

CITY OF ISSAQUAH
MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

Description of Proposal: Construct an assisted living memory care facility consisting of a one-story 45,000 SF building with 60 units on a 6.5 acre site. The proposed development includes 46 surface parking spaces, landscaping, utility installation and street frontage improvements. There is a 1.2 acre Category II wetland located on the south portion of the site and a 75-foot wetland buffer is required. The proposal includes wetland buffer averaging; reducing the buffer by 3,026 SF to a minimum buffer width of 60 feet, and adding 3,393 SF of buffer replacement area. The site would be accessed from a driveway off Issaquah-Fall City Road, approximately 300 feet southwest from the intersection with Highlands Drive NE.

Proponent: Cascadia Development, LLC
4120 Englewood Ave.
Yakima, WA 98908
Attn: Justin Younker

Permit Number: SDP15-00001

Location of Proposal: South corner of SE Issaquah-Fall City Rd. and Highlands Dr. NE.

Lead Agency: City of Issaquah

Determination: The lead agency for this proposal has determined that it does 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 MDNS is issued under WAC 197-11-340(2) and 197-11-680(3)(a)vii. There is a 21-day combined comment/appeal period for this determination, between **August 20, 2015 and September 10, 2015**. 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 construction plans received June 26, 2015; Wetland Report (Altmann Oliver Associates) dated April 28, 2014; Preliminary Detention and Water Quality Analysis (Barghausen Engineers) dated October 15, 2014; Traffic Impact Analysis (TENW) dated June 24, 2015; environmental checklist dated and received March 23, 2015; and other documents in the file.
- 2) Issuance of this threshold determination does not constitute approval of the permit. The proposal will be reviewed for compliance with all applicable City of Issaquah codes, which regulate development activities, including the Land Use Code, Critical Area Regulations, Building Codes, Clearing and Grading Ordinance, and Surface Water Design Manual.

Findings:

1. Critical Areas – There is a 1.2 acre Category II wetland located on the south portion of the site. The wetland is an isolated topographic depression and includes a mix of palustrine forested, scrub-shrub, and emergent plant communities. Category II wetlands with 16 habitat points require a 75-foot wetland buffer plus a 15-foot building setback from the buffer. The proposal avoids direct wetland impacts. Wetland buffer averaging is proposed; reducing the buffer by 3,026 SF to a minimum buffer width of 60 feet, and adding 3,393 SF of buffer replacement area. The proposed buffer averaging is consistent with the City's Critical Areas Regulations; limiting buffer reductions/buffer averaging to 25% of the standard buffer width and providing an equal buffer replacement area. The north part of the wetland buffer adjacent to the development area and the buffer replacement area is presently forested. The south wetland buffer area has fewer trees and is more suitable for wetland buffer enhancement. The applicant shall enhance the wetland buffer at a 1:1 ratio, an area equal to the 3,026 SF buffer reduction area.

Final wetland buffer enhancement plans are required for approval by the Issaquah Development Services Department (DSD) prior to issuing construction permits. Final plans shall include a planting plan and a 5-year monitoring/maintenance plan with performance standards for monitoring success of the enhancement planting. The plans shall meet standards of the King County Critical Areas Mitigation Guidelines for the planting density and monitoring performance standards.

2. Cultural Resources – There is an archaeological site present on the site that is protected under State law (RCW 27.53). There has been an Archaeological Excavation Permit, issued by the Washington State Department of Archeology and Historic Preservation (DAHP), for archaeological testing and data recovery. A permit from the Washington State Department of Archeology and Historic Preservation (DAHP) shall be obtained under RCW 27.53 for archaeological monitoring of construction, prior to issuance of construction permits. A professional archaeologist shall be onsite during ground disturbance. The applicant shall consult with affected Tribes on appropriate content and media for historic public education and/or art element to be developed and installed on the project site.
3. Traffic – A Traffic Impact Study (TENW, June 24, 2015) was provided to estimate traffic trip generation from the project, evaluate the site access, and to address traffic impacts and mitigation related to the development proposal. The study concludes the proposal would generate 186 weekday daily trips, with 12 trips occurring during the weekday AM peak hour, and 20 trips during the PM peak hour. The trip generation estimate is based on the methodology included in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*.

