

## MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)

**APPLICANT & APPLICATION NAME/NUMBER:** Hillcrest Village Short Plat, PL16-144

**APPLICANT CONTACT INFORMATION:** Dave Prutzman; 4215 Montgomery Place, Mount Vernon, WA 98274; (425) 308-9397; samishbay@gmail.com

**CITY CONTACT PERSON:** Community & Economic Development Department, Contact: Rebecca Lowell, P.O. Box 809 / 910 Cleveland Ave., Mount Vernon, WA 98273, (360) 336-6214, [rebeccab@mountvernonwa.gov](mailto:rebeccab@mountvernonwa.gov)

To become a party of record or to obtain further information regarding this project contact the above-listed City staff person.

**PROJECT DESCRIPTION:** Proposed is a short plat that will create eight single-family residential lots, and one tract for the required stormwater pond over an approximate 1.8 acre site. An access road will be constructed along the length of the south boundary of the overall site connecting South 16th and 18th Streets. Utilities, greater than 10-inches in diameter, to serve the new lots will be installed within the new road right-of-way. Approximately 1,700 cubic yards of material will be excavated and approximately 600 cubic yards of material will be imported to install the road/utilities to serve the proposed lots.

**PROJECT LOCATION:** The approximate 1.8± acre site is bound by South 18th Street to the east and South 16th Street to the west with East Blackburn Road offsite to the south and Fowler Street offsite to the north. The Skagit County Assessor describes the subject site as parcel: P28445 that is located within a portion of the NE ¼ of Section 29, Township 34 North, Range 04 East, W.M.



**LEAD AGENCY:** Mount Vernon Community & Economic Development Department. The lead agency for this proposal has determined that this project does not have a probable 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.

The lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158.

The following conditions have been identified that will be used to mitigate the impacts of the proposal<sup>1</sup>:

1. Any person engaged in ground disturbing activity who encounters or discovers historical and/or archeological materials in or on the ground shall:
  - a. Immediately cease any activity which may cause further disturbance;
  - b. Make a reasonable effort to protect the area from further disturbance; and,
  - c. Report the presence and location of the material to the proper authorities in the most expeditious manner possible.
2. A fence is required along the length of the south boundary of the subject site outside of City right-of-way. The fence height and materials shall be determined by the Development Services Department when construction permits for infrastructure installation are approved. This fence shall be maintained by a Homeowner's Association that will be created when this short plat is finalized.

**ENVIRONMENTAL DETERMINATION APPEAL PROCESS:** The City issued an optional DNS (per RCW 43.21C.110/WAC 197-11-355) with proposed mitigation measures on December 27, 2017, 2016; and provided notice that the comment periods for the project and the proposed MDNS were integrated into a single comment period. Therefore, with the issuance of this final MDNS appeals of the environmental determination must be filed in writing on or before 5 PM on **MARCH 6, 2017** (10 days from the date of issuance). Appeals must be filed in writing together with the required \$100.00 application fee to: Hearing Examiner, City of Mount Vernon, PO Box 809, Mount Vernon, WA 98273. Appeals to the Examiner are governed by City of Mount Vernon Municipal Code Section 15.06.215. Additional information regarding the appeal process may be obtained from the staff 'Contact Person' listed below.

The application and supporting documentation are available for review at the Community & Economic Development Department located at City Hall. Copies will be provided upon request at the cost of reproduction.

**City staff has created a page on the City's website where the site plans, technical reports, and other pertinent information can be viewed. This webpage can be viewed as follows: navigate to: [www.mountvernonwa.gov](http://www.mountvernonwa.gov); once here click on 'Departments' then 'Development Services' then 'News Notices' then scroll down the page until you find the project name/number.**

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<sup>1</sup> These SEPA mitigation measures (conditions) are in addition to conditions and/or mitigation measures that will be applied through the City's existing development regulations.

**RESPONSIBLE PERSON:** Rebecca Lowell, Senior Planner

**DATE** 2/29/2017

**SIGNATURE** 

**ISSUED:** February 24, 2017

**PUBLISHED:** February 25, 2017

**SENT TO:** SEPA REGISTER, DOE, COE, COMMERCE, CNG, WDFW, DNR, DIKE AND DRAINAGE DISTRICTS (as applicable), DOT, FRONTIER, FRONTIER NW, DAHP, NW CLEAN AIR AGENCY, PORT OF SKAGIT COUNTY, PSE, SAMISH TRIBE, SCOG, SKAGIT COUNTY PDS, PUD #1, SKAGIT RIVER SYSTEM COOPERATIVE, SKAGIT RIVER SYSTEMS, SVC, SKAT, SWINOMISH TRIBE, AND UPPER SKAGIT TRIBE



