



NOTICE OF APPLICATION & PROPOSED OPTIONAL MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)

APPLICATION NAME & NUMBER: High Point Estates Preliminary Plat (PLAN19-0042), SEPA (PLAN19-0036), and Traffic Concurrency (ENGR19-0053)

PROJECT DESCRIPTION: Proposed is a 15.3-acre preliminary plat that will create 49 single-family lots, two tracts containing stormwater facilities, one tract containing a wetland and its associated buffer, and one open space tract. The residential lots range in size from approximately 7,500 square feet (sf) to 11,800 sf with an average lot size of 8,061 sf.

Approximately 2,975 linear feet of new public roads, 3,100 linear feet (lf) of 8-inch potable water line, 3,200 lf of 8-inch sanitary sewer lines and structures, and 520 linear ft of 8-inch storm sewer conveyance lines, two stormwater facilities and dry utilities (power, cable, fiber, etc) will be constructed/installed to serve the proposed residential development. Additionally, the portions of East Division Street and North 53rd Street abutting the project will be widened and sidewalks will be added.

An estimated 224 thousand board feet (mbf) of timber (consisting of western red cedar, red alder, big leaf maple, paper birch, douglas fir, western hemlock, and black cottonwood) will be harvested from this site to allow the proposed project to be developed.

Material will be exported and imported for site development. Specifically, an estimated 25,000 cubic yards (cy) of material will be exported and an estimated 20,000 cy of material will be imported.

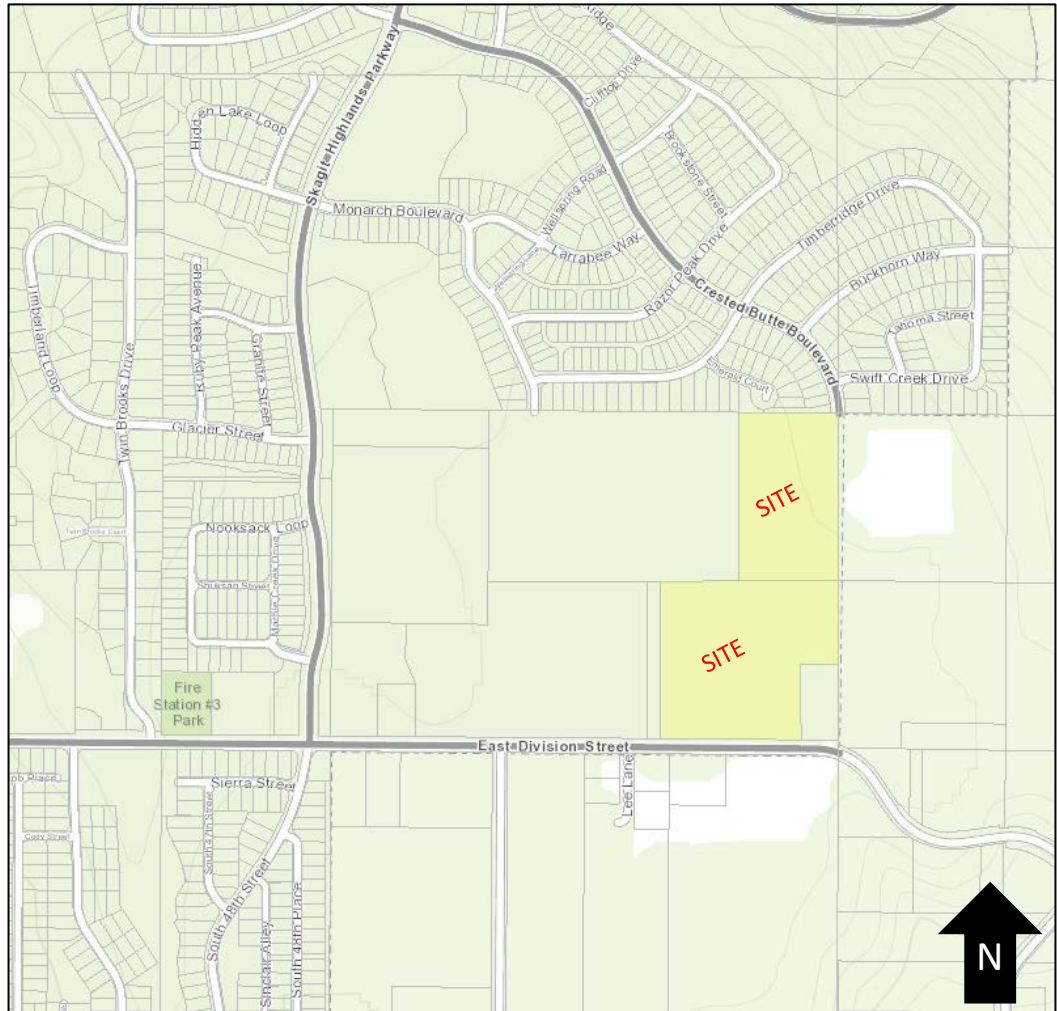
Approximately ½ an acre of wetlands will need to be filled to develop the site.

