AFFIDAVIT OF SERVICE OF MAILING

State of Washington)
County of King)
City of Issaquah)

STACY COCHRAN, being first duly sworn, upon oath, deposes and states:

That on the 30 day of JUNE, 2016, I deposited in the mail of the United States a sealed envelope containing a public hearing notice, decision or recommendation with postage prepaid addressed to the adjacent property and/or parties of record in the below entitled application or petition.

MITIGATED DETERMINATION OF NON SIGNIFICANCE (MDNS)
PP16-00003
SAMMAMISH 6 LOT PLAT

Stacy Cochran
Signed by

SUBSCRIBED AND SWORN to before me this 30th day of June, 2016

JENNIFER A. WOODS
COMMISSION EXPIRES
NOTARY
PUBLIC
8-24-16
STATE OF WASHINGTON

Jennifer A. Woods
Notary Public in and for the State of Washington
residing at Kirkland, WA, therein.

PETER & SANDRA BURR
4920 194TH AVE SE
ISSAQUAH WA 98027

BRUCE BIESOLD
4854 194TH AVE SE
ISSAQUAH, WA 98027

PEG MILBURN
4842 194TH AVE SE
ISSAQUAH, WA 98027

BETSY LANG
4804 194TH AVE SE
ISSAQUAH, WA 98027

ALFRED LANG
4804 194TH AVE SE
ISSAQUAH, WA 98027

DR. SIKKA
4826 194TH AVE SE
ISSAQUAH, WA 98027

CITY OF ISSAQUAH
MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

Description of Proposal: Subdivide a 41,274 square foot (SF) parcel into 6 single family residential lots. The proposed lots range in size between 6,015 SF to 6,425 SF.

There are no environmental critical areas on the site. The applicant will be required to retain a minimum of 30% of the total caliper of non-hazard, significant trees on the site.

The lots would be accessed off 194th Avenue SE, a private street. The applicant would improve 194th Avenue SE to a 20-foot pavement width and provide a pedestrian walkway along their property frontage and extend these improvements to intersection with 193rd Place SE. The applicant also proposes to reconfigure the existing intersection of 194th Ave SE and 193rd Ave SE. Infrastructure improvements will include road and frontage improvements, water, sewer, and stormwater utilities.

Proponent: Hans Korve
DMP Engineering
726 Auburn Way N
Auburn, WA. 98002

Permit Number: PP16-00003 – Sammamish 6 Lot Plat

Location of Proposal: 49XX 194th Ave SE

Lead Agency: City of Issaquah

Determination: The lead agency has determined this proposal would not have a probable significant adverse impact on the environment. An environmental impact statement 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.

Comment/Appeal Period: This Mitigated Determination of Nonsignificance is issued under WAC 197-11-340(2) and 197-11-680(3)(a)vii, and is based on the proposal being conditioned as indicated below. There is a 21-day combined comment/appeal period for this determination, between **June 30, 2016** to **July 21, 2016.** Anyone wishing to comment may submit written comments to the Responsible Official. The Responsible Official will reconsider the determination based on timely comments. Any person aggrieved by this determination may appeal by filing a Notice of Appeal with the City of Issaquah Permit Center. Appellants should prepare specific factual objections. Copies of the environmental determination and other project application materials are available from the Issaquah Development Services Department, 1775 12th Avenue NW.

Appeals of this SEPA determination must be consolidated with appeal of the underlying permit, per IMC 18.04.250.

Notes:

1. This threshold determination is based on review of the Plan Set including Topographic & Boundary Survey received April 27, 2016; Existing Conditions, Site Plan, Preliminary Utility and Lighting Plan, Preliminary Landscaping/Street Tree Plan received April 27, 2016; Pedestrian Exhibit, Intersection Only Exhibit, Sight Triangle Only Exhibit received April 27, 2016; Hazard Tree Removal Exhibit, Tree Preservation Exhibit received April 27, 2016; Arborist Report/Hazard Tree Assessment (Daniel Maple) received April 19, 2016; Storm Drainage Report/TIR (DMP Engineering, Inc.) received April 29, 2016; Geotechnical Report (GeoTech Consultants Inc.) received April 19, 2016; Bald Eagle and Pileated Woodpecker Habitat Assessment (Sewall Wetland Consulting, Inc.)

received April 28, 2016; SEPA environmental checklist received April 19, 2016; and other documents in the file.

