

## **PLANNING COMMISSION AGENDA**

**Regular Meeting Date: September 3 2014**



Planning Commission  
Meeting:

First Wednesday of every  
Month @ 7:00pm

Community Center  
1808 Main Street  
Lake Stevens, WA 98258

[www.lakestevenswa.gov](http://www.lakestevenswa.gov)

Planning & Community  
Development Department

1812 Main Street  
Lake Stevens, WA 98258  
(425) 377-3235

[www.lakestevenswa.gov](http://www.lakestevenswa.gov)

Municipal Code

Available online:

[www.codepublishing.com/WA/LakeStevens/](http://www.codepublishing.com/WA/LakeStevens/)

- A. CALL TO ORDER: 7:00pm**  
Pledge of Allegiance
- B. ROLL CALL**
- C. GUEST BUSINESS**
- D. ACTION ITEMS**
  - 1. Approval of August 20, 2014 Meeting Minutes**
  - 2. Frontage Improvement Code Amendment Public Hearing— Payne**
  - 3. 2014 Comprehensive Plan Docket Public Hearing —Wright/Payne**
  - 4. Kjorsvik Rezone Public Hearing—Wright**
- F. COMMISSIONER REPORTS**
- G. STAFF REPORTS**
- H. FUTURE AGENDA ITEMS**
  - 1. Lake Stevens Housing Profile**
  - 2. Lake Stevens Development and Market Trends**
  - 3. Snohomish County Tomorrow Growth Monitoring Report**
  - 4. Housing Report**
- I. ADJOURN**

### **SPECIAL NEEDS**

*The City of Lake Stevens strives to provide accessible opportunities for individuals with disabilities. Please contact Steve Edin, City of Lake Stevens ADA Coordinator, at (425) 377-3227 at least five business days prior to any City meeting or event if any accommodations are needed. For TDD users, please use the state's toll-free relay service, at (800) 833-6388, and ask the operator to dial the City of Lake Stevens City Hall number.*

**PLANNING COMMISSION REGULAR MEETING MINUTES**

Community Center  
1808 Main Street, Lake Stevens  
Wednesday, August 20, 2014

CALL TO ORDER: 7:02 pm by Chair Petershagen.

MEMBERS PRESENT: Chair Gary Petershagen, Vice Chair Janice Huxford, Linda Houlton, Pamela Barnett, Tom Matlack and new member, Mirza Avdic  
Ms. Ableman introduced Mr. Avdic, explaining he was a three-year resident of Lake Stevens with previous experience in other communities, such as the KCLS Library Board and Kirkland Planning Commission alternate. He will be completing Commissioner Thurber's term.

MEMBERS ABSENT: Jennifer Davis

STAFF PRESENT: Planning and Community Development Director Rebecca Ableman, Senior Planner Russ Wright, and Senior Planner Sally Payne

OTHERS PRESENT: None

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**Excused absence:** Commissioner Houlton moved and Commissioner Barnett seconded the motion to excuse Commissioner Davis. Vote: 6-0-0-1

**Staff Update:** Director Ableman explained that Planning/Public Works Coordinator Georgine Rosson had recently accepted a new position with the PUD and was no longer with the city. She noted that Council recently approved splitting that position into a full time Permit Specialist who will attend Planning Commission meetings, and an Administrative Assistant who will support Public Works. The positions are posted. Ms. Ableman introduced Senior Planner Sally Payne, recently from Colorado, who has joined the staff as long range planner.

**Guest business:** None.

**Action Items:**

*Approve June 04, 2014 Meeting Minutes.* Commissioner Houlton noted that under Future Agenda Items "Chair Houlton" should be corrected to "Commissioner Houlton." Commissioner Houlton moved and Commissioner Huxford seconded the motion to approve the minutes of the June 4 meeting as corrected. Vote: 6-0-0-1.

**Discussion Items:**

1. *2014 Comprehensive Plan Docket – Senior Planners Wright and Payne*  
Senior Planner Wright explained the introduction of citizen-initiated amendments. The first is located near SR204 and 10<sup>th</sup> street SE and is referred to as the Huber Comp Plan Amendment and Rezone. It would change the land use designation on two parcels totaling approximately 3.7 acres from Medium Density Residential to Local Commercial. A SEPA determination has been issued and a Traffic Impact Study from the applicant

has been received. The Traffic Impact Study showed there would not be an appreciable change in the level of service at build-out, and it would meet our concurrency standards. The second application is located at Soper Hill and SR-9, and is approximately 9 acres with 7 parcels on one side and 2 additional acres on the south side. They are seeking a change to two different zoning and comp plan designations, going from residential types and mixed use to Commercial designation (the city's most intensive commercial designation), and local business on the southern piece. The Planning Commission had previously expressed some concerns about traffic impacts, so he presented information regarding traffic management during construction and afterwards, which involved adding several roundabouts. He reported there were no critical area wetland impacts directly on the property.

Commissioner Barnett asked the size of the traffic circles/roundabouts. Planner Wright explained they were roundabouts, not traffic circles, and the sizes would be based on accommodating any new development on the adjacent property. He explained that traffic circles were meant to slow down traffic in neighborhoods while roundabouts were intended to keep traffic moving, although some of these would be mini-roundabouts.

Chair Petershagen asked the cost of traffic circles and Director Ableman said possibly as much as \$1 million, but a private developer could do it for much less than a city.

Commissioner Hoult asked about the size of the property and what parcels were included. Planner Wright explained they have ownership of the property directly to the west. He explained the traffic flow at Soper Hill and nearby properties, including the school property (with wetlands) and the Jenkins Trust properties.

Planner Wright explained concurrency was necessary before development would be allowed, and the traffic circles offered concurrency the developer could consider even though these are outside the city's street network, as it is today. The other option would be to bring Soper Hill up to city standards, which would require acquiring significant rights of way.

Director Ableman said once the Comp Plan amendment was approved with the corresponding minor zoning map amendment, if there was a different future owner of the same property, they would be subject to creating a safe environment and good traffic flow. Because of the type of development (commercial), significant traffic flow improvements could occur; if it remained residential, road/traffic improvements would not be as significant.

Commissioner Huxford asked staff to describe 'Personal Services', and the difference between 'Small Recreation' and 'Recreation', and Transit Oriented Development under Commercial District. Planner Wright explained Personal Services includes businesses like hair salons, nail salons. Transit Oriented Development includes businesses established on a transportation line such as an arterial and is less auto-focused. Small Recreation vs. Recreation just indicates the size of the recreational business, and would limit the capacity, such as a small theater

Commissioner Hoult asked about development of SR-9. Director Ableman explained there were Park properties that were adjacent to SR-9 and across Lundeen there is not really an opportunity for development. Planner Wright said they would be subject to the Sub-Area Guidelines, and Design Guidelines. Director Ableman said staff would confirm

the Bulk Regulations at the upcoming Public Hearing.

Senior Planner Payne presented two substantive text amendments and two other minor administrative amendments to the Comprehensive Plan. The first text amendment being proposed is for Chapter 5 – Parks, Recreation and Open Space Element which would add and describe the City Boat Launch as a project on the Capital Project List of the Parks Element.

The second text amendment being proposed is to Chapter 8 – the Capital Facilities Element adding the City Boat Launch Improvement as a capital project and adding a pedestrian safety improvement project on 91<sup>st</sup> St. SE to Capital Project List.

The minor administrative amendments include incorporating SEPA documents as a new appendix and updating the dates in the document.

Director Ableman added information about the grants applied for in support of the boat launch project and the 91<sup>st</sup> St. SE pedestrian improvements.

*2. 2015 Comprehensive Plan Survey Results – Senior Planner Wright*

Staff prepared a survey to solicit public input on the 2015 Comprehensive Plan. The survey contained questions related to demographics, housing, employment, transportation among other topics. To date, the City had received 243 completed surveys. Selected results were presented by staff which included the preferred employment sectors being high-tech and professional offices concentrated in the 20<sup>th</sup> St. SE Corridor and the Lake Stevens Center and Hartford Industrial Area; traffic was identified as the greatest challenge facing the city; about one third of the participants identified neighborhoods as being the City greatest strength; and almost 50 percent indicated parks and open spaces are the most important public facilities.

The Commission questioned whether information had been sought on seeking desirable new businesses. Director Ableman noted the challenges with the Hartford area and some of the city's involvement in economic development organizations.

*3. Frontage Improvement Code Amendment – Senior Planner Payne*

Senior Planner Payne introduced code amendments being proposed to the frontage improvement requirements. City Council directed staff to prepare proposed amendments to the current code giving more discretion to the Public Works Director to allow for variations in the requirements when certain conditions exist. Council believed there are situations, such as when there is no sidewalk in close proximity to a new single family development, where the installation of sidewalks with single family development didn't seem to be necessary. Staff prepared a complete code re-write including the conditions that would trigger a waiver to the requirements and language related to the sun setting of no-protect agreements to Local Improvement Districts (LID) in ten years as required by state statute. The proposed revised code was presented to Council in July which resulted in some minor revisions to the code as presented. Questions were asked regarding whether the city should be lessening the requirements when pedestrian improvements are a priority docket item and if fees in lieu of constructing frontage improvements were allowed. Planner Payne replied that fees in lieu are an option in the proposed code revision. The fees are collected for use city-wide in places where there might be a more critical need for sidewalks.

**Commissioner Reports.**

Commissioner Matlack reported on a Sewer District meeting. He mentioned improvements to SR-204 and SR-9 and sewer mitigation fees. He reported they are looking for a new general manager. Several Commissioners commented on how successful Aquafest was this year and how smoothly the event went. Linda Hoult reported that Lake Stevens now has two papers, the Lake Stevens Journal and the Lake Stevens Ledger.

**Planning Director's Report.**

Planning Director Ableman reported the Downtown Framework Plan is in the works and that sewer upgrades to serve the Lake View project as well as other new downtown development is being looked at. She also reported on recent events in the City such as Run and Dye and the upcoming Ironman Triathlon as well as an upcoming public meeting concerning the new Cavelero Park in September.

**Adjourn.** Commissioner Matlack moved to adjourn at 7:30 p.m., seconded by Commissioner Hoult; motion carried unanimously (6-0-0-1).

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Gary Petershagen, Chair



## Staff Report City of Lake Stevens Planning Commission

Planning Commission Public Hearing  
Date: September 3, 2014

**Subject: Frontage Road Development Improvement Code Amendment (LUA-2014-0058)**

Contact Person/Department: Sally Payne, Senior Planner

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### **SUMMARY:**

Public Hearing covering proposed code amendments to the current frontage road improvement requirements found in LSMC 14.56.170. The proposed changes would give more discretion to the Public Works Director to allow variations in the requirements when certain conditions exist.

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### **ACTION REQUESTED OF PLANNING COMMISSION:**

Public Hearing and Recommendation to City Council

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### **BACKGROUND/DISCUSSION:**

On 24<sup>th</sup> March 2014, staff presented the issue of frontage road improvements requirements to the City Council for discussion and direction. It was the consensus of the Council that there are situations, such as when there is no sidewalk in the close proximity of a new single-family development, where the installation of sidewalk with a single-family development didn't seem necessary. Furthermore, Council members commented that staff should have more discretion to allow for variation to this requirement. Staff was directed by the Council to prepare a code revision that would address these issues.

Staff proposed a complete code revision. The proposed code revision is included as **Exhibit 1**. A Schedule for implementation of the proposed code amendment is included as **Exhibit 2** with the first reading before City Council scheduled for September 22, 2014.

On July 14, 2014 staff presented proposed code revisions for frontage road improvements to City Council for discussion. Council recommended revisions to the proposed code revision concerning the sun setting of the no-protest agreement to the formation of a Local Improvement District (LID) and the conditions which would allow City staff to waive the frontage road requirements. Council's recommendations are incorporated into the proposed code revision to include the sun setting of the no-protest agreement to the formation of an LID after 10 years to be consistent with Revised Code of Washington (RCW) which states that no-protest agreements are statutorily subject to a maximum duration of 10 years. In addition, the proposed revision includes that one condition for waiver of the frontage road improvements is if there are no existing sidewalks along the same side of the street within 2 adjacent lots or 100 feet, whichever is less, of the subject property on either side.

Planning Commission was briefed on this proposed code revision on August 20<sup>th</sup>, 2014. Following the briefing, a Planning Commissioner contacted staff with a few questions regarding the code amendment. Those questions will be addressed during the public hearing.

## PROPOSED LAND USE CODE AMENDMENTS:

In brief the proposed code:

- Requires all development to dedicate, as needed, frontage right-of-way
- Requires all development to perform frontage improvements with exceptions considered only for single family and duplex residential units
- Defines four (4) exceptions to deviate from current frontage for single family and duplex units as:
  - (i) There are no existing sidewalks along the same side of the street within 2 adjacent lots or 100 feet, whichever is less, of the property on either side;
  - (ii) Construction of frontage improvements will adversely impact critical areas that cannot be adequately mitigated in accordance with LSMC 14.88 or the State Environmental Policy Act pursuant to LSMC Title 16;
  - (iii) A safety issue is created by constructing the frontage improvements;
  - (iv) A public roadway improvement project is scheduled and fully funded for construction and said improvements include the adjacent site frontage.
- General statement on State and Federal law.
- Identify Appeal section of code.

## FINDINGS AND CONCLUSIONS:

### **1. Compliance with selected Transportation Goals of the Comprehensive Plan**

- Transportation Goal 6.5 – Provide an affordable level of service for the roadway network.

#### ***Compliance with selected Utilities and Public Services and Facilities Goals of the Comprehensive Plan***

- Ensure that utilities provide service in a manner that is environmentally sensitive, safe, reliable and compatible with the surrounding properties.

**Conclusions –** The proposed code amendments are consistent with some Transportation and Utility goals.

### **2. Compliance with the State Environmental Policy Act (SEPA)(Chapter 97-11 WAC and Title 16 LSMC)**

- Staff prepared an environmental checklist for the proposed code revisions dated August 18, 2014 (Exhibit 3).
- The SEPA official issued a Determination of Nonsignificance on August 19, 2014 (Exhibit 4).
- The city has not received any appeals related to the SEPA determination.

**Conclusions –** The proposed code amendments have met local and state SEPA requirements.

### **3. Compliance with the Growth Management Act (RCW 36.70A.106)**

- The city requested expedited review from the Department of Commerce on June 24, 2014 (Exhibit 5).
- The Department of Commerce sent a letter of acknowledgment on August 11, 2014 (Exhibit 6).
- Staff will file the final ordinance with the Department of Commerce within 10 days of City Council action.

**Conclusions –** The proposed code amendments have met Growth Management Act requirements.

### **4. Public Notice and Comments (Exhibit 7)**

- The city published a notice of SEPA determination in the Everett Herald on August 19, 2014.

- The city published a notice of Public Hearing in the Everett Herald on August 19, 2014.
- The city notified interested parties of the SEPA DNS and public hearing on August 18, 2014.

**Conclusions – The City has met public notice requirements per Chapter 14.16B LSMC.**

**RECOMMENDATION: Forward a recommendation to the City Council to APPROVE the proposed Frontage Road Development Improvement Code Amendment (LUA2014-00S8).**

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**EXHIBITS:**

1. Frontage Road Development Improvement Code Amendment Schedule
2. Draft Revised Code
3. Environmental Checklist
4. SEPA Determination
5. Department of Commerce Expedited Review
6. Letter of Acknowledgement
7. Affidavit of Publication

## EXHIBIT 1

### City of Lake Stevens (8/15/14) Frontage Road Development Improvement Code Amendment (LUA 2014-0057)

ACTIVITY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
Research					
Draft Code Amendments					
Draft Ordinances					
Attorney Review					
Commerce Review (Request Expedited Review- 15 days)	8/11/14				
Prepare & Issue SEPA (comment/appeal) 14 days	8/18/14				
Notice Planning Commission and City Council Public Hearing in EVH	8/19/14 & 8/29/14				
Planning Commission Briefing	8/20/14				
Planning Commission Public Hearing		9/3/14			
City Council Public Hearing, 1 <sup>st</sup> Reading		9/22/14			
City Council Public Hearing, 2nd & Final Reading			10/13/14		
Effective date			10/23/14 approx.		

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## EXHIBIT 2

### PROPOSED REVISED CODE

#### 14.56.170 Right-of-Way Dedication and Frontage Improvements.

Right-of-way dedication to the public and frontage improvements are required for all new development unless the applicant or property owner shows the project qualifies for the exceptions described in this section. No building permit shall be issued for development until right-of-way dedication and frontage improvement requirements have been satisfied.

(a) Right-of-way width. The width of right-of-way dedication shall be determined in accordance with the roadway classifications defined in Chapter 14.56 LSMC, the Comprehensive Plan and the classification standards with the adopted Engineering Design and Development Standards (EDDS). Existing right-of-way widths matching or exceeding the current standards shall satisfy the width requirement. A reduction of right-of-way dedication width may be considered under the following conditions:

- (1) Where critical areas or their buffers as defined in Chapter 14.88 LSMC exist within the proposed dedication area; or
- (2) The dedication would deny reasonable economic use of the property under the standards of this Title. The applicant or property owner must demonstrate the following to receive a reduction in right-of-way width dedication requirements:
  - (i) The basic allowed land uses cannot reasonably be accomplished; and
  - (ii) A reduction in the size, scope, configuration, density or consideration of alternative designs as proposed will not accomplish the project as allowed under existing land use regulations; and
  - (iii) In cases where the applicant has rejected alternatives to the project as proposed due to other constraints such as zoning or parcel size, the applicant must show there has been a reasonable attempt to remove or accommodate such constraints.

The application or property owner pursuing a reduction in right-of-way dedication width must use the Deviation process specified in LSMC 14.56.135. Supporting documentation and applicable application fees shall be submitted with the Deviation request.

(b) Frontage Improvements Required. Frontage improvements are required to be installed along the abutting public street frontage of the property to be developed. Resurfacing an existing public street to its centerline shall not be required for single-family or duplex development.

(1) "Frontage improvements" used in this section as defined in the City's adopted EDDS refer to the construction, reconstruction or repair of the following facilities along public rights-of-way abutting a property being developed:

- (i) Curbs, gutters, and sidewalks;
- (ii) Planter strip (or tree wells);
- (iii) Underground storm drainage and other utility facilities;
- (iv) Resurfacing of the existing public street to the centerline; and
- (v) Construction of new street within dedicated unopened right-of-way.

(2) Frontage improvements shall be constructed for the following new development:

- (i) Subdivisions and short subdivisions;
- (ii) Multifamily developments;
- (iii) Binding site plans;
- (iv) All other residential projects unless expressly exempt pursuant to subsection (3) or a waiver is granted in accordance with subsection (5);
- (v) Commercial projects;
- (vi) Municipal or agency building projects and
- (vii) Industrial projects.