# SEPA ENVIRONMENTAL REVIEW STAFF REPORT

## A. BACKGROUND

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**CITY CONTACT PERSON:** Community & Economic Development Department, Contact: Rebecca Lowell, P.O. Box 809 / 910 Cleveland Ave., Mount Vernon, WA 98273, (360) 336-6214, [rebeccab@mountvernonwa.gov](mailto:rebeccab@mountvernonwa.gov)

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**PROJECT MANAGER:** Rebecca S. Lowell, Senior Planner

## B. RECOMMENDATION

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Based on analysis of probable impacts from the proposal, the Responsible Official has made the following Environmental Determination:

DETERMINATION OF NON-SIGNIFICANCE		DETERMINATION OF NON - SIGNIFICANCE - MITIGATED.	
<input type="checkbox"/>	Issue DNS with a 10 day Appeal Period.	<input checked="" type="checkbox"/>	Issue DNS-M with a 10 day Appeal Period.
<input type="checkbox"/>		<input type="checkbox"/>	Issue DNS-M with 15 day Comment Period followed by a 10 day Appeal Period.

## C. MITIGATION MEASURES

The lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158.

The following conditions have been identified that will be used to mitigate the impacts of the proposal<sup>1</sup>:

1. Any person engaged in ground disturbing activity who encounters or discovers historical and/or archeological materials in or on the ground shall:
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### ADVISORY NOTES TO APPLICANT

The following notes are supplemental information provided in conjunction with the environmental determination. Because these notes are provided as information only, they are not subject to the appeal process for environmental determinations.

## D. ENVIRONMENTAL IMPACTS

In compliance with RCW 43.21C. 240, project environmental review addresses only those project impacts that are not adequately addressed under existing development standards and environmental regulations.

### 1. EARTH

**Impacts:** Grading activities: site development will require approximately 1,700 cubic yards of cut and 600 cubic yards of fill.

**Mitigation Measures:** Listed within the applicant's environmental checklist as well as required compliance with the City's existing standards and regulations for land disturbing. Construction best management practices will be utilized to minimize potential impacts from earthwork grading and clearing timber from the site.

The applicant's contractor(s) will be required to comply with the City's code requirements related to stormwater runoff and site grading. The applicant will also be required to obtain and comply with the WA State Department of Ecology's NPDES permit and their associated requirements.

**Nexus:** MVMC Chapters 13.33 (Storm Water Drainage Utility), 15.04 (Building Code), 15.16 (Grading, Excavation and Fill), and Mount Vernon Engineering Standards.

<sup>1</sup> These SEPA mitigation measures (conditions) are in addition to conditions and/or mitigation measures that will be applied through the City's existing development regulations.

## 2. STORMWATER

**Impacts:** Site stormwater will be directed to a detention/wetpool that will be constructed on the far west side of the site. A series of stormwater conveyance pipes and catchbasins will be installed to collect site stormwater and route it to the proposed detention/wetpool.

**Mitigation Measures:** Listed within the applicant's environmental checklist and shown on their construction plans, as well as compliance with City, State and Federal regulations. Runoff during construction will be handled in conformance with the City's regulations and standards. A NPDES permit from the State of Washington Department of Ecology for construction activities will be required as part of this project.

**Nexus:** MVMC Chapters 13.33 (Storm Water Drainage Utility), 15.16 (Grading, Excavation and Fill), and Mount Vernon Engineering Standards.

## 3. TRAFFIC

**Impacts:** A total of seven (7) new single-family residential homes will be constructed on the subject site after the short plat has been granted final approval. This means that a total of seven (7) new PM peak hour traffic trips will be generated by this short plat development.

There will also be construction related traffic that will occur as this site is being developed.

**Mitigation Measures:** Compliance with the City's MVMC provisions.

**Nexus:** MVMC Title 12, Chapter 14.10 (Concurrency Management), Chapter 3.40 (Impact Fees), 15.16 (Grading, Excavation and Fill), 16.16 (Design Standards for Nonarterial Streets) and Mount Vernon Engineering Standards.

## E. COMMENTS OF REVIEWING DEPARTMENTS

The proposal has been circulated to City Departmental / Divisional Reviewers for their review. Where applicable, comments received are incorporated into the text of this report as Mitigation Measures or Notes to Applicant.

