CITY OF MILL CREEK
MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)
AND
NOTICE OF PROPERTY DEVELOPMENT IMPACT MITIGATION
FOR A BINDING SITE PLAN FOR 7C’S SWIM SCHOOL
(CITY FILE PL2019-0014)

The Binding Site Plan application proposes the construction of an approximately 10,000 square foot recreational building that will house a 50-foot by 70-foot indoor pool and be used as a swim school. Site improvements will include parking, concrete sidewalks, stormwater facilities and associated utilities. An existing Category III wetland is located on the northern portion of the site. The applicant is proposing to use wetland buffer averaging as allowed in MCMC 18.06.930.C. (see Attachment 3 – Site Plan). A Wetland Mitigation Plan has been prepared and is proposed to be implemented as part of the Project (see Attachment 4 – Buffer Averaging Plan).

The proposed project is being reviewed and processed in accordance with Mill Creek Municipal Code (MCMC) Title 14 Development Code Administration, Title 16 Subdivisions and Plats, Title 17 Zoning, Title 18 Environment.

This Mitigated Determination of Non-Significance (MDNS) and Notice of Property Development Impact Mitigation are issued pursuant to WAC 197-11-350 and MCMC Chapters 17.48 and 18.04.

PROPERTY OWNER: Carr Holdings, LLC

PROponent: Daniel Carr
7 C’s Swim School
21600 31st Drive Southeast
Bothell, Washington 98021

LOCATION: 13525 North Creek Drive, Mill Creek, Washington 98012
(See Attachment 1 – Vicinity Map)

TAX PARCEL: 28053100203700

LEGAL DESCRIPTION: See Attachment 2

LEAD AGENCY: City of Mill Creek

CONTACT PERSON: Sherrie Ringstad, Associate Planner
(425) 921-5717 or sherrier@cityofmillcreek.com
ELEMENTS OF THE ENVIRONMENT IMPACTED BY THIS ACTION AND MITIGATION MEASURES:

The environmental impacts of this proposal are documented in the environmental checklist and other information on file with the City of Mill Creek. In most cases, the enforcement of the City’s land use regulations adequately mitigate the impacts of a proposed development. However, there are elements of the environment (Transportation) where City Code requires a case-by-case assessment of a development’s impact and a determination of the appropriate mitigation. Below are those mitigation measures being imposed to mitigate impacts on transportation services based on the City's assessment of the application materials:

TRANSPORTATION

Access and Site Distance
The site is located on the east side of North Creek Drive, south of Dumas Road. The site access will via North Creek Drive, directly across from the southern driveway to Heatherwood Apartments.

The City of Mill Creek assesses sight distance based on the standards described in the AASHTO Geometric Design Manual. The speed limit along North Creek Road near the site access is 25-mph. Based on a design speed of 25-mph, 155 feet of stopping sight distance and 280 feet of intersection sight distance is required. However, the sight distance to the south is obstructed by an off-site fence and existing vegetation. The property to the south is owned by the City of Mill Creek. To correct the sight distance obstruction to the south, the applicant will be required to obtain a Site Line Easement from the City prior to City approval of any site work.

Intersection Level of Service Analysis
Intersection level of service analysis was performed for North Creek Road at Dumas Road, SR 527 at Dumas Road, SR 527 at North Creek Road, and North Creek Road at the site access. The study intersections are expected to operate at LOS C or better with the development.

Traffic
The applicant has submitted a Traffic Impact Analysis dated January 2019 prepared by Gibson Traffic Consultants (Attachment 5). According to the Traffic Impact Analysis, the development is anticipated to generate 499.07 new average daily trips with 55.45 new PM peak-hour trips. Traffic mitigation is required by the City for new PM peak hour trips generated by this development in accordance with City Ordinance No. 2018 – 838. Mitigation money is collected and used to build future capital projects to improve roadway capacity in accordance with the adopted City Comprehensive Plan, Capital Improvement Plan and biennial budget.

Mitigation Measures:
Mill Creek: In accordance with City requirements, the following measures shall be implemented to mitigate the potential impacts of the new traffic generated by the development.
A. The developer shall pay mitigation to the City of Mill Creek for impacts to the City roadway system. The mitigation required is $3,900 per new trip during the PM peak hour. The traffic analysis has estimated that there will be 55.45 new PM peak-hour trips generated by the proposed development. Thus, $3,900 X 55.45 = $216,225 total traffic mitigation required. Payment of traffic mitigation fees to the City is required prior to issuance of the building permit.

**Snohomish County:** The Reciprocal Impact Mitigation Agreement between the City of Mill Creek and Snohomish County, dated February 20, 2019, established policies and procedures for the review of development impacts on interjurisdictional transportation systems and the requirement to mitigate appropriate impacts in accordance with adopted road improvement programs. In accordance with the agreement, the project proponent is required to comply with specific measures identified by Snohomish County that are reasonably necessary to mitigate the project's impacts on directly affected County roads in the surrounding area.

Snohomish County Public Works reviewed the Traffic Study and determined that this development will not impact any County capital improvement projects or County road with three or more directional peak hour trips. An email from Snohomish County Department of Public Works dated February 20, 2020, confirms that no mitigation and no offer is required of this development to the County under the County/City Interlocal Agreement.

**THRESHOLD DETERMINATION**

The lead agency for this proposal has determined that the project, as conditioned, 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 determination assumes compliance with state law, City ordinances related to general environmental protection, and the mitigation measures identified above. This decision was made after review of a completed environmental checklist and other information on file with the lead agency. See **Attachment 6 – SEPA Checklist**. This additional information is available on the City’s website: [https://www.cityofmillcreek.com/cms/One.aspx?portalId=9100937&pageId=16066202](https://www.cityofmillcreek.com/cms/One.aspx?portalId=9100937&pageId=16066202). The Mitigated Determination of Non-Significance and Notice of Property Development Impact Mitigation are specifically conditioned on compliance with the conditions set forth herein.

This Mitigated Determination of Non-Significance is issued under WAC 197-11-340(2); the threshold determination will be deemed final 14 days from issuance. Comments on this MDNS must be submitted by **5:00 p.m., May 21, 2020.**

**Responsible Official:** Tom Rogers, AICP  
**Title:** Planning Manager  
**Address:** 15728 Main Street, Mill Creek, Washington 98012  
**Date:** May 6, 2020  
**Signature:** [Signature Image]
In accordance with the provisions of Mill Creek Municipal Code Chapters 3.42, 14.11, and Section 18.04.250, this determination may be appealed to the City Clerk at City Hall, 15728 Main Street, Mill Creek, Washington, no later than 14 days from the date the MDNS and Notice of Property Development Impact Mitigation are issued. To be considered, an appeal of this MDNS must be filed prior to 4:30 p.m., May 21, 2020, by submitting a written statement to the City Clerk requesting an appeal, together with appropriate fees. The written statement shall meet the requirements set forth in MCMC Section 14.11.050.

NOTE: This MDNS may be withdrawn in the event of significant changes in the proposal, disclosure of new significant information, misrepresentation by the applicant, or failure to comply with the conditions upon which the Mitigated Determination of Non-Significance are predicated.

Attachment 1 – Vicinity Map
Attachment 2 – Legal Description
Attachment 3 – Proposed Binding Site Plan
Attachment 4 – Critical Areas Report
Attachment 5 – Traffic Impact Analysis, dated August 2018
Attachment 6 – SEPA Checklist
ATTACHMENT 2
LEGAL DESCRIPTION

LOT 3 OF HEATHERWOOD APARTMENTS,Recorded December 09, 2002 Under
Recording No. 200212095001, in Snohomish County, Washington.