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(3) Frontage requirements related to the construction of a single-family or duplex dwelling unit shall be considered completed provided the following exceptions apply:

(i) An existing lot in an existing single-family subdivision, short plat, or binding site plan where the lots are fully developed and frontage improvements were constructed to the standards in effect at the time of final plat recording; or

(ii) A new single family residence on an existing lot or replacement of an existing single family residence where there are no frontage improvements meeting city standards constructed within 200 feet of the lot or improvements identified through an approved subdivision and potential exists for future development.

(4) The granting of an exception or waiver as outlined in subsection (3) or subsection (5) of this section does not waive the property owner's requirement to dedicate right-of-way as established in this section.

(5) The Public Works Director may waive or modify the requirement to construct frontage improvements for new development when the applicant or property owner demonstrates that at least one of the following conditions exist and the owner of the new development either executes a no-protest agreement to form a Local Improvement District or pays a fee in lieu of constructing frontage improvements as approved by the Public Works Director or designee. Said no-protest agreement shall have an effective term of 10 years from the time of the City's acceptance:

(i) There are no existing sidewalks along the same side of the street within 2 adjacent lots or 100 feet, whichever is less, of the property on either side;

(ii) Construction of frontage improvements will adversely impact critical areas that cannot be adequately mitigated in accordance with LSMC 14.88 or the State Environmental Policy Act pursuant to LSMC Title 16;

(iii) A safety issue is created by constructing the frontage improvements;

(iv) A public roadway improvement project is scheduled and fully funded for construction and said improvements include the adjacent site frontage.

The applicant or property owner shall apply for a waiver using the Deviation process specified in LSMC 14.56.135. The application shall address how the criteria set forth in 14.56.135(c) and how the applicable conditions in this subsection above apply to the project. Any supporting documentation and applicable application fees shall be submitted with the Deviation request.

(c) Dedication of Right-of Way. Dedication of right-of-way is required to be executed prior to building permit issuance or final project approval. For Subdivisions, Short Subdivisions and Binding Site Plans the dedication shall be required on the final recording documents. For projects that are not part of a subdivision of land, the applicant shall submit the required executed documents on forms provided by the City. The City shall record the documents upon obtaining the appropriate City signatures and the applicant or property owner pays the recording fees.

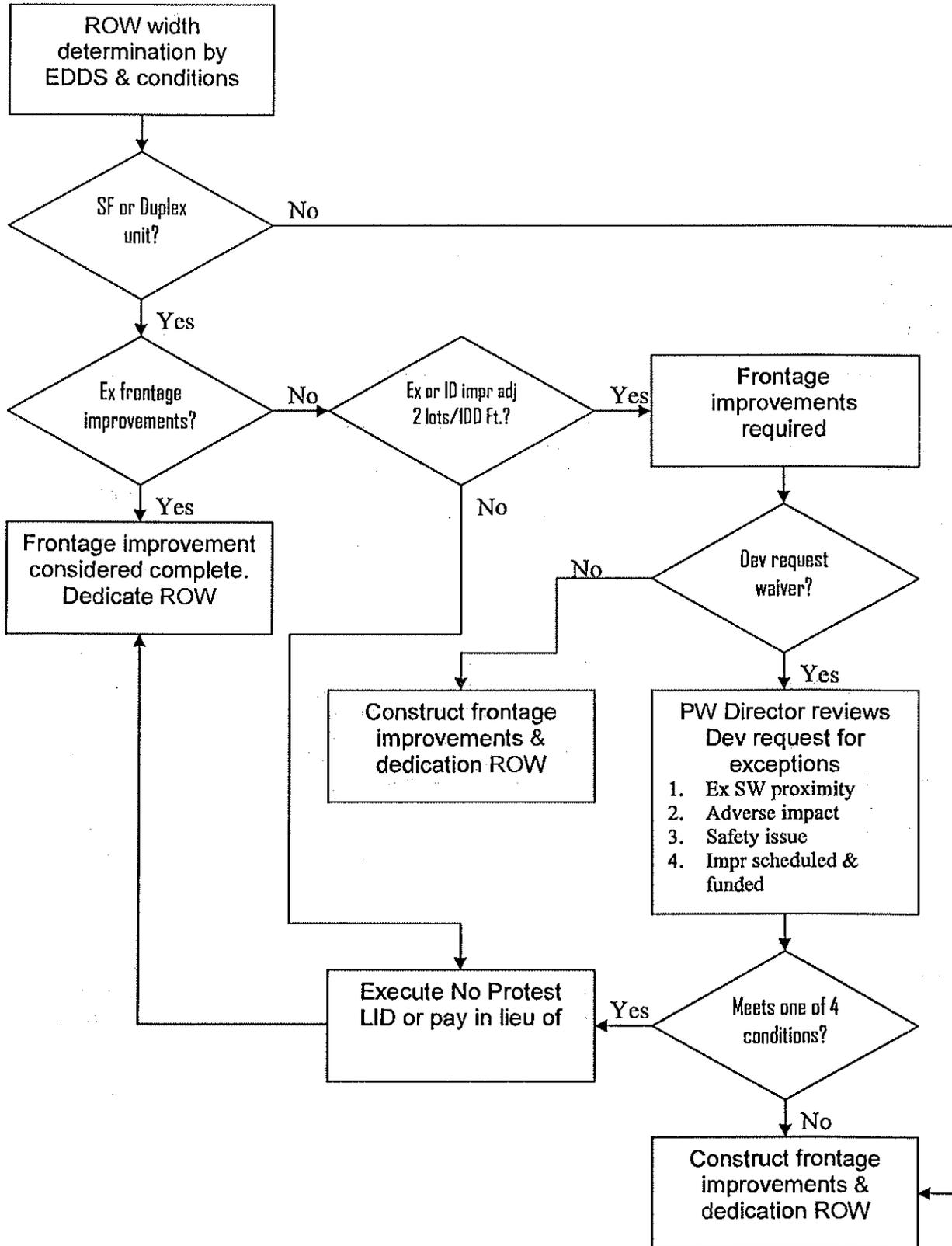
(d) Acceptance of Frontage Improvements. The Public Works Director or designee may approve an extension for the completion of the improvements for up to one year if the Public Works Director or designee receives a surety bond ensuring the timely completion of the improvements. Said surety bond shall meet the requirements set forth in Section 14.16A.180 (Security Mechanisms).

(e) State or Federal Law. Where an applicant demonstrates under applicable State or Federal law that the required dedication or improvements are unlawful, the Public Works Director or designee, to the extent the obligation is unlawful, shall not require the dedication or improvements required by this section as a condition of final acceptance or of building permit issuance.

(f) Appeal of Director Decision. Any appeal of the Director or designee's determination shall be processed using the appeal processes specified for the underlying application pursuant to LSMC 14.16A.265.

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## LSMC 14.56.170 – Process Flow Chart





# EXHIBIT 3

City of Lake Stevens  
Planning and Community Development  
1812 Main Street, PO Box 257  
Lake Stevens, WA 98258

## CITY OF LAKE STEVENS ENVIRONMENTAL CHECKLIST

### ***Purpose of checklist:***

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

### ***Instructions for applicants:***

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

### ***Instructions for Lead Agencies:***

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

### ***Use of checklist for nonproject proposals:***

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements -that do not contribute meaningfully to the analysis of the proposal.

## **A. BACKGROUND**

1. Name of proposed project, if applicable:

Frontage Road Development Improvement Code Amendment (LUA2014-0058)

2. Name of applicant:

City of Lake Stevens

3. Address and phone number of applicant and contact person:

Sally Paye, Senior Planner  
City of Lake Stevens, PO Box 257, Lake Stevens, WA 98258  
425-377-3221

4. Date checklist prepared:

August 13, 2014

5. Agency requesting checklist:

City of Lake Stevens

6. Proposed timing or schedule (including phasing, if applicable):

SEP Determination – August 19, 2014  
Public Hearing – September 3, 2014  
Public Hearing – September 22, 2014  
Final City Council Adoption – October 13, 2014

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Not at this time.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Any project currently under review is vested to earlier codes. This amendment will only affect projects submitting applications after the effective date.

10. List any government approvals or permits that will be needed for your proposal, if known.

Department of Commerce Review, Planning Commission Recommendation, City  
Council Approval

10. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

This land use code amendment is to Lake Stevens Municipal Code 14.56.170, Right-of-Way Improvements and Dedication to Precede Development or Building, giving staff more discretion in allowing variations from frontage road improvement requirements for new development when certain conditions exist. There are situations such as when there are no connecting sidewalks or critical areas exist where the current requirements may not be reasonable.

11. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The code amendment would be implemented citywide.

## B. ENVIRONMENTAL ELEMENTS

### 1. Earth

- a. General description of the site  
(circle one): Flat, rolling, hilly, steep slopes, mountainous,  
other \_\_\_\_\_

The City of Lake Steven's topography includes steep slopes, ravines, hilly and some flat land areas.

- b. What is the steepest slope on the site (approximate percent slope)?

NA – this nonproject action updates the City's land use regulations pertaining to frontage road improvements.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

The city contains the following soil series:

- Tokul gravelly loam
- Winston gravelly loam

- Mukilteo Muck
- Everett gravelly sandy loam
- Norma loam
- Urban Land
- Distributed/Fill
- Bellingham silty clay loam
- McKenna gravelly silt loam
- Rober silt loam
- Pastik silt loam
- Terric Medisaprist

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. Yes.

The Land Capability Classification from the USDA Web Soil Survey shows soil types ranging from 2e to 7e. This index rates the suitability of soil for cultivation. This means some soil types in the city are potentially unstable depending on site conditions, such as soil depth, water content and may be susceptible to erosion without proper soil management. The Tokul, Winston, and Paskit series are most susceptible to erosion. The Bellingham, McKenna, and Pilchuck series may be unstable with excessive water.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

NA – this nonproject action updates the City’s land use regulations pertaining to frontage road improvements.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

NA – this nonproject action updates the City’s land use regulations pertaining to frontage road improvements.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

NA – this nonproject action updates the City’s land use code pertaining to frontage road improvements.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

NA – this nonproject action updates the City’s land use code pertaining to frontage road improvements.

## 2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

NA – this nonproject action updates the City’s land use code pertaining to frontage road improvements.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

NA – this nonproject action updates the City's land use code pertaining to frontage road improvements.

b. Proposed measures to reduce or control emissions or other impacts to air, if any:

NA – this nonproject action updates the City's land use code pertaining to frontage road improvements.

### 3. Water

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

The city of Lake Stevens has several bodies of water including Lake Stevens, Catherine Creek, Stevens Creek, Lundeen Creek, Stitch Lake and associated wetland complexes. Catherine Creek flows into Little Pilchuck Creek.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

NA – this nonproject action updates the City's land use regulations pertaining to frontage road improvements.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

NA – this nonproject action updates the City's land use code pertaining to frontage road improvements.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

NA – this nonproject action updates the City's land use regulations pertaining to frontage road improvements.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Yes. The city of Lake Stevens has lands with Special Flood Hazard Area Zone A, depicted on the FIRMs for Lake Stevens, WA.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

NA – this nonproject action updates the City’s land use regulations pertaining to frontage road improvements.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

NA – this nonproject action updates the City’s land use regulations pertaining to frontage road improvements.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

NA - this nonproject action updates the City’s land use code pertaining to frontage road improvements.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

NA - this nonproject action updates the City’s land use code pertaining to frontage road improvements.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

NA – this nonproject action updates the City’s land use regulations pertaining to frontage road improvements.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

NA – this nonproject action updates the City’s land use regulations pertaining to frontage road improvements.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

NA - this nonproject action updates the City’s land use code pertaining to frontage road improvements.

4. Plants

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

b. List threatened and endangered species known to be on or near the site.

c.

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

e. List all noxious weeds and invasive species known to be on or near the site.

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

## 5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

birds: hawk, heron, eagle, songbirds, other:  
mammals: deer, bear, elk, beaver, other:  
fish: bass, salmon, trout, herring, shellfish, other \_\_\_\_\_

c. List any threatened and endangered species known to be on or near the site.

- Lake Stevens - Puget Sound Coho salmon (*O. Kisutch*) – Federal Species of Concern, and State Priority Species
- Streams - Puget Sound Steelhead (*O. mykiss*) – Federal Threatened Species
- Streams - Bull Trout (*S. Confluentus*) – Federal Threatened Species

- d. Is the site part of a migration route? If so, explain.

Yes. Pacific flyway, salmonid migratory route.

- e. Proposed measures to preserve or enhance wildlife, if any:

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- f. List any invasive animal species known to be on or near the site.

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

## 6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- b. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

## 7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

NA - this nonproject action updates the City's land use regulations pertaining to frontage road improvements.

- 1) Describe any known or possible contamination at the site from present or past uses.

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- 4) Describe special emergency services that might be required.

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

#### b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)?  
Indicate what hours noise would come from the site.

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- 3) Proposed measures to reduce or control noise impacts, if any:

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

#### 8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The city of Lake Stevens includes a variety of urban land uses including residential, commercial, office, industrial and public.

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Some parcels within the city of Lake Stevens were likely used for agriculture in the past. Currently, some larger parcels include fruit trees and may still have farm animals.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- c. Describe any structures on the site.

There is a mix of residential, commercial and public buildings within the City.

- d. Will any structures be demolished? If so, what?

NA - this nonproject action updates the City's land use regulations pertaining to frontage road improvements.

- e. What is the current zoning classification of the site?

The city of Lake Stevens includes a variety of urban zones including residential, commercial, office, industrial and public.

- f. What is the current comprehensive plan designation of the site?

The city of Lake Stevens includes a variety of comprehensive plan designations including residential, commercial, office, industrial and public.

- g. If applicable, what is the current shoreline master program designation of the site?

The city's Shoreline Master Program lists the following Environment Designations: Aquatic, Natural, High Intensity, Urban Conservancy, and Shoreline Residential.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. Yes, the city of Lake Stevens includes a variety of critical areas including streams, wetlands, fish and wildlife habitat conservation areas, flood hazard areas and geologically hazardous areas.

- i. Approximately how many people would reside or work in the completed project?  
NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.
- j. Approximately how many people would the completed project displace?  
NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.
- k. Proposed measures to avoid or reduce displacement impacts, if any:  
NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:  
NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:  
NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

## 9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.  
NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
- c. NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.
- d. Proposed measures to reduce or control housing impacts, if any:  
NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

## 10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?  
NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.
- b. What views in the immediate vicinity would be altered or obstructed?

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

## 11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- c. What existing off-site sources of light or glare may affect your proposal?

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- d. Proposed measures to reduce or control light and glare impacts, if any: [help]

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

## 12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

The city of Lake Stevens includes a variety of recreational facilities including the lake, city and county parks, schools, athletic fields, and the Centennial Trail.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

NA - this nonproject action updates the City's land use regulations pertaining to frontage road improvements.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

## 13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

The WA Dept. of Archaeology and Historic Preservation database shows two historical properties adjacent to Lake Stevens including the Grimm House a nationally registered historic place.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

#### 14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

The city of Lake Stevens includes several major roads including highways SR-9, SR-92, and SR-204. Major roads through the city include Vernon, Lundeen Parkways, 20<sup>th</sup> Street NE and 20<sup>th</sup> Street SE.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Yes.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

NA - this nonproject action updates the City's land use code pertaining to frontage road improvements.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

NA – this nonproject action updates the City’s land use regulations pertaining to frontage road improvements.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

NA - this nonproject action updates the City’s land use code pertaining to frontage road improvements.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

NA - this nonproject action updates the City’s land use code pertaining to frontage road improvements.

- h. Proposed measures to reduce or control transportation impacts, if any:

NA - this nonproject action updates the City’s land use code pertaining to frontage road improvements.

#### 15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

NA – this nonproject action updates the City’s land use regulations pertaining to frontage road improvements.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

NA - this nonproject action updates the City’s land use code pertaining to frontage road improvements.

#### 16. Utilities

- a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,  
other \_\_\_\_\_

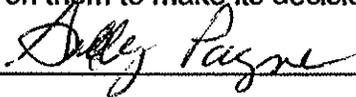
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

NA - this nonproject action updates the City’s land use code pertaining to frontage road improvements.

### C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: \_\_\_\_\_



Name of signee O ALLY PAYNE  
Position and Agency/Organization Senior Planner/City of Lake Stevens  
Date Submitted: 8/18/14

#### D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal is not likely to increase discharge to water discharge; air emissions; production, storage, or release of toxic or hazardous substances, or production of noise.

Proposed measures to avoid or reduce such increases are:

The proposal would likely decrease discharge to water; emissions to the air; production, storage, or release of toxic or hazardous substances; or production of noise as the requirements for the installation of future frontage road improvements are being relaxed when certain conditions.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal is not likely to affect plants, animals, fish, or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Impacts to plants, animals, fish or marine life would be reduced as a condition for the waiving of future frontage improvements is if the improvements would adversely impact critical areas that cannot be adequately mitigated.

3. How would the proposal be likely to deplete energy or natural resources?

The proposal would not be likely to deplete energy resources. All new development would be subject to the International Energy Code and all municipal code requirements.

Proposed measures to protect or conserve energy and natural resources are:

The proposal would tend to reduce the depletion of energy and natural resources as fewer frontage road improvements for future development would be built under the new code.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal would create less impacts to environmentally sensitive areas or areas designated for governmental protection as frontage road improvements adversely impacting critical areas would be waived from requirements.

Proposed measures to protect such resources or to avoid or reduce impacts are:

One of the conditions allowing a waiver of new frontage road improvements is if the construction of the improvements would adversely impact critical areas that could not be mitigated in accordance with LSMC 14.88 Critical Areas or the SEPA pursuant to LSMC 16.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal would not likely affect land and shoreline use.

Proposed measures to avoid or reduce shoreline and land use impacts are:

A condition for waiver of future frontage road improvements is if the improvements would adversely impact critical areas. Future development of frontage road improvements would fall under LSMC 14.88 Critical Areas.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

It is not likely the proposal will increase demands on transportation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

Since the proposed code revision is allowing waiver of the new frontage road improvement requirements in certain conditions, it would likely lessened demands on public service and utility.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal creates no known conflicts with local and state law. It is consistent with the *City of Lake Stevens Comprehensive Plan*, the Growth Management Act (Chapter 36.70A RCW) and Chapter 314-55 WAC.



# EXHIBIT 4

## DETERMINATION OF NONSIGNIFICANCE

**Issuance Date:** August 19, 2014

**Project Name (No.):** Frontage Road Development Improvement Code Amendment (LUA2014-0058)

**Proponent:** City of Lake Stevens

**Applicants:** City of Lake Stevens, 1812 Main St., P.O. Box 257, Lake Stevens, WA 98258

**Description of Proposal:** This is a land use code amendment to Lake Stevens Municipal Code 14.56.170, Right-of-Way Improvements and Dedication to Precede Development or Building, giving staff more discretion in allowing variations from the frontage road improvement requirements for new development when certain conditions exist such as a lack of connecting sidewalks or environmentally critical areas.

