood Meeting for Allen Townhomes PLN#1000.

The Mitigated Determination of Non-Significance and Notice of Neighborhood Meeting are attached and the project application documents are on the city's website at the following link: <https://www.arlingtonwa.gov/310/Public-Notices-Hearings>. Once you are on this webpage you will need to scroll down the page until you see the project listed as Allen Townhomes.

If you have any questions, please feel free to reach out.

Sincerely,



Ameresia Lawlis

Arlington Community & Economic Development, Permit Technician I

18204 59th Ave NE, Arlington, WA 98223

☎: 360.403.3548

alawlis@arlingtonwa.gov | www.arlingtonwa.gov

Note: Emails and attachments sent to and from the City of Arlington are public records and may be subject to disclosure pursuant to the Public Records Act.

From: [Ameresia Lawlis](#)
To: [Alex VanDuine](#); [Andrea Pellham](#); [Bob Hubenthal](#); [Brad Zahnow](#); [Brian Lewis](#); [Chris Holland](#); [Clarissa Stenstrom](#); [Claude Williams](#); [CNG Service](#); [Community Transit](#); [D Marks](#); [Dan Stonington](#); [Dawn Anderson](#); [Department of Fish and Wildlife](#); [DOC Review Team](#); [EFSEC](#); [Eric Heinitz](#); [Erika Harris](#); [Erin Kelly](#); [Haylie Miller](#); [Joseph Norris](#); [Julie Davis](#); [K Nelson](#); [Kelly Cooper](#); [Kelly McLain](#); [Kerry Lyste](#); [Larry Covey](#); [Lucas Larson](#); [Randy Kline](#); [Sam Barr](#); [SEPA Center](#); [SEPA DAHP](#); [SEPA PSCAA](#); [SEPA Review Team](#); [Snohomish County Public Works](#); [Snohomish County PUD](#); [Stacey Abbott](#); [Stephanie Jolivet](#); [Stephanie Suter](#); [Stephen Posner](#); [Steve Rice](#); [Stillaguamish Tribe](#); [Stillaguamish Tribe of Indians](#); [Todd Gray](#); [Waste Management](#); [WSDOT Aviation](#)
Cc: [Amy Rusko](#)
Subject: Allen Townhomes PLN#1000 - MDNS & NONM
Date: Wednesday, September 27, 2023 11:44:00 AM
Attachments: [20230927_PLN1000_Allen_NONM.pdf](#)
[image001.png](#)
[20230927_PLN1000_Allen_MDNS.pdf](#)

Dear Review Agencies,

The City of Arlington has issued a Notice of Mitigated Determination Non-Significance and a Notice of Neighborhood Meeting for the Allen Townhomes Conditional Use Permit PLN#1000.

The Notice of Mitigated Determination Non-Significance and a Notice of Neighborhood Meeting is attached and the project application documents are on the city's website at the following link: <https://www.arlingtonwa.gov/310/Public-Notices-Hearings>. Once you are on this webpage you will need to scroll down the page until you see the project listed as Allen Townhomes CUP.

If you have comments for this project, please provide them by the close of the comment period on October 11, 2023.

Sincerely,



Ameresia Lawlis

Arlington Community & Economic Development, Permit Technician I

18204 59th Ave NE, Arlington, WA 98223

☎: 360.403.3548

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City of Arlington
 Community & Economic Development Department
 18204 59th Avenue NE
 Arlington, WA 98223

Evelyn Zahradnik Family
 or Current Resident
 9101 172nd St NE
 Arlington WA 98223

SEATTLE WA 980
 27 SEP 2023 PM 6 L



US POSTAGE with **PRIMEY BOWES**
 ZIP 98223 \$ 000.63⁰
 02 4W
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Leonard & Sandra Corbett
 or Current Resident
 8905 172nd St NE
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City of Arlington
 Community & Economic Development Department
 18204 59th Avenue NE
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Evelyn Zahradnik Family
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