2) Issuance of this threshold determination does not constitute approval of the project proposal. The proposal will be reviewed for compliance with all applicable City of Issaquah codes, which regulate development activities, including the Central Issaquah Plan, Critical Area Regulations, Building Codes, Clearing and Grading Ordinance, and Surface Water Design Manual.

Findings:

1. Land Use: The subject site was annexed into the City of Issaquah in 2006. The City adopted the zoning designation most comparable to the King County zoning, consistent with IMC 18.06.060. The site is zoned Single Family Small Lot (SF-SL). The SF-SL zone allows for single- family residential uses, a maximum density of 7.26 dwelling units/acre, and a minimum lot size of 6,000 square feet (SF). Public utilities are available and adequate to serve the site. According to RCW 36.70b.030, as part of project review a local jurisdiction shall not reexamine or hear appeals to previous decisions on fundamental planning regulations such as the type of land use or residential density.

2. Vegetation – The subject site is presently undeveloped and moderately forested. The Issaquah Land Use Code requires tree retention equal to a minimum of 30% of the total caliper of non-hazard, significant trees on a site. The applicant provided a Wildlife Habitat Assessment (Sewall Wetland Consulting, April 27, 2016) to evaluate potential use of the site by Bald Eagles and Pileated Woodpeckers. Bald Eagles are listed as "Sensitive" in Washington State and protected under the Federal Bald Eagle Act, though it's no longer listed as "Endangered." Pileated Woodpeckers are a State candidate specie for listing and have no Federal listing.

   According to the *Washington Department of Fish and Wildlife Priority Habitats Data Search*, the site has no mapped or known Bald Eagle nests or perches or use of the site by Pileated Woodpeckers. The Habitat Assessment Report states there was no observed on-site evidence of Bald Eagle nests or use of the site by Pileated woodpeckers (evidenced by cavities in trees). The site is located several hundred feet from Lake Sammamish. Lake Sammamish supports a population of Bald Eagles, and all Bald Eagle nests are mapped in this area and located over a mile from the site. Bald Eagles perch along the lake, primarily in trees overhanging or at the edge of the lakeshore, closer to the lake than the subject site. Although Bald Eagles may at times perch on trees on the site, these trees are not along the lake edge and do not present a unique or rare habitat feature for Bald Eagle usage. Pileated Woodpeckers typically utilize large forested areas that include many snags. The site doesn't contain a large number of snags and there was no evidence of any Pileated Woodpecker use of the site.

4. Stormwater – A Preliminary Drainage Report (TIR, DMP, dated April 28, 2016) was prepared to address core requirements, off-site drainage analysis, stormwater facility flow control and water quality design. The project will be required to meet standards of the 2009 King County Surface Water Design Manual with the 2011 City of Issaquah Addendum.

   The project drains directly into Lake Sammamish and therefore it is exempt from Flow Control requirements. The project is required to meet water quality standards for Sensitive Lake Protection Areas. Stormwater runoff from the developed site would be collected and treated in an on-site filter system prior to discharging into Lake Sammamish.

5. Traffic: The proposal for 6 single family residences would generate 6 new weekday PM peak hour trips. With the City's traffic concurrency system, development projects mitigate their impacts with payment of traffic mitigation fees. The City utilizes traffic impact fees to construct identified road improvements to maintain adopted level of service (LOS) standards on a City-wide basis.

   The lots would be accessed off 194th Avenue SE, a private street. The applicant would improve 194th Avenue SE to a 20-foot pavement width and provide a pedestrian walkway along their property frontage and extend these improvements to intersection with 193rd Place SE.

   The current configuration of the intersection of 194th Avenue SE and 193rd Place SE has operational and safety issues and is in close proximity to the intersection with West Lake Sammamish Parkway SE. The applicant proposes to reconfigure and improve the intersection of 194th Ave SE and 193rd Ave SE and to move this intersection further northeast, away from the intersection with West Lake Sammamish Parkway SE. Details of the intersection improvement shall be reviewed and approved by the Development Services Department, prior to recording the preliminary plat.