The City completed a system-wide transportation concurrency assessment; modeling future planned growth and the road improvements necessary to maintain the City's adopted level of service (LOS) standards. Transportation impact fees were adopted to fund the road improvements (Ordinance #2733, effective February 2, 2015). Under the City's new concurrency standards, individual development applications are not required to address their traffic impacts on the City's local street system, provided a proposal is consistent with the growth assumptions previously evaluated in the traffic concurrency model and the applicant pay traffic impact fees to fund the identified road improvements. The subject proposal is consistent with the growth assumptions in the traffic concurrency model. Therefore, the proposed development can withdraw trips from the "trip bank" that was calculated for concurrency and can mitigate their traffic impacts by payment of the traffic impact fee. The traffic impact fee will be used by the City to fund transportation improvements identified in the concurrency model and on the City's Transportation Improvement Program (TIP).

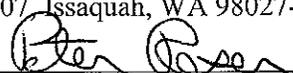
However, the concurrency assessment doesn't address traffic operations and safety at the project site driveway access or at non-concurrency intersections. The site would be accessed from a driveway off Issaquah-Fall City Road, approximately 300 feet southwest from the intersection with Highlands Drive NE. The traffic report evaluated the site access for level of service (LOS) and queuing, site entering and stopping distance, and turn lane analysis. The analysis assumed turn movements from the access drive would be restricted to right-in/right-out turns only.

The traffic study concludes the site driveway would operate at LOS A in the AM peak and LOS C in the PM peak. Intersection sight distance and stopping sight distance would meet applicable standards. The traffic study concludes no site access improvements, (i.e. inbound right-turn pocket or outbound acceleration lane) on Issaquah-Fall City Road are needed. The site access shall maintain the City's adopted level of service (LOS) standard "D." The City will evaluate if an alternate driveway location is necessary or if channelization improvements on Issaquah-Fall City Road are needed to maintain the LOS and safe access operations.

4. 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 for assisted living facilities is presently \$120.72/bed. 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.
5. 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 \$.04932/SF for general government and \$.13562/SF for the police mitigation fee. 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.

Mitigation Measures: The Mitigated Determination of Nonsignificance is based on the checklist received March 23, 2015 and supplemental information in the application. 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 applicant shall enhance the wetland buffer at a 1:1 ratio, an area equal to the 3,026 SF buffer reduction area. Final wetland buffer enhancement plans are required for approval by the Issaquah Development Services Department (DSD) prior to issuing construction permits. Final plans shall include a planting plan and a 5-year monitoring/maintenance plan with performance standards for monitoring success of the enhancement planting. The plans shall meet standards of the King County Critical Areas Mitigation Guidelines for the planting density and monitoring performance standards.
2. A permit from the Washington State Department of Archeology and Historic Preservation (DAHP) shall be obtained under RCW 27.53 for archaeological monitoring of construction, prior to issuance of construction permits. A professional archaeologist shall be onsite during ground disturbance. The applicant shall consult with affected Tribes on appropriate content and media for historic public education and/or art element to be developed and installed on the project site.
3. The site access shall maintain the City's adopted level of service (LOS) standard "D." The City will evaluate if an alternate driveway location is necessary or if channelization improvements on Issaquah-Fall City Road are needed to maintain the LOS and safe access operations.
4. 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 \$.04932/SF for general government, \$0.13562/SF for the police mitigation fee, and \$120.72/bed for the bicycle/pedestrian facilities mitigation fee. The mitigation fees 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. The applicant should pay the voluntary contribution prior to issuance of building permits.

Responsible Official: Peter Rosen
Position/Title: Environmental Planner
Address/Phone: P.O. Box 1307 Issaquah, WA 98027-1307 (425) 837-3094
Date: 8/20/2015 **Signature:**  _____

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