**Project Location:** Within City Limits of Lake Stevens

**Contact Person:** Sally Payne, Senior Planner

**Phone:** (425) 377-3221

**Threshold Determination:** The City of Lake Stevens, acting as 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. This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of issuance.

**SEPA Responsible Official:** original signed copy on file.  
Rebecca Ableman, Planning Director, City of Lake Stevens

**Comments on the Threshold Determination:** If you would like to comment on this Threshold Determination, your written comments should be sent to the address below by **September 2, 2014**. The Responsible Official may incorporate any substantial comments into the DNS. If the DNS is substantially modified, it will be reissued for further public review.

**Appeals:** You may appeal this determination of non-significance by submitting an appeal to the address below no later than 5:00 PM, **September 2, 2014**. The appeal must be in written form, contain a concise statement of the matter being appealed and the basic rationale for the appeal. A fee is required per the City's Fee Resolution. Please note that failure to file a timely and complete appeal shall constitute a waiver of all rights to an administrative appeal under City code. All comments or appeals are to be directed to City Hall, P.O. Box 257, Lake Stevens WA, 98258, Attn: Sally Payne.

# EXHIBIT 5



## Department of Commerce Innovation is in our nature.

### Notice of Proposed Amendment Request for Expedited Review

Pursuant to RCW 36.70A.106(3)(b), the following jurisdiction provides notice of a proposed development regulation amendment and requests expedited state agency review under the Growth Management Act.

***\*\*Under statute, proposed amendments to comprehensive plans are not eligible for expedited review. The expedited review period is 10 business days (14 calendar days).***

*(If needed, you may expand this form and the fields below, but please try to keep the entire form under two pages in length.)*

<b>Jurisdiction:</b>	City of Lake Stevens, WA
<b>Mailing Address:</b>	P.O. Box 257, Lake Stevens, WA 9258
<b>Date:</b>	June 24, 2013
<b>Contact Name:</b>	Sally Payne
<b>Title/Position:</b>	Senior Planner
<b>Phone Number:</b>	425-377-3221
<b>E-mail Address:</b>	spayne@lakestevenswa.gov
<b>Brief Description of the Proposed/Draft Development Regulations Amendment:</b> <i>(40 words or less)</i>	Rewriting of LSMC 14.56.170, <u>Right-of-Way Improvements and Dedication to Precede Development or Building</u> to provide staff more discretion in variations from frontage road improvement requirements, including a no-protest agreement to the formation of a Local Improvement District with an 8 year sunseting provision on the no-protest.
<b>Public Hearing Date:</b>	Planning Commission: September 3, 2013 City Council: October 13, 2014
<b>Proposed Adoption Date:</b>	October 13, 2014

**REQUIRED:** Attach or include a copy the proposed amendment text. **Attachment A is the Current Code, Attachment B is the Proposed Revised Code and Attachment C is a Process Flow Chart.**

**ATTACHMENT A  
CURRENT CODE**

**14.56.170 Right-of-Way Improvements and Dedication to Precede Development or Building.**

(a) No land use or building permit shall be issued by the City unless or until the right-of-way improvements upon which the same abuts are deemed fully improved to the standards of the right-of-way classification as specified in Section 14.56.010 and the City's Transportation Plan and offered for dedication to the public.

(b) Resurfacing of an existing public street to its centerline shall not be required for a single-family or a single duplex development.

(c) Right-of-way improvements shall be completed as follows, except as provided in subsection (d) of this section:

(1) Major subdivisions and short subdivisions: prior to recording the final plat.

(2) Construction of a dwelling unit, business, commercial or industrial building within any 12-month period, which exceeds 50 percent of the assessed value of the existing building on the property: prior to occupancy.

(3) Development of a mobile home park or sites with multiple buildings under common ownership: prior to occupancy.

(4) Any change in the use classification of an existing building or structure on the property: prior to occupancy.

(d) The Public Works Director may deem subsection (a) of this section fulfilled under the below-listed circumstances. It shall be at the Public Works Director's discretion, based on knowledge of upcoming projects in the vicinity, safety issues, or sound engineering judgment, as to which method shall be allowed or not allowed. Improvements may be deemed fully installed:

(1) Where the rights-of-way are already improved to their classification standards and dedicated to the City.

(2) Where the City chooses to purchase rights-of-way and install the improvements. However, under no circumstances is the City obligated to do this.

(3) Where the applicant, understanding that the land use or building permit sought cannot be issued until the improvements are deemed installed by the Public Works Director, installs the improvements himself at his own cost and offers the rights-of-way to the public.

(4) Where the applicant has dedicated the rights-of-way to the public and provided a surety bond ensuring that the improvements shall be installed within one year. Said warranty bond shall meet the requirements of Chapter 14.16A.180 (Security Mechanisms).

(5) If subsections (d)(1) through (4) of this section are deemed infeasible by the Public Works Director: Where the applicant has dedicated the rights-of-way to the public and elected to pay to the City a fee in lieu of improvements. In such circumstances said monies would be maintained in an account to be used specifically for transportation improvements. The properties contributing to these improvements cannot be subject to any future local improvement district for those improvements being paid for.

(6) If subsections (d)(1) through (5) of this section are deemed infeasible by the Public Works Director: Where the applicant has dedicated the rights-of-way to the public, and provided a recorded covenant power of attorney to the City in support of a petition local improvement district (hereinafter referred to as "LID covenant") for construction of right-of-way improvements, together with all necessary appurtenances. Forms for the LID covenant shall be provided by the City and approved by the City Attorney. (Ord. 811, Sec. 57, 2010; Ord. 796, Sec. 19, 2009; Ord. 501, Sec. 12, 1995)

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## ATTACHMENT B PROPOSED REVISED CODE

### 14.56.170 Right-of-Way Dedication and Frontage Improvements.

Right-of-way dedication to the public and frontage improvements are required for all new development unless the applicant or property owner shows the project qualifies for the exceptions described in this section. No building permit shall be issued for development until right-of-way dedication and frontage improvement requirements have been satisfied.

(a) Right-of-way width. The width of right-of-way dedication shall be determined in accordance with the roadway classifications defined in Chapter 14.56 LSMC, the Comprehensive Plan and the classification standards with the adopted Engineering Design and Development Standards (EDDS). Existing right-of-way widths matching or exceeding the current standards shall satisfy the width requirement. A reduction of right-of-way dedication width may be considered under the following conditions:

(1) Where critical areas or their buffers as defined in Chapter 14.88 LSMC exist within the proposed dedication area; or

(2) The dedication would deny reasonable economic use of the property under the standards of this Title. The applicant or property owner must demonstrate the following to receive a reduction in right-of-way width dedication requirements:

- (i) The basic allowed land uses cannot reasonably be accomplished; and
- (ii) A reduction in the size, scope, configuration, density or consideration of alternative designs as proposed will not accomplish the project as allowed under existing land use regulations; and
- (iii) In cases where the applicant has rejected alternatives to the project as proposed due to other constraints such as zoning or parcel size, the applicant must show there has been a reasonable attempt to remove or accommodate such constraints.

The application or property owner pursuing a reduction in right-of-way dedication width must use the Deviation process specified in LSMC 14.56.135. Supporting documentation and applicable application fees shall be submitted with the Deviation request.

(b) Frontage Improvements Required. Frontage improvements are required to be installed along the abutting public street frontage of the property to be developed. Resurfacing an existing public street to its centerline shall not be required for single-family or duplex development.

(1) "Frontage improvements" used in this section as defined in the City's adopted EDDS refer to the construction, reconstruction or repair of the following facilities along public rights-of-way abutting a property being developed:

- (i) Curbs, gutters, and sidewalks;
- (ii) Planter strip (or tree wells);
- (iii) Underground storm drainage and other utility facilities;
- (iv) Resurfacing of the existing public street to the centerline; and
- (v) Construction of new street within dedicated unopened right-of-way.

(2) Frontage improvements shall be constructed for the following new development:

- (i) Subdivisions and short subdivisions;
- (ii) Multifamily developments;
- (iii) Binding site plans;
- (iv) All other residential projects unless expressly exempt pursuant to subsection (3) or a waiver is granted in accordance with subsection (5);
- (v) Commercial projects;
- (vi) Municipal or agency building projects and
- (vii) Industrial projects.

(3) Frontage requirements related to the construction of a single-family or duplex dwelling unit shall be considered completed provided the following exceptions apply:

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(i) An existing lot in an existing single-family subdivision, short plat, or binding site plan where the lots are fully developed and frontage improvements were constructed to the standards in effect at the time of final plat recording; or

(ii) A new single family residence on an existing lot or replacement of an existing single family residence where there are no frontage improvements meeting city standards constructed within 200 feet of the lot or improvements identified through an approved subdivision and potential exists for future development.

(4) The granting of an exception or waiver as outlined in subsection (3) or subsection (5) of this section does not waive the property owner's requirement to dedicate right-of-way as established in this section.

(5) The Public Works Director may waive or modify the requirement to construct frontage improvements for new development when the applicant or property owner demonstrates that at least one of the following conditions exist and the owner of the new development either executes a no-protest agreement to form a Local Improvement District or pays a fee in lieu of constructing frontage improvements as approved by the Public Works Director or designee:

(i) There are no existing sidewalks within 200 feet of the property on either side;

(ii) Construction of frontage improvements will adversely impact critical areas that cannot be adequately mitigated in accordance with LSMC 14.88 or the State Environmental Policy Act pursuant to LSMC Title 16;

(iii) A safety issue is created by constructing the frontage improvements;

(iv) A public roadway improvement project is scheduled and fully funded for construction and said improvements include the adjacent site frontage.

The applicant or property owner shall apply for a waiver using the Deviation process specified in LSMC 14.56.135. The application shall address how the criteria set forth in 14.56.135(c) and how the applicable conditions in this subsection above apply to the project. Any supporting documentation and applicable application fees shall be submitted with the Deviation request.

(c) Dedication of Right-of Way. Dedication of right-of-way is required to be executed prior to building permit issuance or final project approval. For Subdivisions, Short Subdivisions and Binding Site Plans the dedication shall be required on the final recording documents. For projects that are not part of a subdivision of land, the applicant shall submit the required executed documents on forms provided by the City. The City shall record the documents upon obtaining the appropriate City signatures and the applicant or property owner pays the recording fees.

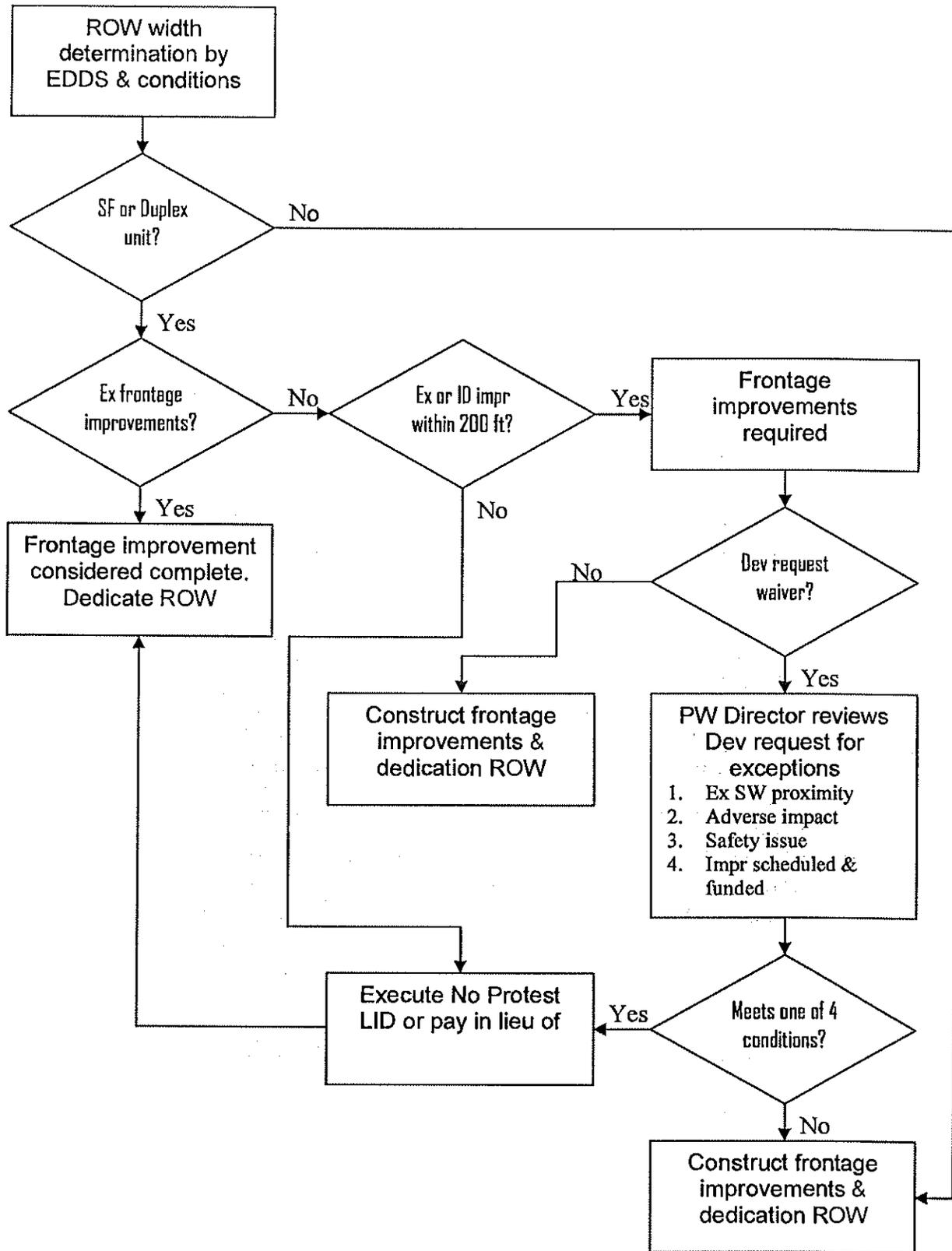
(d) Acceptance of Frontage Improvements. The Public Works Director or designee may approve an extension for the completion of the improvements for up to one year if the Public Works Director or designee receives a surety bond ensuring the timely completion of the improvements. Said surety bond shall meet the requirements set forth in Section 14.16A.180 (Security Mechanisms).

(e) State or Federal Law. Where an applicant demonstrates under applicable State or Federal law that the required dedication or improvements are unlawful, the Public Works Director or designee, to the extent the obligation is unlawful, shall not require the dedication or improvements required by this section as a condition of final acceptance or of building permit issuance.

(f) Appeal of Director Decision. Any appeal of the Director or designee's determination shall be processed using the appeal processes specified for the underlying application pursuant to LSMC 14.16A.265.

# DRAFT

## ATTACHMENT C LSMC 14.56.170 – Process Flow Chart





EXHIBIT         

STATE OF WASHINGTON  
DEPARTMENT OF COMMERCE  
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000  
www.commerce.wa.gov

August 11, 2014

Sally Payne  
Senior Planner  
City of Lake Stevens  
Post Office Box 257  
Lake Stevens, Washington 98258

Dear Ms. Payne:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

**City of Lake Stevens - Proposed amendment to the Lake Stevens Municipal Code regarding the dedication of right-of-way and frontage improvements. These materials were received on August 08, 2014 and processed with the material ID # 20502. Expedited Review is requested under RCW 36.70A.106(3)(b).**

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment requesting expedited review, then we have forwarded a copy of this notice to other state agencies for expedited review and comment. If one or more state agencies indicate that they will be commenting, then Commerce will deny expedited review and the standard 60-day review period (from date received) will apply. Commerce will notify you by e-mail regarding of approval or denial of your expedited review request. If approved for expedited review, then final adoption may occur no earlier than fifteen calendar days after the original date of receipt by Commerce. Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at [reviewteam@commerce.wa.gov](mailto:reviewteam@commerce.wa.gov), or call Dave Andersen (509) 434-4491 or Paul Johnson (360) 725-3048.

Sincerely,

Review Team  
Growth Management Services

# Everett Daily Herald

EXHIBIT 7

## Affidavit of Publication

State of Washington }  
County of Snohomish } ss

Michael Gates being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH582800 LUA2014-0058 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 08/19/2014 and ending on 08/19/2014 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$86.12.

[Signature]

Subscribed and sworn before me on this  
19 day of August  
2014.

[Signature: Debra Ann Grigg]

DEBRA ANN GRIGG  
Notary Public  
State of Washington  
My Commission Expires  
October 31, 2017

Notary Public in and for the State of  
Washington.  
CITY OF LAKE STEVENS/LEGAL ADS | 51440019  
JENNIFER THOMAS



## Staff Report City of Lake Stevens Planning Commission

Public Hearing 2014 Comprehensive Plan Docket  
Date: September 3, 2014

**Subject:** 2014 Comprehensive Plan Docket Public Hearing

**Contact Person/Department:** Russ Wright, Senior Planner and Sally Payne, Senior Planner

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**ACTION REQUESTED:** Hold a public hearing on the 2014 Comprehensive Plan Docket and forward a recommendation to the City Council.

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**SUMMARY:** Public hearing to consider city-initiated amendments including two (2) substantive text amendments and other minor administrative amendments to the Comprehensive Plan (LUA2014-0013) and two (2) citizen-initiated amendments to the land use map.

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### **BACKGROUND/ HISTORY:**

Under the Growth Management Act, the City can amend its Comprehensive Plan and Future Land Use Map once per year, with a few exceptions, through an annual docket process.

The city is proposing two substantive text amendments and other minor administrative amendments to the Comprehensive Plan (LUA2014-0013).

1. T-1 – The city is proposing a text amendment to Chapter 5 – the Parks, Recreation and Open Space Element, which would add and describe the City Boat Launch Improvement as a project on the Capital Project List of the Parks Element (**Exhibit 1**).
2. T-2 – The city is proposing a text amendment to Chapter 8 – the Capital Facilities Element, which would add the City Boat Launch Improvement as a capital project and add a pedestrian safety improvement project to the Capital Project List (**Exhibit 2**).
3. T-3 and T-4 – Along with the specific defined text amendments, staff will also include standard administrative amendments, including incorporating SEPA documents as a new appendix and updating the dates on the cover, footnotes and the Table of Contents (**Exhibit 3**).

The city has received two citizen-initiated amendments to the land use map and concurrent rezone applications.