PROJECT LOCATION: The project site is described by the Skagit County Assessor as parcels P126391 and P27513. The site is located on the north side of East Division Street immediately east of North 53rd Street. See the vicinity map below that identifies the site in yellow.

APPLICANT:
AVT Consulting, LLC
1708 F Street
Bellingham, WA 98225
(360) 527-9445

PROPERTY OWNER:
GB Emerald LLC (Gurpreet Cheema and Barinder Mayre)
Harjit K. Cheema
P.O. Box 1192
Sumas, WA 98295

STAFF CONTACT: Rebecca Lowell, Principal Planner
Development Services Department
City of Mount Vernon
910 Cleveland Avenue, Mount Vernon WA 98273
Telephone - 360-336-6214



OPTIONAL MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS): As the Lead Agency, the City of Mount Vernon has determined that significant environmental impacts are unlikely to result from the proposed project. Therefore, as permitted under the RCW 43.21C.110, the City of Mount Vernon is using the Optional MDNS process to give notice that a MDNS is likely to be issued. Comment periods for the project and the proposed MDNS are integrated into a single comment period. There will be no comment period following the issuance of the Threshold Mitigated Determination of Non-Significance (MDNS). A 10-day appeal period will follow the issuance of the MDNS.

DETAILS:

Permit Application Date:	February 27, 2019	Counter Complete:	February 27, 2019
Technically Complete:	March 25, 2019		
Permits/Review Requested:	Preliminary Plat, SEPA Process, and Traffic Concurrency		
Other Permits that may be Required:	Critical Area Permit, Fill and Grade Permit, Right-of-Way Permit, Land Clearing Permit, Final Plat, Stormwater Permit from the State Department of Ecology (DOE), Permits from the US Army Corps of Engineers and State DOE to fill the on-site wetlands		

CONSISTENCY OVERVIEW:

Zoning:	Single-Family Residential (R-1, 4.0)	Comprehensive Plan:	Single-Family Medium Density (SF-MED)
Environmental Documents that Evaluate the Proposed Project:	Critical Area Assessment and Mitigation/ Wetland Bank Use Plan both prepared by NW Ecological Services; Preliminary Soil Characterization prepared by Element Solutions; Preliminary Drainage Report prepared by Freeland and Associates, Inc; Preliminary Plat Maps prepared by Larry Steele and Associates; A Cultural Resources Review prepared by Garth Baldwin and Paul Howard; an estimate of the quantity and type of timber to be removed from Aubrey Stargell dated May 22, 2019, and a SEPA Checklist.		
Development Regulations Used for Project Mitigation:	The project is subject to the City's SEPA Code, Critical Areas Ordinance, the Comprehensive Plan, Subdivision and Zoning Code, Drainage, Engineering and Concurrency Requirements and other applicable local, state and federal regulations as appropriate.		

