



MARYSVILLE

MITIGATED DETERMINATION OF NON-SIGNIFICANCE

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

PROJECT INFORMATION			
Project Title	Margaret Estate Apartments	File No.	PA23-027
Detailed Project Description	Multi-family site plan review and approval of a 58-unit, three-story multi-family development and associated improvements. The on-site critical area and associated buffer will be enhanced and placed in a separate tract for retention and protection.		
Project Location	9706 55 th Avenue NE	APN(s)	30051500301800
Legal Description (abbreviated)	See File No. PA23-027		
	OWNER	APPLICANT	CONTACT
Name	William Kang	William Kang	Benny Kim
Address	837 NW 205 th Street	837 NW 205 th Street	4519 Lake Heights St.
City, State, ZIP	Shoreline, WA 98177	Shoreline, WA 98177	Bellevue, WA 98006
THRESHOLD DETERMINATION			
Lead Agency	<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 type="checkbox"/> This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14-days from the date below. Comments must be submitted by:</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: June 18, 2024</p>			
SEPA CONTACT			
Name	Amy Hess	Title	Senior Planner
Phone	360.363.8215	E-mail	ahess@marysvillewa.gov
RESPONSIBLE OFFICIAL			
Name	Haylie Miller	Title	CD Director
Address	501 Delta Avenue, WA 98270		


Haylie Miller, CD Director

05/31/24
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 55 th Avenue NE, as well as other City streets and arterials in the vicinity.
6.	Change in character of the site from a large vacant site into urban medium-density multi-family apartments.

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.	The applicant/contractor shall adhere to the requirements outlined in the Conclusions and Recommendations Section of the Geotechnical Engineering Study, prepared by Jason Engineering, dated June 10, 2023, or as amended.
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 should document and assess the discovery. The Department of Archaeology and Historic Preservation (DAHP) and all concerned tribes should 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 should be stopped immediately. Local law enforcement, DAHP, and affected tribes should be immediately contacted. No additional excavation should be undertaken until a process has been agreed upon by these parties, and no exposed human remains should be left unattended.
3.	Prior to issuing any ground disturbing activity permits, the applicant shall obtain all necessary Federal, State, and local permits for impacts to critical areas, as necessary, prior to beginning any land disturbing activities.
4.	Pursuant to MMC 22E.010, a FINAL Critical Areas Enhancement, Monitoring and Maintenance Plan, designed in accordance with MMC 22E.010.160, shall be required to be approved, prior to civil construction plan approval. The plan shall include a detailed planting plan of what will be planted, and where and when planting will occur.
5.	Prior to occupancy being granted, all mitigation measures as proposed in the FINAL Mitigation Plan, shall be implemented with final approval by Community Development. Security for performance and/or maintenance of the required mitigation and monitoring shall be in strict compliance with MMC 22E.010.160.
6.	At the discretion of the Community Development Director, the applicant shall be required to hire a certified arborist to evaluate trees proposed for retention. The arborist shall make a written recommendation to the Community Development Department with regards to the treatment of the treed area. In the event of an immediate hazard, this requirement shall be waived.
7.	To provide the best protection for trees within the on-site critical areas that may be impacted during the construction stage, the applicant shall install a temporary, five-foot high, orange clearing limits construction fence in a line generally corresponding to the drip line of any significant tree(s) to be retained. No construction will be permitted within the dripline of trees identified to be saved. All such fencing shall be installed and inspected by the Community Development Department prior to commencement of site work.

8.	Consistent with the recommendations of the Cultural Resources Assessment, completed by Legacy Anthropology, LLC dated January 11, 2024, this project shall proceed under an Inadvertent Discovery Plan; the affected tribes should continue to be consulted, and the Assistant Historical Preservation Officer of the Tulalip Tribes should be included in all future correspondence.
9.	The applicant shall be required to dedicate public right-of-way in order to accommodate the required frontage improvements along 55 th 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. Dedication shall be required prior to granting occupancy permits.
10.	The applicant shall be required to construct frontage improvements along 55 th Avenue NE, prior to issuing occupancy permits. Roadway improvements, channelization, site access and lighting plans shall be required to be reviewed by the City Engineer, prior to construction plan approval.
11.	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. Traffic impact fees shall be vested at a rate of \$6,300 per PMPHT. Applicant shall pay Snohomish County Traffic Impact fees, in accordance with the approved offer, in the amount of \$21,700.50.

APPEALS

- This (M)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 in accordance with [MMC 22G.030.020](#), 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., **June 18, 2024**. 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 checked="" type="checkbox"/> Police <input checked="" type="checkbox"/> PW – Engineering (Max Phan) <input checked="" type="checkbox"/> PW – Engineering (Josh King) <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 – Traffic Eng. (Jesse Hannahs) <input checked="" type="checkbox"/> PW – Water Res.	<input type="checkbox"/> Arlington (city) <input type="checkbox"/> Arlington Airport <input checked="" type="checkbox"/> Community Transit <input type="checkbox"/> Everett (city) <input checked="" type="checkbox"/> Lake Stevens (city) <input checked="" type="checkbox"/> Lake Stevens SD 4 <input type="checkbox"/> Lakewood SD 306 <input type="checkbox"/> Marysville SD 25 <input checked="" type="checkbox"/> PUD No. 1 (electric) <input type="checkbox"/> PUD No. 1 (water) <input checked="" type="checkbox"/> Ziply <input type="checkbox"/>	<input checked="" type="checkbox"/> US Army Corps of Engineers <input type="checkbox"/> BNSF <input type="checkbox"/> Commerce (SAW) <input checked="" type="checkbox"/> DAHP <input checked="" type="checkbox"/> DOE (Bellevue) <input checked="" type="checkbox"/> WDFW <input type="checkbox"/> WSDOT <input type="checkbox"/> WUTC <input type="checkbox"/>	<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 type="checkbox"/> Puget Sound Energy <input checked="" type="checkbox"/> Stillaguamish Tribe <input checked="" type="checkbox"/> Tulalip Tribes <input type="checkbox"/> <input type="checkbox"/>