



# MITIGATED DETERMINATION OF NON-SIGNIFICANCE AND TRAFFIC CONCURRENCY DETERMINATION

Community Development Department ♦ 501 Delta Avenue ♦ Marysville, WA 98270  
Office Hours: Mon - Fri 8:00 AM - 4:30 PM ♦ Phone: (360) 363-8000

PROJECT INFORMATION			
<b>Project Title</b>	Sunnyside Village Cohousing	<b>File No.</b>	PA22-042
<b>Detailed Project Description</b>	<p>An application was submitted for a Preliminary Subdivision with Conditional Use Permit and State Environmental Policy Act (SEPA) review for the construction of a 32-lot cottage housing development. The proposed development would include 32-detached single family cottages, ranging from 1,000 to 1,200 sq. ft., along with a 2,779 sq. ft. community house including, a community kitchen, dining hall, and accessory rooms. The property would also include common areas with amenities such as a community garden, orchard, and open space areas.</p> <p>The subject property contains (3) Category IV wetlands and (1) Category III wetland; a preliminary mitigation plan was provided with application to demonstrate no net loss of ecological function would occur with the proposed development via onsite minimization measures and utilization of mitigation bank credits.</p>		
<b>Location</b>	3121 66 <sup>th</sup> Avenue NE	<b>Section Township Range</b>	03 29N 05E
<b>APN(s)</b>	29050300402100		
	<b>OWNER</b>	<b>APPLICANT</b>	<b>CONTACT</b>
<b>Name</b>	Dean Smith & Jennie Lindberg	Paul Cullen	Miles Cook, Schemata Workshop
<b>Address</b>	3007 Federal Avenue	6123 NE 185 <sup>th</sup> Street	1720 12 <sup>th</sup> Avenue
<b>City, State, ZIP</b>	Everett, WA 98201	Kenmore, WA 98028	Seattle, WA 98122
THRESHOLD DETERMINATION			
<b>Lead Agency</b>	<input checked="" type="checkbox"/> City of Marysville		
<p>The lead agency has determined that this proposal does not have a probable 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 by the City of Marysville of a completed environmental checklist and other information on file with this agency. This information is available for public review upon request.</p> <p><input type="checkbox"/> There is no comment period for this DNS</p> <p><input type="checkbox"/> This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on this DNS.</p> <p><input checked="" type="checkbox"/> This MITIGATED DNS is issued under WAC 197-11-350; the lead agency will not act on this proposal for 14-days from the date below. Comments must be submitted by: <b>March 14, 2023</b></p>			
SEPA CONTACT			
<b>Name</b>	Emily Morgan	<b>Title</b>	Senior Planner
<b>Phone</b>	360.363.8216	<b>E-mail</b>	emorgan@marysvillewa.gov
RESPONSIBLE OFFICIAL			
<b>Name</b>	Haylie Miller	<b>Title</b>	CD Director
<b>Address</b>	501 Delta Avenue, WA 98270		

*Haylie Miller*

Haylie Miller, CD Director

February 28, 2023

Date

## ENVIRONMENTAL IMPACTS

The proposed construction and subsequent use of the property could result in the following adverse environmental impacts:

- |    |                                                                                                                                          |
|----|------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Increase in the amount and rate of stormwater runoff and attendant pollutants from the introduction of paved and building roof surfaces. |
| 2. | Increase in erosion, surface water pollutants, siltation and sedimentation as a result of site preparation and construction.             |
| 3. | Increase in demand for police, fire protection, parks and other public services generated as a result of the development.                |
| 4. | Increase in noise, dust, light and glare from construction activity and subsequent use of the site.                                      |
| 5. | Increase in vehicular traffic on 66 <sup>th</sup> Avenue NE, as well as other City streets and arterials in the vicinity.                |

## MITIGATION MEASURES

The following mitigation measures are required to minimize the probable significant adverse environmental impacts as a result of the proposed development activity:

- |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | <p>Prior to civil construction plan approval, the applicant shall be required to submit a FINAL Geotechnical Assessment, prepared by a Professional Engineer registered in the State of Washington. Additionally, the applicant/contractor shall be required to adhere to the recommendations of the FINAL Geotechnical Assessment.</p> <p>Prior to granting occupancy permits, the applicant shall provide a letter from the project engineer to verify that final project grading has been completed consistent with the approved grading plans; that all recommendations outlined in the Geotechnical Assessment and subsequent amendments have been followed; and that all fill has been properly placed.</p>                                                                                                   |
| 2. | If at any time during construction archaeological resources are observed in the project area, work shall be temporarily suspended at that location and a professional archaeologist shall document and assess the discovery. The Department of Archaeology and Historic Preservation (DAHP) and all concerned tribes shall be contacted for any issues involving Native American sites. If project activities expose human remains, either in the form of burials or isolated bones or teeth, or other mortuary items, work in that area shall be stopped immediately. Local law enforcement, DAHP, and affected tribes shall be immediately contacted. No additional excavation shall be undertaken until a process has been agreed upon by these parties, and no exposed human remains should be left unattended. |
| 3. | The applicant shall be required to construct frontage improvements along 66th Avenue NE consistent with Engineering Design and Development Standards (EDDS) Standard Plan 3-202-002, Local Access Street, prior to final plat approval. Roadway improvements, channelization, site access and lighting plans shall be required to be reviewed and approved by the City Engineer, prior to construction plan approval.                                                                                                                                                                                                                                                                                                                                                                                               |
| 4. | The applicant shall be required to dedicate public right-of-way for the extension of 66 <sup>th</sup> Avenue NE in accordance with MMC 12.02A.110(1)(c), <i>Dedication of Road right-of-way – Required setbacks</i> . Right-of-way widths and required dedication shall be determined by the City Engineer. The extension of 66th Ave. NE requires a 50 ft. dedication, which is currently shown on the supplied documents.                                                                                                                                                                                                                                                                                                                                                                                         |
| 5. | <p>In order to mitigate impacts upon the future capacity of the road system, the applicant shall be required to submit payment to the City of Marysville, on a proportionate share cost of the future capacity improvements as set forth in MMC 22D.030.070(3), for the development.</p> <p>Traffic impact fees shall be vested at a rate of \$6,300.00 per PMPHT. A credit will apply for the existing house which will be demolished; said credit shall be applied to lot 1.</p>                                                                                                                                                                                                                                                                                                                                  |
| 6. | Based on the TIA, approximately 18 percent of the project trips are anticipated to impact the roundabout intersection of Soper Hill Road at 87th Avenue NE. Therefore, the applicant shall be required to pay the proportionate share of the impact fee for the Soper Hill Road and 87th Avenue NE roundabout estimated at \$9,520.00 (\$1,700.00 x 5.6 PMPHT).                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 7. | Per the approved EDDS variance, dated February 16, 2023, Ken McIntyre, Assistant City Engineer, accepted the justification for allowing a hammerhead style turnaround rather than a temporary cul-de-sac for the extension of 66 <sup>th</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