1. M-1 – The first request (LUA2014-0007) is to change the land use designation, on two parcels totaling approximately 3.7 acres located at 1113 SR-204, from Medium-Density Residential to Local Commercial. Access to the site would be through an existing commercial development off 10<sup>th</sup> Street SE (**Exhibit 4**).
2. M-2 – The second request (LUA2014-0010) is to change the land use designation on seven parcels, totaling approximately 9 acres, to Commercial from High Density Residential and Medium-Density Residential and change the land use designation on a single parcel from Mixed-

Use to Local Commercial. City staff recommends the Planning Commission extend the Local Commercial land use designation (and Local Business zoning designation) to the adjacent parcel to the east. Combined, these two parcels total approximately two acres. All of the described properties are located near the eastern intersection of SR-9 and Soper Hill Road (**Exhibit 5**).

The Planning Commission held a public hearing for recommendation to ratify the 2014 Docket on May 21, 2014. City Council ratified the 2014 Docket on June 23, 2014.

The proposed Comprehensive Plan amendments were sent to the Washington Department of Commerce on July 18, 2014 for the required 60-day review by State agencies. Staff has issued SEPA determination for LUA2014-0007 (Huber) and LUA2014-0009 (Kjorsvik) The SEPA Addendum will be issued following the Planning Commission Hearing and prior to Council Hearing.

The items on the ratified docket have been analyzed against the criteria to grant or deny an amendment. An analysis form for each proposed Comprehensive Plan map correction and text amendment is attached. All Comprehensive Plan and code proposals meet requirements for granting the proposed amendments.

A staff summary and analysis for each map and text proposal is attached.

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#### **DISCUSSION:**

Staff will discuss how each proposed amendment meets the defined criteria.

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#### **RECOMMENDATION:**

Forward a recommendation to City Council approving:

1. The City-initiated Comprehensive Plan Amendment T-1 through T-4 (2014-0013);
2. The Huber Comprehensive Plan Amendment M1 (2014-0007); and
3. The Kjorsvik Comprehensive Plan Amendment M2 (2014-0009).

Note: the Commission can take separate actions on each of the identified items.

Staff will prepare a letter of recommendation to the City Council for review and signature by the Commission Chair and Co-Chair.

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#### **ATTACHMENTS:**

- |                       |                       |
|-----------------------|-----------------------|
| 1. T-1 Analysis Sheet | 6. M-1 Analysis Sheet |
| 2. T-2 Analysis Sheet | a. Map                |
| 3. T-3 Analysis Sheet | b. Narrative          |
| 4. T-4 Analysis Sheet | c. SEPA Determination |
| 5. Amendments Summary | 7. M-2 Analysis Sheet |
|                       | a. Map                |
|                       | b. Narrative          |
|                       | c. SEPA Determination |



## 2014 Comprehensive Plan Docket Map Amendment

Staff Summary for Grant or Denial  
T-1 Chapter 5 (LUA2014-0013)

<b>SUMMARY</b>
<b>Location in Comprehensive Plan:</b> Chapter 5 Parks, Recreation & Open Space Element
<b>Proposed Change(s):</b> City-initiated request (LUA2014-0013) to add and describe the City Boat Launch Improvement as a project on the Capital Project List of the Parks Element.
Specific changes are attached
<b>Applicant:</b> City of Lake Stevens Planning & Community Development

<b>GRANTING OR DENIAL OF AMENDMENTS</b> (Comprehensive Plan Chapter 1– page 1-26) <i>For both city and privately-initiated amendments, the city shall take into consideration, but is not limited to, the following factors when considering approval of a proposed amendment to the Comprehensive Plan:</i>	
<b>1. The effect upon the physical, natural, economic, and/or social environments.</b>	
<b>Discussion:</b> The proposed Parks and Recreation project will have beneficial effects upon the physical, natural, economic, and/or social environments at the time of implementation.	
<b>2. The compatibility with and impact on adjacent land uses and surrounding neighborhoods including whether the amendment would create pressure to change the land use designation of other properties in the vicinity.</b>	
<b>Discussion:</b> The proposed Parks and Recreation project will have no direct impact to specific land uses or neighborhoods.	
<b>3. The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation, and schools.</b>	
<b>Discussion:</b> The proposed Parks and Recreation project will have beneficial impacts to public park facilities and services and meets a define recreation need.	
<b>4. The quantity and location of land planned for the proposed land use type and density.</b>	
<b>Discussion:</b> The proposed Parks and Recreation project will not change the land use type and density.	
<b>5. The effect, if any, upon other aspects of the Comprehensive Plan.</b>	
<b>Discussion:</b> The proposed Parks and Recreation project will need to be incorporated into Chapter 8 – the Capital Facilities Element.	

<b>AMENDMENT CRITERIA</b> (Comprehensive Plan Chapter 1– pages 1-26 and 1-27) <i>The city may amend the Comprehensive Plan <u>only if</u> it finds the amendment meets all of the following:</i>	Yes	No
<b>1. The amendment must be consistent with the Growth Management Act and other applicable State laws.</b>	X	
<b>Discussion:</b> The application was received as part of the annual docket cycle and has been submitted to the Department of Commerce for review.		

<b>2. The amendment must be consistent with the applicable Countywide Planning Policies.</b>	X	
<b>Discussion:</b> The proposal provides countywide recreational opportunities.		
<b>3. The amendment must not be in conflict with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan.</b>	X	
<b>Discussion:</b> The proposal supports many goals and policies of the Comprehensive Plan.		
<b>4. The amendment can be accommodated by all applicable public services and facilities, including transportation.</b>	X	
<b>Discussion:</b> The boat launch is located in an area with existing public facilities. Any required facilities will be installed at the time of development.		
<b>5. The amendment will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses or residents.</b>	X	
<b>Discussion:</b> The proposal upon construction will increase the usability of the city boat launch.		
<b>6. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.</b>	X	
<b>Discussion:</b> The proposal supports many goals and policies of the Comprehensive Plan and upon completions will benefit the overall parks and recreation opportunities in the city and region.		

Staff recommends this proposal be  X  GRANTED or \_\_\_\_\_ DENIED based on the criteria in the Comprehensive Plan and LSMC.

The Planning Commission recommends this proposal be \_\_\_\_ GRANTED or \_\_\_\_\_ DENIED based on the criteria in the Comprehensive Plan and LSMC.

The City Council \_\_\_\_\_ GRANTS or \_\_\_\_\_ DENIES this proposal based on the criteria in the Comprehensive Plan and LSMC.



## 2014 Comprehensive Plan Docket Map Amendment

Staff Summary for Grant or Denial  
T-2 Chapter 8 (LUA2014-0013)

<b>SUMMARY</b>
<b>Location in Comprehensive Plan:</b> Chapter 8 Capital Facilities Element
<b>Proposed Change(s):</b> City-initiated request (LUA2014-0013) to add a park project (City Boat Launch) and pedestrian safety improvement project (91st Ave SE) to the Capital Project List.
Specific changes are attached
<b>Applicant:</b> City of Lake Stevens Planning & Community Development

<b>GRANTING OR DENIAL OF AMENDMENTS</b> (Comprehensive Plan Chapter 1– page 1-26) <i>For both city and privately-initiated amendments, the city shall take into consideration, but is not limited to, the following factors when considering approval of a proposed amendment to the Comprehensive Plan:</i>	
<b>1. The effect upon the physical, natural, economic, and/or social environments.</b>	
<b>Discussion:</b> The proposed capital projects will have beneficial effects upon the physical, natural, economic, and/or social environments at the time of implementation, specifically recreation and public safety.	
<b>2. The compatibility with and impact on adjacent land uses and surrounding neighborhoods including whether the amendment would create pressure to change the land use designation of other properties in the vicinity.</b>	
<b>Discussion:</b> The proposed capital projects will have no direct impact to specific land uses and will have positive impacts to the safety and recreational opportunities for neighborhoods near the projects at the time of construction.	
<b>3. The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation, and schools.</b>	
<b>Discussion:</b> The proposed capital projects benefit public park facilities and the pedestrian street network.	
<b>4. The quantity and location of land planned for the proposed land use type and density.</b>	
<b>Discussion:</b> The proposed capital projects will not change the land use type and density.	
<b>5. The effect, if any, upon other aspects of the Comprehensive Plan.</b>	
<b>Discussion:</b> The proposed Parks and Recreation project will need to be incorporated into Chapter 5 – the Parks, Recreation and Open Space Element.	

<b>AMENDMENT CRITERIA</b> (Comprehensive Plan Chapter 1– pages 1-26 and 1-27) <i>The city may amend the Comprehensive Plan <u>only</u> if it finds the amendment meets all of the following:</i>	Yes	No
	<b>1. The amendment must be consistent with the Growth Management Act and other applicable State laws.</b>	X

<b>Discussion:</b> The application was received as part of the annual docket cycle and has been submitted to the Department of Commerce for review.		
<b>2. The amendment must be consistent with the applicable Countywide Planning Policies.</b>	X	
<b>Discussion:</b> The proposed capital projects increases regional recreational opportunities and multimodal transportation.		
<b>3. The amendment must not be in conflict with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan.</b>	X	
<b>Discussion:</b> The proposed capital projects support many goals and policies of the Comprehensive Plan.		
<b>4. The amendment can be accommodated by all applicable public services and facilities, including transportation.</b>	X	
<b>Discussion:</b> The proposed capital projects are located in an areas with existing public facilities. Any required facilities will be installed at the time of development.		
<b>5. The amendment will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses or residents.</b>	X	
<b>Discussion:</b> The proposed capital projects upon construction will increase the usability of the city boat launch and 91 <sup>st</sup> street for pedestrians.		
<b>6. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.</b>	X	
<b>Discussion:</b> The proposed capital projects support many goals and policies of the Comprehensive Plan and upon completions will benefit the overall parks and recreation opportunities in the city and region and transportation systems on 91 <sup>st</sup> Ave.		

Staff recommends this proposal be  X  GRANTED or \_\_\_\_\_ DENIED based on the criteria in the Comprehensive Plan and LSMC.

The Planning Commission recommends this proposal be \_\_\_ GRANTED or \_\_\_\_\_ DENIED based on the criteria in the Comprehensive Plan and LSMC.

The City Council \_\_\_\_\_ GRANTS or \_\_\_\_\_ DENIES this proposal based on the criteria in the Comprehensive Plan and LSMC.



## 2014 Comprehensive Plan Docket Map Amendment

Staff Summary for Grant or Denial  
T-3 Appendices (LUA2014-0013)

<b>SUMMARY</b>
<b>Location in Comprehensive Plan:</b> New Appendix N
<b>Proposed Change(s):</b> City-initiated text changes to the Comprehensive Plan, as part of the 2014 Comprehensive Plan Docket (LUA2014-0013), to add SEPA environmental review documents as a new appendix. (SEPA Addendum will be adopted after PC Hearing, but prior to City Council Action).
Specific changes are attached
<b>Applicant:</b> City of Lake Stevens Planning & Community Development

<b>GRANTING OR DENIAL OF AMENDMENTS</b> (Comprehensive Plan Chapter 1– page 1-26) <i>For both city and privately-initiated amendments, the city shall take into consideration, but is not limited to, the following factors when considering approval of a proposed amendment to the Comprehensive Plan:</i>	
<b>1. The effect upon the physical, natural, economic, and/or social environments.</b>	
<b>Discussion:</b> The proposed text amendment is procedural and will not affect the physical, natural, economic, and/or social environments at the time of implementation, specifically recreation and public safety.	
<b>2. The compatibility with and impact on adjacent land uses and surrounding neighborhoods including whether the amendment would create pressure to change the land use designation of other properties in the vicinity.</b>	
<b>Discussion:</b> The proposed text amendment is procedural and will not have direct impact to specific land uses and neighborhoods.	
<b>3. The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation, and schools.</b>	
<b>Discussion:</b> The proposed text amendment is procedural and will not affect public facilities and services.	
<b>4. The quantity and location of land planned for the proposed land use type and density.</b>	
<b>Discussion:</b> The proposed text amendment is procedural and will not affect land use type and density.	
<b>5. The effect, if any, upon other aspects of the Comprehensive Plan.</b>	
<b>Discussion:</b> The proposed text amendment is procedural and will not affect other elements of the Comprehensive Plan.	

<b>AMENDMENT CRITERIA</b> (Comprehensive Plan Chapter 1– pages 1-26 and 1-27) <i>The city may amend the Comprehensive Plan <u>only if</u> it finds the amendment meets all of the following:</i>	Yes	No
	<b>1. The amendment must be consistent with the Growth Management Act and other applicable State laws.</b>	X

<b>Discussion:</b> The application was received as part of the annual docket cycle and has been submitted to the Department of Commerce for review.		
<b>2. The amendment must be consistent with the applicable Countywide Planning Policies.</b>	X	
<b>Discussion:</b> The proposed text amendment has no effect on countywide planning policies.		
<b>3. The amendment must not be in conflict with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan.</b>	X	
<b>Discussion:</b> The proposed text amendment does not affect goals and policies of the Comprehensive Plan.		
<b>4. The amendment can be accommodated by all applicable public services and facilities, including transportation.</b>	X	
<b>Discussion:</b> The proposed text amendment does not affect existing public facilities and services.		
<b>5. The amendment will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses or residents.</b>	X	
<b>Discussion:</b> The proposed text amendment does not affect any lands or neighborhoods.		
<b>6. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.</b>	X	
<b>Discussion:</b> The proposed text amendment does not affect the community.		

Staff recommends this proposal be  X  GRANTED or \_\_\_\_\_ DENIED based on the criteria in the Comprehensive Plan and LSMC.

The Planning Commission recommends this proposal be \_\_\_\_ GRANTED or \_\_\_\_\_ DENIED based on the criteria in the Comprehensive Plan and LSMC.

The City Council \_\_\_\_\_ GRANTS or \_\_\_\_\_ DENIES this proposal based on the criteria in the Comprehensive Plan and LSMC.



## 2014 Comprehensive Plan Docket Map Amendment

Staff Summary for Grant or Denial  
T-4 TOC (LUA2014-0013)

<b>SUMMARY</b>
<b>Location in Comprehensive Plan:</b> Cover, footers and Table of Contents.
<b>Proposed Change(s):</b> City-initiated text changes to the Comprehensive Plan, as part of the 2014 Comprehensive Plan Docket (LUA2014-0013), to update the dates on the cover, footnotes and the Table of Contents.
Specific changes are attached
<b>Applicant:</b> City of Lake Stevens Planning & Community Development

<b>GRANTING OR DENIAL OF AMENDMENTS</b> (Comprehensive Plan Chapter 1– page 1-26) <i>For both city and privately-initiated amendments, the city shall take into consideration, but is not limited to, the following factors when considering approval of a proposed amendment to the Comprehensive Plan:</i>	
<b>1. The effect upon the physical, natural, economic, and/or social environments.</b>	
<b>Discussion:</b> The proposed text amendment is procedural and will not affect the physical, natural, economic, and/or social environments at the time of implementation, specifically recreation and public safety.	
<b>2. The compatibility with and impact on adjacent land uses and surrounding neighborhoods including whether the amendment would create pressure to change the land use designation of other properties in the vicinity.</b>	
<b>Discussion:</b> The proposed text amendment is procedural and will not have direct impact to specific land uses and neighborhoods.	
<b>3. The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation, and schools.</b>	
<b>Discussion:</b> The proposed text amendment is procedural and will not affect public facilities and services.	
<b>4. The quantity and location of land planned for the proposed land use type and density.</b>	
<b>Discussion:</b> The proposed text amendment is procedural and will not affect land use type and density.	
<b>5. The effect, if any, upon other aspects of the Comprehensive Plan.</b>	
<b>Discussion:</b> The proposed text amendment is procedural and will not affect other elements of the Comprehensive Plan.	

<b>AMENDMENT CRITERIA</b> (Comprehensive Plan Chapter 1– pages 1-26 and 1-27) <i>The city may amend the Comprehensive Plan <u>only if</u> it finds the amendment meets all of the following:</i>	Yes	No
<b>1. The amendment must be consistent with the Growth Management Act and other applicable State laws.</b>	X	

<b>Discussion:</b> The application was received as part of the annual docket cycle and has been submitted to the Department of Commerce for review.		
<b>2. The amendment must be consistent with the applicable Countywide Planning Policies.</b>	X	
<b>Discussion:</b> The proposed text amendment has no effect on countywide planning policies.		
<b>3. The amendment must not be in conflict with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan.</b>	X	
<b>Discussion:</b> The proposed text amendment does not affect goals and policies of the Comprehensive Plan.		
<b>4. The amendment can be accommodated by all applicable public services and facilities, including transportation.</b>	X	
<b>Discussion:</b> The proposed text amendment does not affect existing public facilities and services.		
<b>5. The amendment will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses or residents.</b>	X	
<b>Discussion:</b> The proposed text amendment does not affect any lands or neighborhoods.		
<b>6. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.</b>	X	
<b>Discussion:</b> The proposed text amendment does not affect the community.		

Staff recommends this proposal be  X  GRANTED or \_\_\_\_\_ DENIED based on the criteria in the Comprehensive Plan and LSMC.

The Planning Commission recommends this proposal be \_\_\_ GRANTED or \_\_\_\_\_ DENIED based on the criteria in the Comprehensive Plan and LSMC.

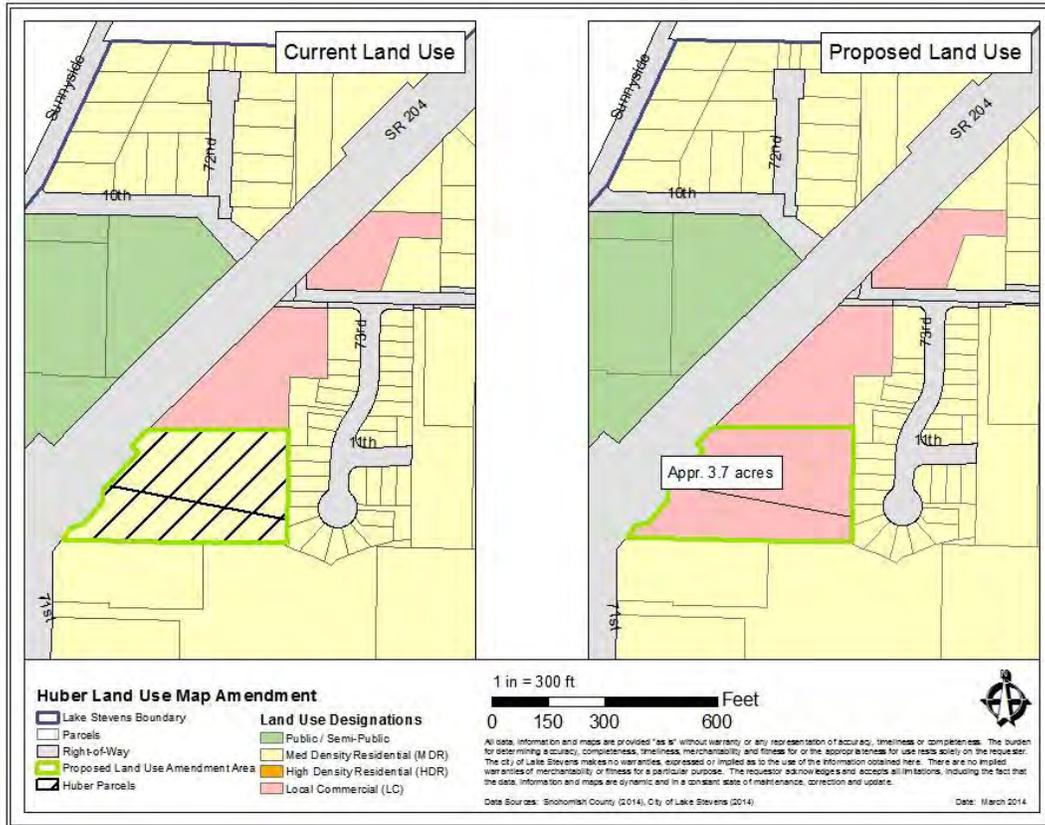
The City Council \_\_\_\_\_ GRANTS or \_\_\_\_\_ DENIES this proposal based on the criteria in the Comprehensive Plan and LSMC.