CONDITIONS BEING CONSIDERED TO MITIGATE ENVIRONMENTAL IMPACTS:

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. The two wetlands near the southeast portion of the site that will only be partially filled will be required to mitigate for the buffer areas they are required to have through the City's managed ecosystem alternative found in MVMC 15.40.110 that entails buying down the buffer areas and enhancing the buffers area left on-site. Alternatively, the applicant could fill these wetlands in their entirety and not have to use the City's managed ecosystem alternative.
3. A five-foot wide tract/easement shall be created on the east side of North 53rd Street and along the north side of East Division Street. The tract/easement shall comply with all of the following:
 - a. This area shall have a six-foot tall decorative, wood fence installed where it abuts Lots 1, 4, 5, 10 – 13, the south storm Tract A, and Tract B containing wetlands abutting East Division Street.
 - b. Between the fence and the sidewalks minimum 2-inch caliper street trees shall be installed at 30-foot intervals and minimum 2-gallon shrubs shall be installed between the street trees.
 - c. The height of the fence shall be reduced, or the fence shall be located further northeast, such that it does not create a sight distance problem at the intersection of East Division and North 53rd, and where proposed Road A intersects with North 53rd Street.
 - d. The future Homeowner's Association will be responsible for the monitoring and maintenance of the fencing and landscaping within the 5-foot wide tract. The 5-foot wide area can be an easement where it crosses Lots 10 – 13, with the remaining areas required to be a tracts.
4. All work completed near the on-site wetlands and their associated buffers that are not proposed to be filled shall comply with all of the following conditions:
 - a. The City's consultant biologist or the applicant's biologist shall monitor this work and shall submit reports documenting the progress and completion of these activities to the City.
 - b. The biologist monitoring this work is responsible for ensuring construction activities do not result in adverse impacts to the wetlands or their associated buffers. As such, if while monitoring construction activities the biologist deems it necessary to have the applicant install or implement additional mitigation measures to protect the functions and values of the stream the applicant shall be responsible for completing these requests in a timely manner.
 - c. The applicant shall be responsible for all costs associated with this work (this includes the cost of the City's biologist and any mitigation measures they deem necessary during construction).

Comments on the Notice of Application and Proposed Mitigated Determination of Non-Significance (MDNS) must be submitted, in writing, no later than **JUNE 24, 2019**. Comments should be as specific as possible and include: your full name, your mailing address, and the name of the proposal you are commenting on.

PUBLIC COMMENTS ARE NOT ACCEPTED BY THE DEPARTMENT THROUGH EMAIL. Comments submitted on paper are required to be mailed or delivered to the Development Services Department at the address listed above. Comments not meeting the requirements of this section are considered as not being received by the city.

Any person may comment on the application, receive notice and request a copy of the decision once it is made. To receive additional information regarding this project contact the Development Services Department and ask to become a party of record.

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; once here click on 'Departments' then 'Development Services' then then 'News Notices' then scroll down the page to find the project name/number.

ISSUED: June 11, 2019

PUBLISHED: June 11, 2019

SENT TO: CORPS OF ENGINEERS, WA AGRICULTURE, DAHP, WA COMMERCE, WA CORRECTIONS, WA EFSEC, WDFW, WA HEALTH, DNR, STATE PARKS, PARKS COMMISSION, PSP, PSRC, WA DOT, DOE, DSHS, NW CLEAN AIR, SEPA REGISTER, SEPA UNIT, SKAT, COUNTY PDS, COUNTY ASSESSOR, DIKE AND DRAINAGE DISTRICT, SCOG, PORT OF SKAGIT, MVSD, SVC, SKAGIT COOP, SWINOMISH, UPPER SKAGIT, SAMISH, SAUK-SUIATTLE, TULALIP, AND STILLAGUAMISH TRIBES