- Copies of all Comments are contained in the Official File.
- Copies of received Comments are attached to this report (as noted below):

- Email from Steve Riggs, the City's Fire Marshal, dated January 16, 2017
- Memo from Ana Chesterfield, the City's Engineering Services Manager, dated February 10, 2017
- Memo from Ana Chesterfield, the City's Engineering Services Manager, and Esco Bell, the City's Public Works Director, dated February 13, 2017
- Letter from Dean and Dianne Ramsey dated January 4, 2017
- Email from William Rasmussen dated January 19, 2017

**ENVIRONMENTAL DETERMINATION APPEAL PROCESS:** Appeals of the environmental determination must be filed in writing on or before 5:00 PM **MARCH 16, 2017** (10 days from the date of issuance).

Appeals must be filed in writing together with the required \$100.00 application fee to: Hearing Examiner, City of Mount Vernon, P.O. Box 809, Mount Vernon, WA 98273. Appeals to the Examiner are governed by City of Mount Vernon Municipal Code Section 15.06.215. Additional information regarding the appeal process may be obtained from the City of Mount Vernon Community & Economic Development Department (306)336-6214. This MDNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on this MDNS. There is a 10 day appeal period.

**From:** [Riggs, Steve](#)  
**To:** [Lowell, Rebecca](#)  
**Cc:** [Jewett, Krista](#)  
**Subject:** SEPA 16-144  
**Date:** Monday, January 16, 2017 3:08:07 PM

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I looked over the SEPA check list for the proposed 7 lot short plat.

A couple of items:

Meeting the fire flow of 1000 GPM this could include extending the water line and fire hydrant. I have not physically been out to the site to determine if a fire hydrant has to be installed. My initial thought is yes, as out code requires a fire hydrant at any street or road intersection.

18<sup>th</sup> street connection, if they want to secure that access, I would approve bollards, release or drive over type.

Let me know if I can assist further

***Steven V. Riggs***

Fire Marshal

City of Mount Vernon

(360) 336-6277

**Date:** February 10, 2017

**To:** Senior Planner, Rebecca Lowell

**From:** Ana Chesterfield, Development Services Engineering Manager *AC*

**RE:** PL16-144 Broman Preliminary Short Plat

The Community and Economic Development Department Engineering Division has reviewed the preliminary submittal for the 8 lot short-plat as referenced above. This review included preliminary plat drawings, preliminary drainage analysis and a request for waiver of minimum improvements required.

**PRELIMINARY PLAT MAP AND WAIVER REQUEST:**

- A. There is a discrepancy between the Plat Maps and the lot closure report provided, specifically lot 8. Please review and revise.
- B. Request for waiver of installation of minimum required improvements per MVMC 16.032.060 and 16.20 are not supported by the CED Engineering. Memo is forthcoming.
- C. Request for modification of the required street design standards per MVMC 16.16.30 are supported and recommend approval by CED Engineering. Memo is forthcoming.
- D. Provide street sections with required improvements for both 16<sup>th</sup> and 18<sup>th</sup> Street as well as show plan view of required utility infrastructure.

**DRAINAGE SUMMARY:**

- E. This project will be required to meet the 2005 DOE Stormwater Management Manual for Western Washington and City of Mount Vernon Municipal Code 13.33
- F. It is the responsibility of the applicant to ensure compliance with Department of Ecology General Construction Stormwater Permit.
- G. Provide a copy of the Stormwater Prevention Pollution Plat with civil plan submittals.

**General Comments:**

- H. Compliance with City of Mount Vernon Engineering Standards is a requirement.
- I. A lighting plan designed by PSE Intolight is required for review and approval

- J. A fence is required abutting the adjacent properties to the south. This fence will be the responsibility of the Home Owners Association.
- K. Fences will not be allowed inside the City's right-of-way. All fencing shall be located in private property.
- L. Utility easement will be determined during the civil review of the proposed design
- M. Emergency vehicle access shall comply with the Fire Department requirements. Bollards or a gate as approved by the Fire Department is required to restrict vehicular access from 18<sup>th</sup> Street.
- N. Location of required landscape trees should not interfere with water services and other underground utilities
- O. City Fiber Conduit Installation is required for the project. See City of Mount Vernon Engineering Standards for guidance.
- P. A truck route for hauling will be required for review and approval by Development Services Engineering Manager
- Q. A traffic control plan as well as hauling hours will be required for review and approval by the Development Services Engineering Manager

**Note:** these comments do not constitute a formal or detailed review of the engineering data and supplemental information supplied for the preliminary short plat. Further and more detailed engineering reviews will be performed once the final plans and reports are submitted for permits. The Community and Economic Development Department, strongly recommends that the developer's Project Management team and design Engineer meet with the City's Engineering staff before first civil plan submittal.