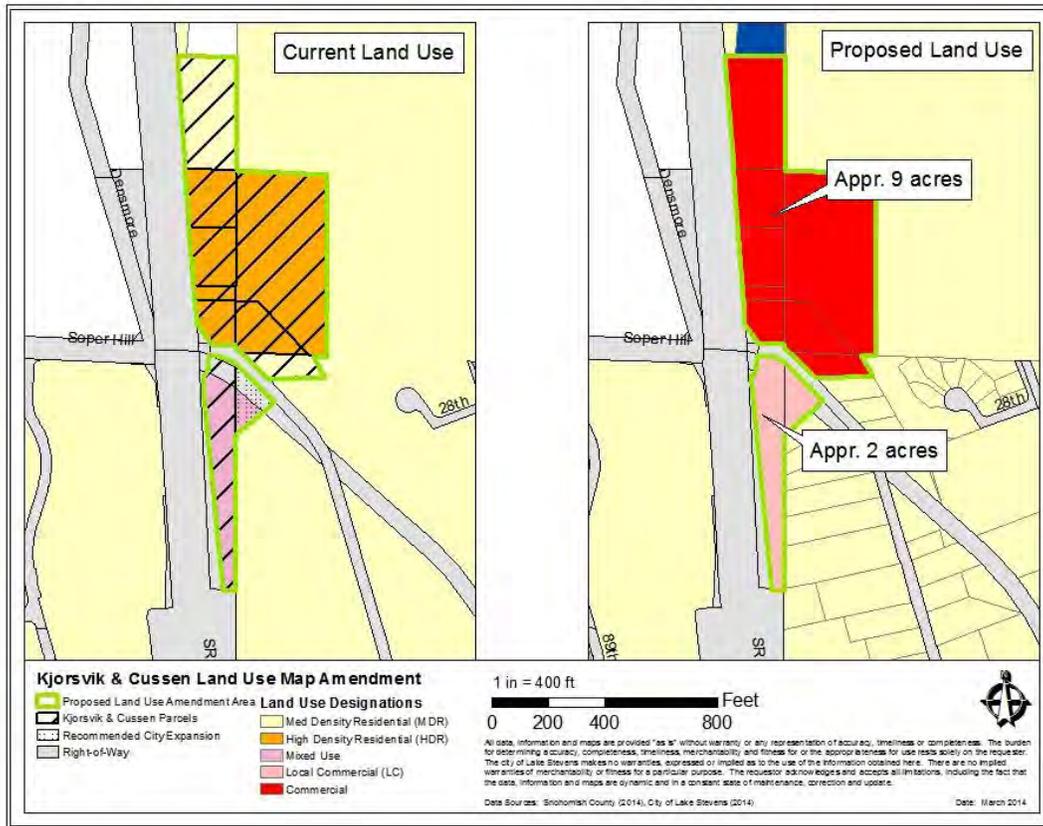
# Title Page and Table of Contents

Update the dates on the title page, header and footers and the table of contents as needed with final draft.

## Chapter 4 – Land Use Element

Page 4-13 – Add updated Figure 4.1 – City Land Use Map





## Chapter 5 – Parks, Recreation and Open Space Element

### Capital Projects – page 5-30

Pages 5-34 and 35 – Add Improvement Project No. 3

### Improvement Project No.3 – City Boat Launch Improvement

Total Cost: \$527,000

Target Start Date: 2016

Description: Construction of a fully renovated boat launch along with development of associated amenities to modernize the site, improve public safety and enhance access for all users.

Proposed Funding Sources: Washington State Recreation and Conservation Office Grant

Location: Lake Stevens Town Center on the lake's North Cove off 17<sup>th</sup> Place NE

Justification: This project would meet the identified preference for improved boat launching facilities and increased site usability and safety for all boaters.

## Chapter 8 – Capital Facilities Element

Page 8-16 – Add grant source to list of State Grants and Loans

**Washington State Recreation and Conservation Office:** Provides leadership, grant funding and technical assistance for the building of trails, parks, boating facilities, water access, and more. Office administers 12 grant programs for providing recreation, conserving habitat, measuring farmland and recovering salmon. Applicants must complete a planning process before applying for funding. Most grants require either a cash or in-kind contribution up to 50% of the cost of the project.

Page 8-37 – Add Transportation Project to Capital Improvements, 2012-2032, Table 8.1- pedestrian improvement project 91<sup>st</sup> Street SE

Road:	Location:	Cost:	Year:	Funding:
91 <sup>st</sup> Street SE	8 <sup>th</sup> Street SE to 20 <sup>th</sup> Street SE	\$1,700,000		2015
<u>Federal/Mitigation</u>				

Page 8-39 – Add Parks Project to Capital Improvements, 2012-2032, Table 8.1, repair, renovation and improvements to boat launch

Road:	Location:	Cost:	Year:	Funding:
Boat Launch North Cove Park	17 <sup>th</sup> Street NE	\$527,000	2016	State

## Appendices

Add the SEPA review for the 2014 Docket as Appendix N (SEPA review will be distributed separately).



## 2014 Comprehensive Plan Docket Map Amendment

Staff Summary for Grant or Denial  
M-1 Huber Map Amendment (LUA2014-0007)

<b>SUMMARY</b>	
<b>Location in Comprehensive Plan:</b> Chapter 4 Land Use Element – Figure 4.1 Land Use Map	
<b>Proposed Change(s):</b> Citizen-initiated request (LUA2014-0007) to change the land use designation, for two parcels near SR-204 and 10 <sup>th</sup> Street SE, from Medium Density Residential to Local Commercial, as illustrated on the attached map. The applicant has also applied for a concurrent rezone application. The Hearing Examiner will hold a hearing for the rezone application and make a recommendation to City Council separately.	
The applicant has provided a Comprehensive Plan Criteria Narrative (Exhibit a)	
<b>Applicant:</b> Dave Huber	<b>Property Location(s):</b> 1113 SR-204 (approximately 3.7 acres)
<b>Existing Land Use Designation</b>	<b>Proposed Land Use Designation</b>
Medium-Density Residential	Local Commercial
<b>Existing Zoning District</b>	<b>Proposed Zoning District</b>
Suburban Residential	Local Business

<b>FACTORS TO CONSIDER FOR REVIEWING MAP AMENDMENTS</b>
(Comprehensive Plan Chapter 1 – page 1-25)
<p>1. How is the proposed land use designation supported by or consistent with the existing policies of the various elements of the Comprehensive Plan? If it is not, the development should demonstrate how the change is in the best long-term interest of the City.</p>
<p><b>Discussion:</b> The proposal is for a minor land use map change and complies with Vision Goals (VG-1 through VG-7), specifically VG-3 and VG-5.</p> <ul style="list-style-type: none"> <li>• GOAL 4.3 Economic Development: Attain The Highest Level Of Economic Well-Being Possible For All Citizens In Lake Stevens Through The Achievement Of A Stable And Diversified Economy Offering A Wide Variety Of Employment Opportunities;</li> <li>• GOAL 4.20 Promote Neighborhood Commercial Uses In Appropriate Places;</li> <li>• GOAL 4.22 Apply Commercial Land Use Designations To Prevent Strip Or "Leap-Frog" Commercial Development; and</li> </ul> <p>GOAL 9.5: Improve The City’s Economic Condition for a Healthy, Vibrant and Sustainable Community.</p>
<p>2. How does the proposed land use designation promote a more desirable land use pattern for the community? If so, a detailed description of the qualities of the proposed land use designation that make the land use pattern for the community more desirable should be provided to enable the Planning Commission and City Council to find that the proposed land use designation is in the community’s best interest.</p>
<p><b>Discussion:</b> The proposal would create commercial nodes consistent with goals and policies found in the Economic Development and Land Use elements of the Comprehensive Plan to help the city achieve its financial goals for increased employment and retail opportunities.</p>

<p>3. What impacts would the proposed change of land use designation have on the current use of other properties in the vicinity, and what measures should be taken to ensure compatibility with the uses of other properties in the vicinity?</p>
<p><b>Discussion:</b> The traffic report for this proposal does not indicate that a significant change will occur in the level of service. The property will take access through an existing commercial development and will appear as a continuation of that development. Future development will be subject to rules in effect to ensure consistency with neighboring properties.</p>
<p>4. Comments received from affected property owners and residents.</p>
<p><b>Discussion:</b> No comments have been received relative to this proposal.</p>

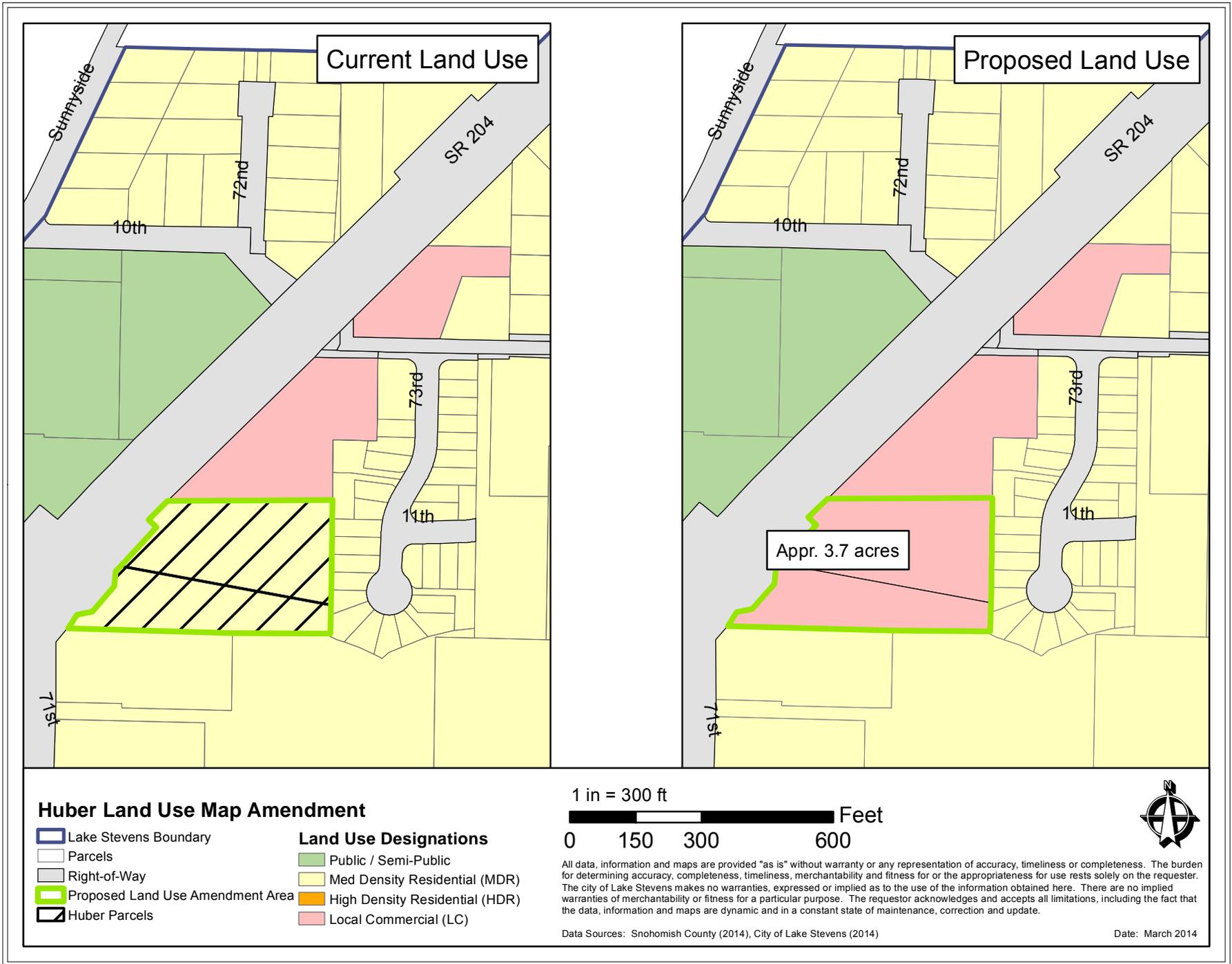
<p><b>GRANTING OR DENIAL OF AMENDMENTS</b> (Comprehensive Plan Chapter 1– page 1-26) <i>For both city and privately-initiated amendments, the city shall take into consideration, but is not limited to, the following factors when considering approval of a proposed amendment to the Comprehensive Plan:</i></p>
<p><b>1. The effect upon the physical, natural, economic, and/or social environments.</b></p>
<p><b>Discussion:</b> Redesignation of the 3.7-acre parcel from Medium-Density Residential to Local Commercial would have no effect upon the physical, natural, economic and/or social environments as a non-project action. Future development will be subject to rules in effect to ensure consistency with neighboring properties.</p>
<p><b>2. The compatibility with and impact on adjacent land uses and surrounding neighborhoods including whether the amendment would create pressure to change the land use designation of other properties in the vicinity.</b></p>
<p><b>Discussion:</b> Redesignation of the parcel from Medium-Density Residential to Local Commercial is consistent with the parcels to the north, west, south and east and will therefore be compatible with adjacent and surrounding land uses and neighborhoods. The property north of the site (across 10th Street SE) also has the same designation. The properties to the east are above the grade of the proposed commercial area. The area to the west is a state highway (SR-204). The area to the south is restricted by critical areas.</p>
<p><b>3. The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation, and schools.</b></p>
<p><b>Discussion:</b> The parcel is located in an area with existing public facilities and services and has utilities on site. Any required facilities will be installed at the time of development.</p>
<p><b>4. The quantity and location of land planned for the proposed land use type and density.</b></p>
<p><b>Discussion:</b> The parcel proposed for redesignation is very small at 3.7-acre and will not affect citywide land use and density.</p>
<p><b>5. The effect, if any, upon other aspects of the Comprehensive Plan.</b></p>
<p><b>Discussion:</b> Redesignation of the parcel will have no other effects on the Comprehensive Plan. The proposal will result in a slight alteration to the commercial and residential land use supply as described in Tables 4.0a and 4.0b. This table will be updated as part of the 2015 Comprehensive Plan.</p>

<b>AMENDMENT CRITERIA</b> (Comprehensive Plan Chapter 1– pages 1-26 and 1-27) <i>The city may amend the Comprehensive Plan <u>only if</u> it finds the amendment meets all of the following:</i>	Yes	No
<b>1. The amendment must be consistent with the Growth Management Act and other applicable State laws.</b>	X	
<b>Discussion:</b> The application was received as part of the annual docket cycle and has been submitted to the Department of Commerce for review.		
<b>2. The amendment must be consistent with the applicable Countywide Planning Policies.</b>	X	
<b>Discussion:</b> The proposal does not affect Countywide Planning Policies		
<b>3. The amendment must not be in conflict with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan.</b>	X	
<b>Discussion:</b> The proposal supports many goals and policies of the Comprehensive Plan as addressed earlier.		
<b>4. The amendment can be accommodated by all applicable public services and facilities, including transportation.</b>	X	
<b>Discussion:</b> The parcel is located in an area with existing public facilities and services and has utilities on site. Any required facilities will be installed at the time of development.		
<b>5. The amendment will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses or residents.</b>	X	
<b>Discussion:</b> The proposal will provide a neighborhood shopping node with access to a collector and arterial, provide opportunities for small employers and provide a benefit to adjacent residential neighborhoods. Any future development will need to meet citywide concurrency standards and development regulations to protect critical areas. Future development will likely be subject to project specific SEPA review as well.		
<b>6. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.</b>	X	
<b>Discussion:</b> The proposal supports many goals and policies of the Comprehensive Plan as addressed earlier, specifically economic development and land use goals to achieve additional retail and job opportunities balanced with housing.		

Staff recommends this proposal be  X  GRANTED or \_\_\_\_\_ DENIED based on the criteria in the Comprehensive Plan and LSMC.

The Planning Commission recommends this proposal be \_\_\_\_\_ GRANTED or \_\_\_\_\_ DENIED based on the criteria in the Comprehensive Plan and LSMC.

The City Council \_\_\_\_\_ GRANTS or \_\_\_\_\_ DENIES this proposal based on the criteria in the Comprehensive Plan and LSMC.





G.W.C. Land Development Consulting  
PO Box 2768  
Chelan, WA 98816  
509-686-1881  
gwc.landuse@gmail.com



August 1, 2014

Mr. Russ Wright  
City of Lake Stevens  
Planning & Community Development  
1812 Main Street  
PO Box 257  
Lake Stevens, WA 98258

Dear Mr. Wright:

On behalf of the applicant, please accept the following, with attachments, in response to your July 3, 2014 review comments. I have attempted to group our responses into the three categories in your review letter, but in the interest of brevity, please consider the responses as a whole, regardless of in which group they may be located.

**1. SEPA –**

Gibson Traffic Consultants has prepared an attached traffic study addressing your initial concerns.

The proposed Comprehensive Plan Amendment and Rezone to Local Business will allow commercial uses that generate a range of trips. A project specific traffic study will be prepared at some future date to accompany a project specific application and will reflect the then-current conditions, applicable regulations, discuss the applicable impact fees, if any, and describe any physical work that may be required to accommodate the proposed traffic impacts.

**2. Comprehensive Plan –**

The requested land use designation addresses the changing needs of the citizens of Lake Stevens who are residing in an urban area where adequate public facilities and services are needed. The requested Local Commercial designation will allow nearby residents, and pass-by traffic on SR 204 to obtain limited commercial services without making a special trip to more remote locations. It should be noted that the requested designation is not for "Commercial", which would allow for higher intensity / larger scale uses.