6. Bicycle and Pedestrian Facilities – The *Nexus Study for Bicycle and Pedestrian Facilities Mitigation Fees* (Henderson Young & Company, December 10, 2014) was adopted by the City Council, Ordinance #2733, effective February 2, 2015. The study quantifies the direct impact of new development on the current system of bicycle and pedestrian facilities and the additional demands from future growth to maintain the adopted level of service. The report uses trip generation rates based on the different land use types to quantify the impacts of new development. It also identifies 16 specific bicycle and pedestrian projects that are needed to support the City's level of service standard. Payment of mitigation fees as determined in the study may satisfy a development's requirement to mitigate their project impacts on the level of service standard. If the developer doesn't voluntarily use the methodology and mitigation fees as determined in the report, the developer may choose other methods to quantify and mitigate their impact including conducting a study of its impacts and identifying alternate means of mitigating impacts to achieve the adopted standards. The mitigation fee is presently $776.85/single family residence. The mitigation fee will be assessed with issuance of building permits and the actual cost of the mitigation fee will be the adopted fee in effect at the time of permit issuance. Applicant objections to the voluntary payment should be made during the SEPA comment period.

7. Public Services - The proposal would have a potential impact on public services, including police and general government buildings. IMC Chapter 3.74, Methods to Mitigate Development Impacts, provides alternatives to mitigate for direct impacts of proposed development. The City may approve a voluntary payment in lieu of other mitigation. Rate studies for police facilities and general government buildings are included in IMC 18.10.260 as the City's SEPA policy base. The rate studies present the methodology and formulas for determining the amount of the mitigation fee commensurate with the proposed land use and project impacts. The current mitigation fee is $147.73/single family residence for general government and $189.09/single family residence for the police mitigation fee. The mitigation fees will be assessed with issuance of building permits and the actual cost of the mitigation fee will be the adopted fee in effect at the time of permit issuance. Applicant objections to the voluntary payment should be made during the SEPA comment period.

Mitigation Measures: The Mitigated Determination of Nonsignificance is based on the SEPA environmental checklist received April 19, 2016 and supplemental technical information and reports listed in the Notes. The following SEPA mitigation measures shall be deemed conditions of the approval of the licensing decision pursuant to Chapter 18.10 of the Issaquah Land Use Code. All conditions are based on policies adopted by reference in the Land Use Code.

1. The current configuration of the intersection of 194th Avenue SE and 193rd Place SE has operational and safety issues and is in close proximity to the intersection with West Lake Sammamish Parkway SE. The applicant proposes to reconfigure and improve the intersection of 194th Ave SE and 193rd Ave SE and to move this intersection further northeast, away from the intersection with West Lake Sammamish Parkway SE. Details of the intersection improvement shall be reviewed and approved by the Development Services Department, prior to recording the preliminary plat.

2. The applicant shall mitigate for potential impacts on public services and bicycle and pedestrian facilities. The City may approve a voluntary payment in lieu of other mitigation. The current mitigation fee is $147.73/single family residence for general government, $189.09/single family residence for the police mitigation fee, and $776.85/single family residence for the bicycle/pedestrian mitigation fee. The mitigation fee will be assessed with issuance of building permits and the actual fee amount will be the adopted fee in effect at the time of permit issuance. Applicant objections to the voluntary payment should be made during the SEPA comment period.

SEPA Responsible Official: Peter Rosen

Position/Title: Senior Environmental Planner

Address/Phone: P.O. Box 1307, Issaquah, WA 98027-1307 (425) 837-3094

Date: 6/30/2016 **Signature:** Peter Rosen

cc: Washington State Department of Ecology
Muckleshoot Indian Tribe
Snoqualmie Indian Tribe
U.S. Army Corps of Engineers
Washington State Department of Fish and Wildlife
Washington State Department of Archeology and Historic Preservation (DAHP)
Parties of Record
Issaquah Development Services Department
Issaquah Parks and Public Works Engineering Departments

Thu 6/30/2016 3:29 PM

Stacy Cochran

SEPA Determination for the Sammamish 6-Lot Preliminary Plat

To Stacy Cochran

Bcc 'calebtar@comcast.net'; 'dleavitt8@comcast.net'; 'cpeterson@tng.com'; 'Brianme@microsoft.com'; 'bruc@merlino.com'; 'Peggysmilburn44@gmail.com'; 'ablang@thlangs.com'; 'phyllis@merlino.com'; 'daninore@comcast.net'; 'kathymgw@icloud.com'; 'drsikka@hotmail.com'; 'dkwelty@msn.com'; 'gmuggy@gmail.com'; 'carmenhartjensen@gmail.com'

Message | Samm 6 Lot PP MDNS.PDF (2 MB)

Good Afternoon,

Please find attached the SEPA Determination (environmental review) for the Sammamish 6-Lot Preliminary Plat. You are receiving this because you requested to be a party of record.

Thank you,

Stacy Cochran
City Of Issaquah | Support Services Specialist
425-837-3428 | stacyc@issaquahwa.gov