	Avenue NE. As a condition to allow the variance, automatic fire sprinkler systems will be required for buildings situated beyond the turnaround. Any lots requiring sprinklers shall be identified during civil plan review.
8.	The onsite wetland and buffer area that will be retained must be placed in a separate Native Growth Protection Area (NGPA) tract. The boundary of the tract shall be delineated by the installation of split rail fencing and signage.
9.	Prior to issuing any ground disturbing activity permits, proof of purchase for Skykomish Habitat Wetland Mitigation Bank credits shall be provided to the City of Marysville to mitigate for direct and indirect wetland impacts.
10.	Prior to issuing any ground disturbing activity permits, the applicant is required to obtain all necessary permits and approvals from Federal, State and local agencies for the proposed critical areas impacts.
11.	Prior to any ground disturbing activities, all wetland buffer areas shall be temporarily fenced between the construction activity and the buffer area with highly visible and durable protective barrier(s). Said barriers shall be retained during construction to prevent access and sedimentation from disturbed areas from entering the wetland or its buffer.
12.	Based on correspondence with the applicant and environmental consultant, the subject property may have a bald eagle nest in the vicinity. A Bald Eagle Nest Assessment Field Report, prepared by GeoEngineers dated February 17, 2023 was provided; said report concluded that the historic eagle nest is no longer present, but that continued monitoring is proposed as the possibility of the damaged nest rebuilding could begin or a new nest may be built in the near vicinity. Per MMC 22E.010, an updated report on the status of the potential nest location must be submitted prior to ground disturbing activities to ensure the bald eagle habitat shall be protected pursuant to the Washington State Bald Eagle Protection Rules of WAC 232-12-292.
13.	Prior to civil construction plan approval, the on-site septic system shall be decommissioned in accordance with WAC 246-272A-0300. Documentation demonstrating that the septic system has been decommissioned shall be submitted prior to final plat approval.
14.	Prior to civil construction plan approval, all trees identified to be retained per Tree Evaluation, prepared by Zsofia Pasztor, dated January 2020, shall be clearly identified on the grading plans. Prior to commencement of ground disturbing activities, all retained trees shall be protected and marked in the field.

**APPEALS**

- This DNS may be appealed pursuant to the requirements of MMC 22E.030.180. There is a 14 day appeal period on the DNS that commences from the date the DNS was issued. Any appeal must be addressed to the responsible official, accompanied by a filing fee of \$500.00, and be filed in writing at the City of Marysville Community Development Department, 501 Delta Avenue, Marysville, WA 98270. The appeal must be received by 4:30 p.m., **March 14, 2023**. The appeal must contain the items set forth in MMC 22G.010.530.
- There is no agency appeal.

**DISTRIBUTION**

Marysville	Local Agencies & Districts	State & Federal	County	Other
<input checked="" type="checkbox"/> Building <input checked="" type="checkbox"/> Fire District <input type="checkbox"/> Police <input checked="" type="checkbox"/> PW – Engineering <input checked="" type="checkbox"/> PW – Operations <input checked="" type="checkbox"/> PW – Sanitation <input type="checkbox"/> PW – Streets <input checked="" type="checkbox"/> PW – Water Res.	<input type="checkbox"/> Arlington (city) <input type="checkbox"/> Arlington Airport <input checked="" type="checkbox"/> Comcast <input type="checkbox"/> Community Transit <input type="checkbox"/> Everett (city) <input type="checkbox"/> Lake Stevens (city) <input type="checkbox"/> Lake Stevens SD 4 <input type="checkbox"/> Lakewood SD 306 <input checked="" type="checkbox"/> Marysville SD 25 <input checked="" type="checkbox"/> PUD No. 1 <input checked="" type="checkbox"/> Ziplly	<input checked="" type="checkbox"/> US Army Corps of Engineers <input type="checkbox"/> BNSF <input checked="" type="checkbox"/> DAHP <input checked="" type="checkbox"/> DOE (Bellevue) <input type="checkbox"/> DOE (Register) <input checked="" type="checkbox"/> WDFW <input type="checkbox"/> WSDOT <input type="checkbox"/> WUTC <input checked="" type="checkbox"/> USDFW	<input type="checkbox"/> Health District <input type="checkbox"/> Planning <input checked="" type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Olympic Pipeline <input checked="" type="checkbox"/> Puget Sound Energy <input checked="" type="checkbox"/> Stillaguamish Tribe <input checked="" type="checkbox"/> Tulalip Tribes <input type="checkbox"/>