The Vision Statement of the City of Lake Stevens Comprehensive Plan lists several goals which will be implemented by approving the requested Comprehensive Plan revision and rezone. Among others:

*Goal VG-2 discusses livability, pedestrian orientation, high quality design and limiting stress factors such as noise pollution and traffic congestion. Provision of additional services to residents will implement this goal.*

*Goal VG-5 encourages the development of the local economy by providing diversity in the range of goods and services available.*

Please note that the subject site has topographic constraints that will limit development to those portions that are reasonably level and outside of any future setbacks/buffers caused by steep slopes, therefore, developed square footage will be approximately 3 acres of the 3.7 acre site total. Consequently, the requested Comprehensive Plan designation and accompanying rezone will remove approximately 3 acres of single family residential zoning and replace it with a like amount of Local Business zoning.

The City currently contains only 13.47 acres of Local Business zoning (0.17% of the City) to provide small neighborhood service centers and employment opportunities within the City of Lake Stevens. The requested action will slightly increase this percentage.

The requested mixed-use commercial designation will implement the City's vision of 'Healthy Community Design' by providing local services that decrease dependence on the automobile - by building homes and businesses closer together, allowing people to more easily walk or bike between them. The provision of local businesses will also assist people in becoming more physically active and socially engaged in their neighborhood, and if they choose, help them age in place and remain in the community that reflects their changing lifestyles and changing physical capabilities.

As is noted in the Comprehensive Plan, implementing 'Healthy Community Design' can provide many advantages:

- Promote physical activity.
- Improve air quality.
- Lower risk of injuries.
- Increase social connection and sense of community.
- Reduce contributions to climate change.

The requested land use designation will slightly expand the adjacent existing commercial uses and provide additional retail and service opportunities, allowing Local Business uses to be clustered together and adjacent to a major thoroughfare, and nearby residents. Said limited access highway (SR 204) does not have the potential to become another Highway 99, which is probably a good thing, but at the same time, it does need occasional Local Commercial services areas for nearby residents and also to allow 'pass-by' commuter traffic to stop, thus avoiding a special trip at another time of the day.

At Goal 4.30, adopted land use Policy 4.30.1 seems to nicely summarize the rationale of the request when it states:

*Encourage small scale, neighborhood compatible, commercial uses to be distributed throughout the community, thus reducing the need to drive to the nearest "big-box" retailer to pick up day to day convenience items. It also provides the opportunity for*

*pedestrian access to stores along with the health and social benefits related to pedestrian activity.*

This vision is repeated in Goal 4.40, Policy 4.40.5:

*Create community centers where people can gather and mingle as part of their daily activities.*

In summary:

1. The amendment is consistent with the Growth Management Act and other applicable state laws;
2. The amendment is consistent with the applicable County-wide Planning Policies;
3. The amendment is not in conflict with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan;
4. The amendment can be accommodated by all applicable public services and facilities, including transportation;
5. The amendment will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses, or residents;
6. The amendment will result in long-term benefits to the community as a whole and is in the best interest of the community.

#### **Rezone –**

LSMC, 14.36.020, (d) states;

*“The Local Business (LB) zone is designed to accommodate commercial development generally similar to the types permissible in a Central Business District, except that it is intended that this zone be placed along arterials to cater to commuters, or as a transition in some areas between a higher intensity zone (e.g., commercial, industrial, etc.) and a lower intensity zone (e.g., residential, park, etc.), or may provide for a smaller scale shopping center that primarily serves one neighborhood or area of the City (as opposed to a sub-regional or regional shopping center).”*

The City has established several criteria necessary to inform the decision maker(s) about the suitability of the requested zoning for the subject site. Generally above, and specifically below are our responses to these criteria.

1. *The amendment complies with the Comprehensive Plan Land use Map, policies and provisions and adopted subarea plans;*

Upon approval of the requested change to the City of Lake Stevens Comprehensive Plan Land Use Map, the requested zoning will comply.

2. *The amendment is in compliance with the Growth Management Act.*

The rezone to Local Business will provide needed services and employment opportunities to resident and visitors.

3. *The amendment serves to advance the public health, safety and welfare;*

The requested zoning will allow nearby residents to walk or bike to the site, a healthy and safe way to obtain goods and/or services. The requested zoning will allow pass-by traffic on SR 204 to stop in on their way elsewhere and avoid a new trip to obtain goods and/or services.

4. *The amendment is warranted because of changed circumstances, a mistake, or because of a need for additional property in the proposed zoning district;*

This is one of the few vacant properties complying with the goals of the LB zone (not adjacent to an existing or planned large scale commercial site, proximity to SR 204, etc) and is a logical expansion of the existing LB zoning to the north.

5. *The subject property is suitable for development in general conformance with zoning standards under the proposed zoning district;*

Future site development will be in accordance with all applicable regulations and the specific requirement for LB zoning.

6. *The amendment will not be materially detrimental to uses or property in the immediate vicinity of the subject property;*

The requested zoning will complement the existing Local Business zoning to the north and should not block views nor create significant adverse noise, light or glare impacting the homes to the east.

7. *Adequate public facilities and services are likely to be available to serve the development allowed by the proposed zone;*

Services are already in place or will be extended / improved by the developer as necessary to serve the future development of the site.

8. *The probable adverse environmental impacts of the types of development allowed by the proposed zone can be mitigated, taking into account all applicable regulations, or the unmitigated impacts are acceptable;*

Any future development of the site will be required to submit a project-specific environmental checklist and all supportive studies necessary for the City to determine any necessary mitigate measures to satisfy SEPA and City codes.

9. *The amendment complies with all other applicable criteria and standards in this title;*

The rezone complies with all applicable criteria and standards that we are aware of.

10. *If the proposal is located within an adopted subarea plan:*
  - i. *The rezone is to a zoning designation allowed within the applicable subarea;*

*and*

- ii. *The rezone does not increase the established intensities adopted as part of the planned action ordinance or mitigates increased or additional impacts by supplementing, amending or addending the applicable planned action draft and final environmental impact statement.*

Upon adoption, the revised Comprehensive Plan Map will be consistent with the requested LB zoning.

In closing, we feel that the requested Comprehensive Plan Amendment and companion Rezone to Local Business will further the stated goals of the City of Lake Stevens and ultimately provide its citizens an opportunity to avail themselves of local services and employment within the City.

Should you have any questions or require further clarification, please feel free to contact me at your convenience. My office is located in a remote area of eastern Washington and cell phone coverage is spotty at best. I do have internet access via our satellite uplink/downlink dish, which is our most reliable means of communication.

Sincerely,

Don Miller  
G.W.C.

cc: Dave Huber  
Gibson Traffic



## DETERMINATION OF NON-SIGNIFICANCE

**Proposal:** Huber Comprehensive Plan Amendment and Rezone – LUA2014-0007 and LUA2014-0008

**Description of Proposal:** The applicant has applied for a comprehensive plan designation change and concurrent rezone of approximately four (4) acres near the eastern intersection of SR-204 and 10<sup>th</sup> Street SE. The proponent has submitted a project narrative, environmental checklist and traffic report in support of the proposed map changes. The proposal would change the land use designation and zoning on two parcels from Medium Density Residential (Suburban Residential) to Local Commercial (Local Business). The property directly to the north is zoned Local Business and the properties to the east and south are zoned Suburban Residential. A change in topography separates the residential properties from the subject properties. Highway SR-204 abuts the properties to the west. Future access to the site would be off 10<sup>th</sup> Street SE through the existing commercial development. The proposed changes could support nearly 30,000 square of new commercial development. The city will review all site-specific impacts related to the land use and zoning changes at the time of development.

**Project Location:** 1113 SR-204, Lake Stevens, WA 98258 (Section 23, Township 29, Range 5E)

**Proponent:** Dave Huber, on behalf of Laura Greiert

**Lead Agency:** City of Lake Stevens

**Threshold Determination:** The City of Lake Stevens, acting as 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. This MDNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of issuance.

**Issuance Date:** August 19, 2014

**SEPA Responsible Official:**

  
Rebecca Ableman, Planning & Community Development Director

**Contact Person:** Russ Wright, Senior Planner

**Phone:** 425-212-3315

**Comments on the Threshold Determination:** Interested parties may comment on this Threshold Determination, by submitting written comments to the Responsible Official at the address below by **September 2, 2014**. The Responsible Official may incorporate any substantial comments into the MDNS. If the MDNS is substantially modified, it will be reissued for further public review.

**Appeals:** Parties of Record may appeal this Mitigated Determination of Non-Significance by submitting an appeal to City of Lake Stevens, P.O. Box 257, Lake Stevens, WA 98258, Attn: Planning and Community Development no later than 5:00 PM, **September 2, 2014**. The appeal must be in writing, contain a concise statement of the matter being appealed and the basic rationale for the appeal. A fee is required per the City's Fee Resolution. Please note that failure to file a timely and complete appeal shall constitute a waiver of all rights to an administrative appeal under City code.



## 2014 Comprehensive Plan Docket Map Amendment

Staff Summary for Grant or Denial  
M-2 Kjorsvik Map Amendment (LUA2014-0009)

SUMMARY	
<b>Location in Comprehensive Plan:</b> Chapter 4 Land Use Element – Figure 4.1 Land Use Map	
<p><b>Proposed Change(s):</b> The applicant has applied for a comprehensive plan designation change and concurrent rezone of approximately 11 acres near the eastern intersection of SR-9 and Soper Hill Road. The proposal would change the land use designation and zoning on seven parcels in the northeastern corner of the project area to Commercial (Commercial District) from High Density Residential (Multifamily Residential and High Urban Residential) and Medium-Density Residential (Suburban Residential). The request would also change the land use designation and zoning on a single parcel in the southeastern corner of the project area from Mixed-Use (Mixed-Use) to Local Commercial (Local Business). The city is recommending the second proposed land use and zoning change be extended to the adjacent parcel to the east.</p> <p>The applicant has provided a Comprehensive Plan Criteria Narrative (Exhibit a)</p>	
<b>Applicant:</b> Walter Kjorsvik	<b>Property Location(s):</b> Eastern intersection of SR-9 & Soper Hill Road (approximately 11 acres)
<b>Existing Land Use Designation</b>	<b>Proposed Land Use Designation</b>
Segment 1 - High Density Residential and Medium-Density Residential	Commercial
Segment 2 – Mixed-Use	Local Commercial

FACTORS TO CONSIDER FOR REVIEWING MAP AMENDMENTS (Comprehensive Plan Chapter 1 – page 1-25)
<p>1. How is the proposed land use designation supported by or consistent with the existing policies of the various elements of the Comprehensive Plan? If it is not, the development should demonstrate how the change is in the best long-term interest of the City.</p>
<p><b>Discussion:</b> The proposal is for a minor land use map change and complies goals and policies:</p> <p><u>Vision Goals</u></p> <p>VG-3 The community will focus its economic development activity in the Hartford Road Industrial Area, three Community growth centers and small neighborhood service centers.</p> <p>VG-5 The city of Lake Stevens will encourage the development of the local economy by: providing a predictable development atmosphere; emphasizing diversity in the range of goods and services; encouraging non-consumptive, sustainable level markets; and ensuring that as the economy changes employment opportunities are balanced with a range of housing opportunities.</p> <p><u>Land Use Element</u></p> <p>Goal 4.1 Ensure that land uses optimize economic benefit and the enjoyment and protection of natural resources while minimizing the threat to health, safety and welfare;</p>

Goal 4.3 Economic development: attain the highest level of economic well-being possible for all citizens in Lake Stevens through the achievement of a stable and diversified economy offering a wide variety of employment opportunities;

Goal 4.4 Neighborhood conservation: achieve a well balanced and well organized combination of open space, commercial, industrial, recreation and public uses served by a convenient and efficient transportation network while protecting the fabric and character of residential neighborhoods; and

Goal 4.20 Promote neighborhood commercial uses in appropriate places.

Goal 4.22 Apply commercial land use designations to prevent strip or "leap-frog" commercial development.

Policy 4.22.1 discourage strip development and encourage nodal development through adoption of zoning designations, specific design guidelines and development regulations.

Goal 4.40 design and build a healthy community to improve the quality of life for all people who live, work, learn, and play within the city.

Economic Development Element:

Goal 9.3: Provide a predictable development atmosphere, emphasize diversity of goods and services available, and ensure employment opportunities are balanced with a range of housing opportunities.

Policy 9.3.1 provide opportunities to achieve a jobs/housing balance that encourages and advances smart growth goals including financial stability, environmental integrity, and a healthy community.

Policy 9.3.2 develop strategies and techniques to adjust the balance at an appropriate rate that the regional market can absorb.

Goal 9.5: improve the city's economic condition for a healthy, vibrant and sustainable community.

2. How does the proposed land use designation promote a more desirable land use pattern for the community? If so, a detailed description of the qualities of the proposed land use designation that make the land use pattern for the community more desirable should be provided to enable the Planning Commission and City Council to find that the proposed land use designation is in the community's best interest.

**Discussion:**

The proposal would create commercial nodes consistent with goals and policies found in the Economic Development and Land Use elements of the Comprehensive Plan to help the city achieve its financial goals for increased employment and retail opportunities.

3. What impacts would the proposed change of land use designation have on the current use of other properties in the vicinity, and what measures should be taken to ensure compatibility with the uses of other properties in the vicinity?

**Discussion:** The traffic report for this proposal indicated a potential to effect the level of service in the area.

The property will take access through an existing commercial development and will appear as a continuation of that development. Future development will be subject to rules in effect to ensure consistency with neighboring properties. The city has reviewed the traffic fee report and concluded the traffic generated from potential uses with the proposed zoning will require onsite and offsite improvements to ensure concurrency not previously identified in the capital facilities plan. The Public Works Director issued a memorandum on August 15, 2014 that analyzed potential traffic impacts and provided recommendations for improvements. The SEPA official incorporated these recommendations into the Mitigated Determination of Non-Significance as conditions.

4. Comments received from affected property owners and residents.

**Discussion:** Neighbors in the vicinity voiced concerns related to traffic impacts and the current condition of Soper Hill at the ratification hearing. This individual also indicated a preference for high-quality-development.

<p><b>GRANTING OR DENIAL OF AMENDMENTS</b> (Comprehensive Plan Chapter 1– page 1-26) <i>For both city and privately-initiated amendments, the city shall take into consideration, but is not limited to, the following factors when considering approval of a proposed amendment to the Comprehensive Plan:</i></p>	
<p><b>1. The effect upon the physical, natural, economic, and/or social environments.</b></p>	
<p><b>Discussion:</b> Redesignation of the 11 acres would have no immediate effect upon the physical, natural, economic and/or social environments as a non-project action. Future development will be subject to rules in effect to ensure consistency with neighboring properties.</p>	
<p><b>2. The compatibility with and impact on adjacent land uses and surrounding neighborhoods including whether the amendment would create pressure to change the land use designation of other properties in the vicinity.</b></p>	
<p><b>Discussion:</b> Redesignation of the parcels to Commercial and Local Commercial is consistent with the parcels to the north, west, south and east and will therefore be compatible with adjacent and surrounding land uses and neighborhoods. The property north of the site are vacant or planned for industrial development. The properties to the northeast are vacant; while adjacent properties to the south and southeast contain existing residential neighborhoods near Soper Hill Road. The area to the west is a state highway (SR-9).</p>	
<p><b>3. The adequacy of and impact on public facilities and services, including utilities, roads, public transportation, parks, recreation, and schools.</b></p>	
<p><b>Discussion:</b> The parcel is located in an area without existing public facilities including sewer and adequate traffic infrastructure. Essential infrastructure would be required to be extended and constructed and in place to ensure concurrency at the time of development.</p>	
<p><b>4. The quantity and location of land planned for the proposed land use type and density.</b></p>	
<p><b>Discussion:</b> The parcel proposed for redesignation is 11-acres and will not affect citywide land use and density for commercial uses significantly. Currently, approximately four percent of the city is dedicated to commercial use.</p>	
<p><b>5. The effect, if any, upon other aspects of the Comprehensive Plan.</b></p>	
<p><b>Discussion:</b> Redesignation of the parcel will have no other effects on the Comprehensive Plan. The proposal will result in a slight alteration to the commercial and residential land use supply as described in Tables 4.0a and 4.0b. This table will be updated as part of the 2015 Comprehensive Plan.</p>	

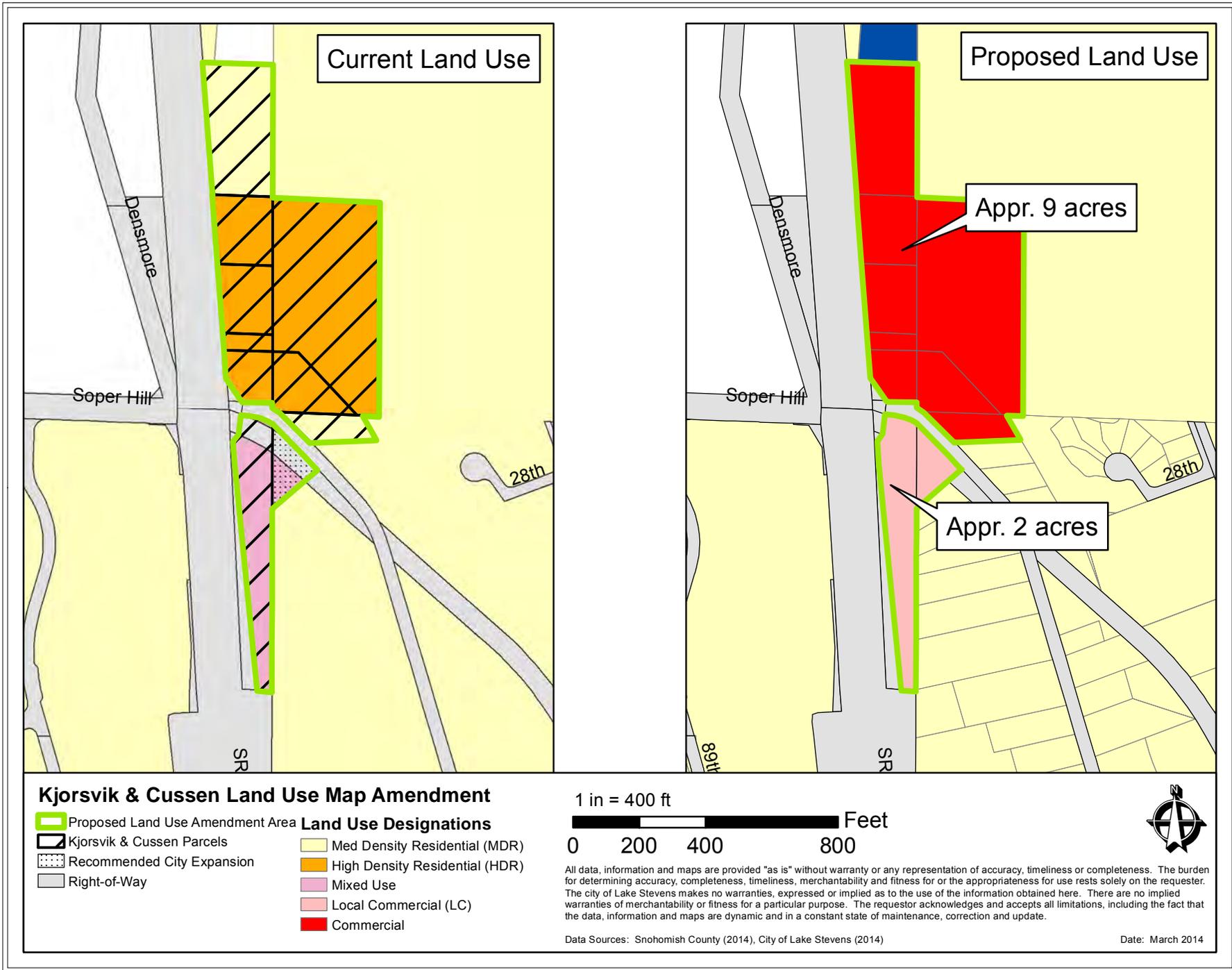
AMENDMENT CRITERIA (Comprehensive Plan Chapter 1– pages 1-26 and 1-27) <i>The city may amend the Comprehensive Plan <u>only if</u> it finds the amendment meets all of the following:</i>	Yes	No
<p><b>1. The amendment must be consistent with the Growth Management Act and other applicable State laws.</b></p>	X	
<p><b>Discussion:</b> The application was received as part of the annual docket cycle and has been submitted to the Department of Commerce for review.</p>		
<p><b>2. The amendment must be consistent with the applicable Countywide Planning Policies.</b></p>	X	
<p><b>Discussion:</b> The proposal does not affect Countywide Planning Policies</p>		
<p><b>3. The amendment must not be in conflict with the Community Vision or other goals, policies, and provisions of the Comprehensive Plan.</b></p>	X	