Date: February 13, 2017

To: Rebecca Lowell, Senior Planner

From: Esco Bell, Public Works Director  
Ana Chesterfield, Development Services Engineering Manager 

Subject: PL16-144 Preliminary Short Plat – Request for waiver of required minimum improvements per MVMC 16.032.060

The purpose of this memo is for the notification of denial of the requested waiver for required minimum improvements associated with the short plat noted above.

City codes and requirements addressing the process for required minimum improvements for short plats are cited as follows:

In accordance with Title 16.032.060, the community and economic development department shall ascertain that the minimum required improvements have been installed along with all the items listed in MVMC Title 16.20 prior to granting final approval of any short subdivisions.

MVMC Title 14.14.110 states: "Short plats will be subject to the applicable subdivision codes. Currently they are required to construct street improvements unless the city engineer recommends and the city council approves a waiver or deferral of the requirement. Subsequent building permits and sequential building permit approvals within the short plat would be subject to concurrency requirements".

**Requested waiver of required minimum improvements is described as follows:**

The specific location where the waiver of the installation of the improvements is being requested is located along the 16<sup>th</sup> Street and 18<sup>th</sup> Street fronting the property.

The waiver of installation of street improvement includes: widening of street, installation of sidewalk curb and gutter, storm conveyance system, sanitary sewer extension, water system and other utilities.

**Recommendation:** The Public Works Director, acting through his authority as the city engineer, does not recommend approval of the requested waiver based on the following assessments:

1. Approval of the waiver would not agree with the purpose and intent of the subdivision code to promote health, safety and general welfare of the public and the preservation and enhancement of property values:

- a. It would detract from the intent and purpose of requirements for the proposed short plat to install public infrastructure needed to serve its development.
- b. It would place the burdens for developing the public infrastructure in the future to others or to the public as a consequence of the waiver. And because of this reason, the waiver would detract from the orderly development of public infrastructure.

Dean and Dianne Ramsey

1708 S. 16<sup>th</sup> St.

Mount Vernon, WA. 98274



RECEIVED  
CITY OF MOUNT VERNON

JAN 04 2016

C.E.D. DEPARTMENT  
BY \_\_\_\_\_

January 4, 2017

City of Mount Vernon

CEDD

910 Cleveland Ave.

Mount Vernon, WA 98273

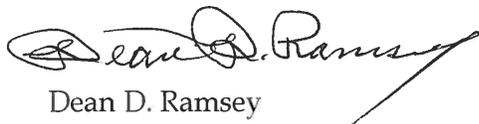
To Whom This Concerns,

We are writing in response to the proposed Hillcrest Village Short Plat. We own and live at the corner of South 16<sup>th</sup>, directly across the field.

We have three main concerns, the following being our first. Our road is shared with three other homes and is privately owned. We maintain and repair this road as needed. It is necessary that no traffic, equipment or people utilize our road before, during or after the development. In the past, when the field has been mown, I have asked the operator to refrain from using our road and that has not been done. I have swept grass clumps and picked up dirt clods from our road and out on 16<sup>th</sup>.

Our second concern is having a privacy fence constructed by the builder all along the north side of the site.

Our third concern is that all run off water drain to the south and west into the storm water pond and not flow across our road. We want to become a party of record, will attend the public hearing and request a copy of the decision once it is made.

  
Dean D. Ramsey

  
Dianne Ramsey



**From:** [Bill Rasmussen](#)  
**To:** [Lowell, Rebecca](#)  
**Cc:** [steve.broman@wavecable.com](mailto:steve.broman@wavecable.com); [samishbay@gmail.com](mailto:samishbay@gmail.com); [dale@herrigstad.com](mailto:dale@herrigstad.com)  
**Subject:** Hillcrest Village, 16-144  
**Date:** Thursday, January 19, 2017 11:51:16 AM

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Rebecca,

My wife and I are the owners of the house and property at 1703 South 18th Street, which is on the northeast side of the proposed develop. We are traveling in our motorhome and are planning to be returning home in April. We were recently notified by another neighbor of the proposed development. I have reviewed the project DNS and plat, as shown on the City of Mount Vernon's website. Our property drains from east to west and to the south. The natural drainage for our property is by way of the proposed development.

The development needs to provide adequate piping and infrastructure, as not to restrict the natural drainage from 18th Street, my property and the the drainage area of which would be effected.

Please keep me informed on the proposed improvements effecting my property.

William Rasmussen  
1703 South 18th Street  
Mount Vernon, WA 98274  
360-708-4844  
[wl.rasmussen1@gmail.com](mailto:wl.rasmussen1@gmail.com)