<b>Discussion:</b> The proposal supports many goals and policies of the Comprehensive Plan as addressed earlier.		
<b>4. The amendment can be accommodated by all applicable public services and facilities, including transportation.</b>	X	
<b>Discussion:</b> The parcels will extend public services and utilities at the time of development.		
<b>5. The amendment will change the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses, businesses or residents.</b>	X	
<b>Discussion:</b> The proposal will provide a neighborhood-shopping node with access to a collector and arterial, provide opportunities for small employers and provide a benefit to adjacent residential neighborhoods. Any future development will need to meet citywide concurrency standards and development regulations to protect critical areas. Future development will likely be subject to project specific SEPA review as well.		
<b>6. The amendment will result in long-term benefits to the community as a whole, and is in the best interest of the community.</b>	X	
<b>Discussion:</b> The proposal supports many goals and policies of the Comprehensive Plan as addressed earlier, specifically economic development and land use goals to achieve additional retail and job opportunities balanced with housing.		

Staff recommends this proposal be  X  GRANTED or \_\_\_\_\_ DENIED based on the criteria in the Comprehensive Plan and LSMC.

The Planning Commission recommends this proposal be \_\_\_ GRANTED or \_\_\_\_\_ DENIED based on the criteria in the Comprehensive Plan and LSMC.

The City Council \_\_\_\_\_ GRANTS or \_\_\_\_\_ DENIES this proposal based on the criteria in the Comprehensive Plan and LSMC.



Current Land Use

Proposed Land Use

Appr. 9 acres

Appr. 2 acres

**Kjorsvik & Cussen Land Use Map Amendment**

- |                                  |                                |
|----------------------------------|--------------------------------|
| Proposed Land Use Amendment Area | <b>Land Use Designations</b>   |
| Kjorsvik & Cussen Parcels        | Med Density Residential (MDR)  |
| Recommended City Expansion       | High Density Residential (HDR) |
| Right-of-Way                     | Mixed Use                      |
|                                  | Local Commercial (LC)          |
|                                  | Commercial                     |

1 in = 400 ft  
  
 Feet



All data, information and maps are provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The city of Lake Stevens makes no warranties, expressed or implied as to the use of the information obtained here. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts all limitations, including the fact that the data, information and maps are dynamic and in a constant state of maintenance, correction and update.

Data Sources: Snohomish County (2014), City of Lake Stevens (2014)

Date: March 2014

July 24, 2014

City of Lake Stevens  
Attn: Mr. Russ Wright  
P.O. Box 257  
Lake Stevens, WA 98258-0257

RE: LUA 2014-0009/0010  
Kjorsvik, Jenkins, Nelson, Taff  
Comprehensive Plan Analysis

Dear Mr. Wright:

In the following paragraphs we will describe how the proposed comprehensive plan amendment conforms with the criteria for amendment as outlined in comments dated July 3, 2014.

**How is the proposed land use designation supported by or consistent with the existing policies of the various elements of the Comprehensive Plan? If it is not, the development should demonstrate how the change is in the best long-term interest of the city.**

Our analysis of the applicable comprehensive plan identified the following goals and policies that should be applied to the instant request. The proposed re-designation and rezoning of the subject site will implement all of the following goals and policies of the comprehensive plan and the County Wide Planning Policies.

Policy 3.1.2 Undertake actions, such as revising the zoning map, to promote residential development at a density that will allow pedestrian access to commercial areas, employment, public transportation routes, schools, and park or recreational areas.

Policy UG-8 Ensure UGAs provide sufficient density, developable land, public facilities and public services to accommodate most of the projected population and employment growth. In addition, the density should be adequate, according to recent studies, to support transit services and the efficient utilization of infrastructure.

Policy OD-8 Encourage land use, economic and housing policies that co-locate jobs and housing to optimize use of existing and planned transportation systems and capital facilities.

Goal 4.1 Ensure that land uses optimize economic benefit and the enjoyment and protection of natural resources while minimizing the threat to health, safety and welfare.

Goal 4.3 Economic Development: attain the highest level of economic well-being possible for all citizens in Lake Stevens through the achievement of a stable and diversified economy offering a wide variety of employment opportunities.

Goal 4.4 Neighborhood conservation: Achieve a well balanced and well organized combination of open space, commercial, industrial, recreation and public uses served by a convenient and efficient transportation network which protecting the fabric and character of residential neighborhoods.

Policy 4.16.3 Promote economic development that is compatible with the character of Lake Stevens.

Policy 4.30.5 Encourage small-scale neighborhood compatible, commercial uses to be distributed throughout the community, thus reducing the need to drive to the nearest "big box" retailer to pick up day-to-day convenience items. It also provides the opportunity for pedestrian access to stores along with the health and social benefits related to pedestrian activity.

The comprehensive plan identifies the shortage of small neighborhood service centers within the city limits, and identifies two areas on the northwest side of Lake Stevens, which are certainly not within walking distance of the subject site and the surrounding residential developments which currently provide those services. The plan is largely silent with regard to criteria for siting of neighborhood service centers, such as the instant proposal. However, when considering the obvious criteria that would be expected, the subject site easily complies. The site is located at a significant intersection; in this case Soper Hill Road and SR-9. It is largely unencumbered by critical areas and other sensitive features, it has a surrounding housing inventory of adequate size to warrant the commercial service center, the expected traffic generated by those units are not projected to send any arterial unit into arrears, and adequate public services exist to support the proposed use.

**How does the proposed land use designation promote a more desirable land use pattern for the community? If so a detailed description of the qualities of the proposed land use designation that make the land use pattern for the community more desirable should be provided to enable the Planning Commission and City Council to find that the proposed land use designation is in the community's best interest.**

A concentration of high density, apartment style housing at the northern/northwestern limits of the city, in an area that does not contain urban support services, is not the in the best interest of the community. This area of the city is largely characterized by single-family detached housing on small or suburban sized lots. Additionally, the area includes large undeveloped/underdeveloped tracts. Some limited amounts of attached single family housing product has been established west of the subject site, but the general character is unequivocally single family detached in nature.

The fact that the subject site is located at an important intersection (SR-9 and Soper Hill Road) also lends itself nicely to the proposed Commercial/Local Commercial designation

and Local Business zoning. The provision of commercial retail and service businesses at this logical hub location, will provide a much needed neighborhood service commercial site in an area that is infilling with single-family homes. Providing a walkable, commercial location also serves the public and the community, by reducing the number of vehicle trips that would be necessary in order to frequent businesses located further away within the city. This is especially important considering the fact that the subject site and the surrounding residential areas are not serviced by public transit. Residents in the area have no choice, under the current comprehensive plan designation and zoning but to use a car to travel to commercial services within the city.

Nearly 60% of the city is currently zoned for either high density or single-family residential use. While less than 0.2% of the city limits include property zoned Local Commercial. The subject site is ideally suited for a commercial land use that is both low in land consumption and includes lower traffic volume businesses and services. These numbers also reflect raw land area rather than buildable lands within these designations. The Buildable Lands Analysis completed in 2007 identified a deficit in the amount of acreage designated for employment within the city, while housing acreage was in surplus. Clearly, it is within the interest of the city and its citizens to approve the requested comprehensive plan amendment and rezone the subject eleven acres to allow for commercial business opportunity in an area already more than adequately supplied with land suitable for housing stock. This request will be a positive step towards the goal identified in the comprehensive plan to increase the number of employment opportunities within the city. This is critically important since the city of Lake Stevens has one of the lowest job to household ratios in Snohomish County.

**What impacts would the proposed change of land use designation have on the current use of other properties in the vicinity, and what measures should be taken to ensure compatibility with the uses of other properties in the vicinity?**

Impacts associated with the proposed comprehensive plan amendment and rezone are generally limited to traffic and land use. This area of the city is primarily undeveloped or is built out with single-family residential units. It is located at a moderate volume intersection with SR-9 and is a logical location for commercial land uses. Providing commercial services for this growing residential area will provide a walkable alternative to the existing commercial areas further south in the city, which would necessitate vehicular travel. It will, however, clearly draw vehicular trips to this location.

Changing the land use designation from medium and high density residential to commercial/local commercial will alter the projected vehicle trip generation for this area. The applicant has prepared a traffic study, in an effort to project the effect of those changes. This study, authored by Gibson Traffic Consultants, is incorporated herein by reference. In short, the proposed comprehensive plan amendment and rezone will result in approximately three times the amount of traffic expected under the current land use designation. The traffic study analyzed this increase in total number of trips and also PM peak hour trips and found that nearby intersections will remain at an acceptable level of service (LOS), including the increased trips. At the time a specific development application

is proposed, the applicant will be required to make both constructed improvements to the existing transportation system, through the construction of appropriate accesses throughout the site and frontage improvements, but also will be required to make fee payments to the city to mitigate the increased trip generation resulting from the development.

Additionally, the nearby properties developed with single-family homes will be affected by the development of the subject site as a commercial use. However, existing standards contained within municipal code relating to land use restrictions, setbacks, screening requirements, parking requirement, etc. provide sufficient and appropriate mitigation for the change in land use proposed herein. No additional measures should be required, when existing codes anticipate and respond with regulatory controls, as is the instant case.

### **Comments received from affected property owners and residents.**

Public comments have been received by the city raising concerns related to the location of access into the subject site from SR-9, roundabouts, limited use of cul-de-sacs, parking, and use restriction. All of these comments relate to a future, specific land use proposal should the requested comprehensive plan amendment and rezone be approved. Any development of the subject property will be required to comply fully with the applicable standards and regulations of the City and the State.

Comments made during the Planning Commission hearing included the following items: use restrictions, appropriateness of the Commercial designation in the Soper Hill area, aesthetics, and safety. As described above, existing municipal regulations provide adequate controls to protect public health, safety and welfare, including traffic circulation and safety, landscaping/screening requirements, design standards and use restrictions.

Approval of the instant request will create a new commercial node at the Soper Hill/SR-9 intersection and will provide a coordinated planning response to the fact that the city of Marysville has already designated the area west of SR-9 for commercial land use. This allows the city of Lake Stevens to benefit from increased tax base associated with new commercial businesses within the city and regulate the design and construction of such improvements to meet the character and standards of the city of Lake Stevens.

We hope this comprehensive resubmittal package meets with staff approval. If any further information is needed or desired, please feel free to contact the applicant, Mr. Walter Kjorsvik at 206-406-1213.

Sincerely,



Angela Larsh,  
Principal Planner



## MITIGATED DETERMINATION OF NON-SIGNIFICANCE

### **Proposal: Kjorsvik Comprehensive Plan Amendment and Rezone – LUA2014-0009 and LUA2014-0010**

**Description of Proposal:** The applicant has applied for a comprehensive plan designation change and concurrent rezone of approximately 11 acres near the eastern intersection of SR-9 and Soper Hill Road. The proposal would change the land use designation and zoning on seven parcels in the northeastern corner of the project area to Commercial (Commercial District) from High Density Residential (Multifamily Residential and High Urban Residential) and Medium-Density Residential (Suburban Residential) and change the land use designation and zoning on a single parcel in the southeastern corner of the project area from Mixed-Use (Mixed-Use) to Local Commercial (Local Business). The city is recommending the second proposed zoning change be extended to the adjacent parcel to the east. The proponent has submitted a project narrative, environmental checklist and traffic report in support of the proposed changes.

The vacant properties directly to the north are zoned General Industrial Development Agreement and High Urban Residential. The vacant properties to the east are zoned High Urban Residential. The developed properties to the south are zoned Urban Residential and Suburban Residential. Highway SR-9 abuts the properties to the west. Future access to the site would be off Soper Hill Road via a new road.

Future development under the proposed land use and zoning would add 2,303 additional daily trips and 188 PM peak-hour trips. The proposed changes could support nearly 90,000 square of new commercial development. The city has not modeled traffic improvements for this area under its current capital facilities plan or street network. The applicant will need to analyze local roadway impacts in depth at the time of development to ensure concurrency standards can be met. Future access and circulation will need to address impacts to SR-9 and Soper Hill Road, access to the proposed commercial areas, circulation along Soper Hill Road, and impacts to the intersection of Soper Hill Road and Lake Drive. The city will review all site-specific impacts related to the land use and zoning changes at the time of development.

**Project Location:** Intersection of SR-9 and Soper Hill Road, Lake Stevens, WA 98258 (Portions of Section 1 and 12 Township 29, Range 5E)

**Proponent:** Walter Kjorsvik

**Lead Agency:** City of Lake Stevens

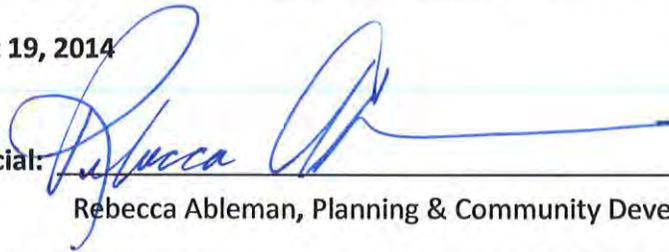
**Threshold Determination:** The City of Lake Stevens, acting as lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This MDNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of issuance.

**Mitigation Measures:**

1. The proponent or successor must analyze local roadway impacts related to future development under the proposed land use designations and zoning to ensure concurrency standards can be met and consider the following issues and potential solutions as part of their analysis:
  - a. Analyze intersection of SR-9 and Soper Hill.
  - b. Propose alignment for new local collector road north of Soper Hill for access to the commercial development with a roundabout intersection connecting to Soper Hill placed as far to the east of SR-9 as possible. The new public road should terminate at the end of the property along its eastern property line.
  - c. Analyze intersection of Soper Hill Road and Lake Drive to ensure concurrency standards can be met. Recommend including a mini-roundabout at this location.
  - d. Analyze southern leg of Soper Hill for impacts to existing residential area. Future improvements should consider limiting northbound access to roundabout to one-way entrance. The southern section of Soper Hill Road may remain a two-way street for residential traffic provided a turnaround at the north end of this section is provided. Upon completion of a future connecting road between the northern ends of Soper Hill Road and Lake Drive, Soper Hill may become a permanent northbound one-way road.

**Issuance Date: August 19, 2014**

**SEPA Responsible Official:**



Rebecca Ableman, Planning & Community Development Director

**Contact Person:** Russ Wright, Senior Planner

**Phone:** 425-212-3315

**Comments on the Threshold Determination:** Interested parties may comment on this Threshold Determination, by submitting written comments to the Responsible Official at the address below by **September 2, 2014**. The Responsible Official may incorporate any substantial comments into the MDNS. If the MDNS is substantially modified, it will be reissued for further public review.

**Appeals:** Parties of Record may appeal this Mitigated Determination of Non-Significance by submitting an appeal to City of Lake Stevens, P.O. Box 257, Lake Stevens, WA 98258, Attn: Planning and Community Development no later than 5:00 PM, **September 2, 2014**. The appeal must be in writing, contain a concise statement of the matter being appealed and the basic rationale for the appeal. A fee is required per the City's Fee Resolution. Please note that failure to file a timely and complete appeal shall constitute a waiver of all rights to an administrative appeal under City code.



**Type VI Decision**  
**Area-wide Rezone**  
**Planning and Community Development**

August 29, 2014

Kjorsvik Rezone

LUA2014-0010

**A. PROJECT DESCRIPTION AND REQUEST**

The applicant has applied for a comprehensive plan designation change and concurrent rezone of approximately 11 acres near the eastern intersection of SR-9 and Soper Hill Road. The proposal would change the land use designation and zoning on seven parcels in the northeastern corner of the project area to Commercial (Commercial District) from High Density Residential (Multifamily Residential and High Urban Residential) and Medium-Density Residential (Suburban Residential). The request would also change the land use designation and zoning on a single parcel in the southeastern corner of the project area from Mixed-Use (Mixed-Use) to Local Commercial (Local Business). The city is recommending the second proposed land use and zoning change be extended to the adjacent parcel to the east.

**B. GENERAL INFORMATION**

1. Date of Application: January 30, 2014
2. Determination of Completion: January 30, 2014 (letter sent April 7, 2014)
3. Property Location: Eastern intersection of SR-9 & Soper Hill Road
4. Total Area of Project: Approximately 11 acres
5. Applicant / Contact: Walter Kjorsvik / Harry Cussen
6. Owners:
  - Jenkins (Parcel No. 00590700030401, 00590700032001, 00590700032000, 29050100401100, 00590700032002 and 29050100401300)
  - Kjorsvik (Parcel No. 29051200200600)
  - Nelson (Parcel No. 00604900000804)
  - Taff (Parcel No. 00604900000706)
7. Comprehensive plan land use designation, zoning designation and existing uses of the site and surrounding area:

AREA	LAND USE DESIGNATION	ZONING	EXISTING USE
Project Site	Medium Density Residential	Suburban Residential	Undeveloped
North of Site	Snohomish County	Snohomish County	Undeveloped
South of Site	Medium Density Residential	Urban Residential	Undeveloped
East of Site	Snohomish County	Snohomish County	Undeveloped
West of Site	Medium Density Residential	Suburban Residential	Undeveloped

8. Public Utilities and Services Available In The Area

Water:	Snohomish County PUD	Gas:	Puget Sound Energy
Sewer:	Lake Stevens Sewer District	Cable TV:	Comcast
Garbage:	Allied Waste or Waste Mgmt	Police:	City of Lake Stevens
Storm Water:	City of Lake Stevens	Fire:	Lake Stevens Fire District
Telephone:	Verizon	School:	Lake Stevens School Dist.
Electricity:	Snohomish County PUD	Hospital:	Providence Hospital

C. ANALYSIS<sup>1</sup>

1. Application Process

- a. Walt Kjorsvik submitted a rezone application (**Exhibit 1**) on January 30, 2014, a Type IV permit, per Chapter 14.16B LSMC, Part IV. The hearing examiner provides recommendations for Type IV permits.
- b. The applicant submitted a written request to expand the area of the comprehensive plan map change and concurrent rezone on March 7, 2014 (**Exhibit 2**). The request included approvals from affected property owners.
- c. The city issued a Determination of Completeness on April 7, 2014 (**Exhibit 3**).
- d. The applicant submitted revised application materials on July 29, 2014 including a rezone narrative (**Exhibit 4**).
- e. The applicant submitted an email clarifying their preferred zoning to address discrepancies included in revised materials (**Exhibit 5**).
- f. The city determined that the revised application constituted an area wide rezone because it now dealt with multiple properties and owners. Area wide rezones are Type VI applications subject to a recommendation from the Planning Commission to City Council, per Chapter 14.16B LSMC, Part VI.<sup>2</sup>

**CONCLUSION: The application meets the procedural requirements for Type VI applications established in Title 14 of the LSMC.**

2. Notices<sup>3</sup>

- a. Notice of Application: August 19, 2014 (**Exhibit 6a**)
- b. SEPA Notification: August 19, 2014 (**Exhibit 6a**)
- c. Notice of Public Hearing: 8/19/14 & 8/26/14 (**Exhibit 6b**)

<sup>1</sup> Project analysis is based on review of current materials applicable to the project.

<sup>2</sup> The rezone application (LUA 2014-0010) associated with the RM-2 Map amendment (LUA2014-0009) is considered a minor, area-wide rezone because the proposed changes involve different property owners, changes across rights-of-way, and changes to more than one land use designation. LUA 2014-0010 rezone will be reviewed as a Type VI application and will be reviewed concurrently with the comprehensive plan map amendment and include a public hearing in front of the Planning Commission who will recommend approval to the City Council. Final approval will be by ordinance following a Public Hearing

<sup>3</sup> Public notice includes a combination of posting, publication and mailing pursuant to the requirements of Lake Stevens Municipal Code 14.16A.225 and LSMC 14.16B.630.

**CONCLUSION: The city has met the noticing requirements for Type VI applications established in Chapter 14.16B LSMC, Part VI.**

3. Comprehensive Plan, Zoning, and Uses:

- a. The existing and proposed comprehensive plan designations and zoning districts are identified in the following table. Existing and proposed zoning illustrated in **Exhibit 7a** (rezone map).

Existing Land Use Designation	Proposed Land Use Designation
Segment 1 - High Density Residential and Medium-Density Residential	Commercial
Segment 2 - Mixed-Use	Local Commercial
Existing Zoning District	Proposed Zoning District
Segment 1 - High Urban Residential, Multifamily Residential and Suburban Residential	Commercial District
Segment 2 - Mixed-Use	Local Business

- b. The adjacent zoning districts and associated uses are identified in the following table. Adjacent zoning districts are illustrated in **Exhibit 7b** (adjacent zoning map).

Adjacent Zoning Districts		Current Use
North	General Industrial Development Agreement & High Urban Residential	Vacant GI has pending approval for a storage unit
South	Urban Residential	Single-family along Soper Hill Road
East	Urban Residential Suburban Residential High Urban Residential	Single-family along both sides of Soper Hill Road Vacant School District abutting site in northern segment
West	SR-9	Public ROW, city of Marysville (across highway) and power line easements (across highway)

c. Zoning Analysis

The Commercial District replaced the Subregional Commercial Designation with the adoption of the Subarea Plans in September 2012. This designation has been adopted into Chapter 14.36 LSMC, but not into chapters 14.40 (Permissible Uses) and 14.48; (Density and Dimensional Regulations). Chapter 14.38 LSMC contains the applicable development regulations for the Commercial District zone.

LSMC 14.36.020(i) states, “the Commercial District (CD) is designed to accommodate the high intensity retail needs of the community and regional market by attracting a mix of large to small format retail stores and restaurants to create a vibrant and unified regional shopping center. Transportation accessibility, exposure to highways and arterials with adequate public services and traffic capacity characterize this district.”

The southern properties are currently subject to a Development Agreement tied to the Mixed-Use Designation. Upon approval of the proposed rezone to Local Business,

the Development Agreement will no longer be applicable to the proposed development as written. Chapters 14.40 and 14.48 contain the applicable development regulations for the Local Business zone.

LSMC 14.36.020(d) states, "The Local Business (LB) zone is designed to accommodate commercial development generally similar to the types permissible in a Central Business District, except that it is intended that this zone be placed along arterials to cater to commuters, or as a transition in some areas between a higher intensity zone (e.g., commercial, industrial, etc.) and a lower intensity zone (e.g., residential, park, etc.), or may provide for a smaller scale shopping center that primarily serves one neighborhood or area of the City (as opposed to a sub-regional or regional shopping center)."

d. Vision Goals

VG-3 The community will focus its economic development activity in the Hartford Road Industrial Area, three Community growth centers and small neighborhood service centers.

VG-5 The city of Lake Stevens will encourage the development of the local economy by: providing a predictable development atmosphere; emphasizing diversity in the range of goods and services; encouraging non-consumptive, sustainable level markets; and ensuring that as the economy changes employment opportunities are balanced with a range of housing opportunities.

- e. Land Use Element: The Land Use Element includes goals and policies that support managed growth when public facilities and services are available; protection of natural resources; accommodate growth that enhances the city's character; achieve a diverse array of housing opportunities; and provide a healthy community to live, work, learn, and play.

In 2010, the City completed an Economic Development Strategy. The main findings suggested residents were spending retail dollars outside the City and leaving the City to work (Land Use Element Page 4-30).

A list of some applicable sections and goals from the Land Use Element are listed below.

Goal 4.1 Ensure that land uses optimize economic benefit and the enjoyment and protection of natural resources while minimizing the threat to health, safety and welfare;

Goal 4.3 Economic development: attain the highest level of economic well-being possible for all citizens in Lake Stevens through the achievement of a stable and diversified economy offering a wide variety of employment opportunities;

Goal 4.4 Neighborhood conservation: achieve a well balanced and well organized combination of open space, commercial, industrial, recreation and public uses served by a convenient and efficient transportation network while protecting the fabric and character of residential neighborhoods; and

Subsection 2. Downtown/Local Commercial – Allows medium to high intensity commercial uses, including the Central Business District and other dense arrangements of professional offices and retail stores. This designation allows mixed-use development. This land use designation may be placed on lands between Sub-Regional Commercial and residential areas to act as a

buffer. Also allows limited public/semi-public, community, and recreational uses (Land Use Element Page 4-35).

Subsection 5. Commercial District – The Commercial District allows for high-intensity commercial and employment with some mixed-use. Principal uses include community and regional retail centers, offices, business parks, civic, cultural, recreational, and associated uses. Multi-family residential uses could be included above or behind commercial uses. This land use designation should be located in areas with direct access to highways and arterials in addition to transit facilities, adequate public services and traffic capacity (Land Use Element Page 4-37).

Goal 4.20 Promote neighborhood commercial uses in appropriate places.

Goal 4.22 Apply commercial land use designations to prevent strip or "leap-frog" commercial development.

Policy 4.22.1 discourage strip development and encourage nodal development through adoption of zoning designations, specific design guidelines and development regulations.

Goal 4.40 design and build a healthy community to improve the quality of life for all people who live, work, learn, and play within the city.

- f. Economic Development Element: The Economic Development Element includes goals and policies that support diversifying the local economy and creating a balanced job to housing ratio. A list of some applicable sections and goals from the Economic Development Element are listed below.

Goal 9.3: Provide a predictable development atmosphere, emphasize diversity of goods and services available, and ensure employment opportunities are balanced with a range of housing opportunities.

Policy 9.3.1 provide opportunities to achieve a jobs/housing balance that encourages and advances smart growth goals including financial stability, environmental integrity, and a healthy community.

Policy 9.3.2 develop strategies and techniques to adjust the balance at an appropriate rate that the regional market can absorb.

Goal 9.5: improve the city's economic condition for a healthy, vibrant and sustainable community.

4. Rezone Criteria: Rezone Criteria is found in LSMC 14.16C.090. The applicant has provided a narrative responding to the specific criteria. A brief analysis will follow.
- a. If the concurrent rezone is approved, the proposal will be consistent with Comprehensive Land Use Map.
  - b. The rezone is consistent with the Growth Management Act as the city can establish its local zoning and has met public notice requirements.
  - c. The proposed rezone advances identified goals and policies of the Comprehensive Plan. At the time of development, any application will need to meet state and local regulations in effect and ensure concurrency standards are met.

Kjorsvik LUA2014-0010

- d. The city has an imbalance of commercial lands and has imbalance between jobs and housing. Currently, approximately four percent of the city is dedicated to commercial use. This proposal will help provide additional opportunities for small-scale commercial development.
- e. The site contains adequate area to develop and is configured at the intersection of an arterial and collector. At the time of development, any application will need to meet state and local regulations in effect and ensure concurrency standards are met.
- f. The proposal will not be materially detrimental to adjacent land uses as conditioned.
- g. As conditioned and in accordance with municipal standards there will be adequate infrastructure to develop the site under the proposed zoning.
- h. Environmental impacts can be mitigated.
- i. The proposal complies with municipal standards for a rezone application.
- j. The project is not within a designated subarea.

**CONCLUSION: The proposal as conditioned meets the rezone standards.**

5. Environmental Review:

- a. Critical Areas:
  - i. There are two Category III wetlands located on Parcel 29051200200600 in the southern segment of the request; and
  - ii. A Category II Wetland located offsite, east of the northern segment of the request.
- b. Shoreline Designation and Shoreline Uses: the properties are not located with the shoreline boundaries of Lake Stevens.
- c. Flood Zones: the properties are not located within the 100-year flood zone.
- d. The applicant submitted a revised environmental checklist on July 29, 2014 (**Exhibit 8a**). The environmental checklist provides a combined analysis of the comprehensive plan change and proposed rezone.
- e. The city issued a Mitigated Determination Non-Significance on August 19, 2014 (**Exhibit 8b**).
- f. Snohomish County Surface Water Provided a comment on August 21, 2014 (**Exhibit 8c**).

**CONCLUSION: The proposal as conditioned meets the SEPA standards identified in Chapter 16.04 LSMC and will not create significant environmental impacts. Development near identified critical areas will be subject to Chapter 14.88 LSMC.**

6. Traffic Impacts

- a. Chapter 14.112 LSMC establishes mitigation requirements for traffic impacts to Lake Stevens' roads from development.
- b. The property is located in Traffic Impact Zone 2.
- c. The applicant submitted a traffic report on July 29, 2014 (**Exhibit 9a**). The reports suggested potential uses with the proposed zoning could generate approximately

Kjorsvik LUA2014-0010

- 2,300 additional daily vehicle trips and 188 new pm peak hour trips at the time of development.
- d. The city has reviewed the traffic fee report and concluded the traffic generated from potential uses with the proposed zoning will require onsite and offsite improvements to ensure concurrency not previously identified in the capital facilities plan.
  - e. The Public Works Director issued a memorandum on August 15, 2014 that analyzed potential traffic impacts and provided recommendations for improvements (**Exhibit 9b**). The SEPA official incorporated these recommendations into the Mitigated Determination of Non-Significance as conditions.

**CONCLUSION: The proposal as conditioned meets the Traffic Impact standards at the time of development.**

#### **D. CONDITIONS**

The requested rezone (LUA2014-0010) is consistent with rezone criteria, applicable Comprehensive Plan Goals and Policies, permit processing procedures, and all other applicable municipal code requirements, subject to conditions noted below:

1. **Exhibit 7a** depicts the areas to be rezoned to Local Business and Commercial District, contingent on the Planning Commission and City Council approving the concurrent Comprehensive Land Use Map Amendment.
2. All future development within the rezoned area shall conform to the Mitigated Determination of Non-Significance, dated August 19, 2014 (**Exhibit 7b**).
3. All future development must comply with state and local regulations in effective at the time of application.
4. The Development Agreement will be abandoned or replaced subject to City Council approval.
5. The properties rezoned to Commercial District will be subject to the applicable development regulations in Chapter 14.38 (e.g., bulk regulations, land uses, design guidelines, etc.) subject to City Council approval.

#### **E. STAFF RECOMMENDATION**

Staff recommends that the Planning Commission forward a **RECOMMENDATION OF APPROVAL, SUBJECT TO THE CONDITIONS IN SECTION E**, to City Council.

CITY OF LAKE STEVENS, DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

#### **Recommendation Completed by**

Signed original on file

August 29, 2013

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Russell Wright, *Senior Planner*

Date

#### **F. EXHIBITS**

1. Application

Kjorsvik LUA2014-0010

2. Revised Application
3. Notice of Complete Application
4. Rezone Narrative
5. Email from H. Cussen
6. Notices
  - a. Notice of Application/ SEPA: August 19, 2014
  - b. Notice of Public Hearing: August 19, 2014 & August 26, 2014
7. Maps
  - a. Rezone Map
  - b. Adjacent Zones
8. Environmental Review
  - a. Revised Environmental Checklist
  - b. Mitigated Determination of Non-Significance
  - c. Snohomish County Comments
9. Traffic
  - a. Traffic Report
  - b. PW Director's Memo

**APPEALS:** The action of the City Council on a Type VI proposal may be appealed together with any SEPA threshold determination by filing a petition with the Growth Management Hearings Board pursuant to the requirements set forth in RCW [36.70A.290](#). The petition must be filed within the 60-day time period set forth in RCW [36.70A.290](#)(2). The appeal period shall commence upon the City Council's final decision and not upon expiration of the reconsideration period. Judicial appeal is to Snohomish County Superior Court.

Distributed to the Following Parties:

1. Jenkins, Kjorsvik, Nelson, Taff (owners)
2. M. Martin (interested party)
3. C. Stenstrom with Snohomish County (interested party)



**RECEIVED**  
JAN 30 2014  
CITY OF LAKE STEVENS

**Planning and Community Development**  
1812 Main Street, P O Box 257  
Lake Stevens WA 98258  
Phone Number (425) 377-3235

<b>To Be Completed By Staff</b>	
Date of Application:	<u>1-30-14</u>
Staff Initials:	<u>JN</u>
Permit Number:	<u>LVA 2014-0009 (comp plan)</u>

**TYPE IV, V AND VI - COUNCIL DECISIONS**  
**LAND USE DEVELOPMENT APPLICATION**

*LVA 2014-0010 (Rezone)*

CHECK ONE		
<p><b>TYPE IV – Quasi-judicial</b></p> <input type="checkbox"/> Essential Public Facility <input type="checkbox"/> Planned Neighborhood Development <input checked="" type="checkbox"/> Rezone – Site Specific Zoning Map Amendment <input type="checkbox"/> Secure Community Transition Facility <input type="checkbox"/> Type IV Other: _____	<p><b>TYPE V – Quasi-judicial</b></p> <input type="checkbox"/> Plat Alteration <input type="checkbox"/> Plat Vacation <input type="checkbox"/> Right-of-Way Vacation <input type="checkbox"/> Type V Other: _____	<p><b>TYPE VI – Legislative</b></p> <input checked="" type="checkbox"/> Comprehensive Plan Amendment, Map and Text <input type="checkbox"/> Land Use Code Amendment <input checked="" type="checkbox"/> Type VI Other: Minor _____
<p>ARE ANY LOWER LEVEL PERMITS REQUIRED? Yes <input type="checkbox"/> No <input type="checkbox"/> Describe: _____</p>		

<b>Property Information</b>	Site Address: Intersection of SR 9 & Soper Hill Road			
	Assessor Parcel No: 29051200200600	Area of property	Square Feet: 67,689	Acres: 1.55
	Land Use Designation: Vacant		Zoning: Mixed Use (MU)	
	Number of Buildings on Site/: None		Number to be Retained: N/A	
	Existing Impervious Surface Area: N/A		Proposed Impervious Surface Area: N/A	
	<b>Applicant</b>	Name/Company: Walter Kjorsvik		
Address: 1312 E. Lake Shore Dr.		City/State/Zip: Lake Stevens, WA 98258		
Phone: 206-406-1213		Applicants relationship to owner: Same		
Fax: N/A		Email: wkh.1@juno.com		
<b>Primary Contact</b>	Name/Company: Harry Cussen			
	Address: 1312 E. Lake Shore Dr.	City/State/Zip: Lake Stevens, WA 98258		
	Phone: 561-789-0055	Email: hcussen@aol.com		
	Fax: N/A			

<b>Property Owner</b>	Name/Company: Walter Kjorsvik				
	Address: 1312 E. Lake Shore Dr.		City/State/Zip: Lake Stevens, WA 98258		
	Phone: 206-406-1213		Email: wkh.1@juno.com		
	Fax: N/A				
<b>Project Description</b>	Grading Quantities	Cut: N/A		Fill: N/A	
	Proposed project/land use (attach additional sheets if necessary):				
	The entire project will be completed on a 1.55 acre site currently zoned Mixed Use (MU). The first phase of the project is to amend the Comprehensive Plan Land Use Designation				
	of the proposed site from Medium Density Residential (MDR) to Local Commercial (LC) through the docket process. The second phase is to rezone the proposed site from Mixed Use (MU) to Local Business (LB). The third phase will be to submit a permit application for the site development and construction of a service station/coffee shop/retail structure.				
<b>Building Information</b>	Gross Floor Area of Existing and Proposed Buildings: N/A				
	Bldg 1:	Bldg 2:	Bldg 3:	Bldg 4:	Bldg 5:
	Gross Floor Area by Use of Buildings (please describe use as well as floor area):				
	Use 1:				
	Use 2:				
	Use 3:				
	Use 4:				

**You may not begin any activity** based on this application until a decision, including the resolution of any appeal, has been made. Conditions or restrictions may be placed on your permit if it is approved. After the City has acted on your application, you will receive notice of the outcome. If an appeal is filed, you may not begin any work until the appeal is settled. You may also need approvals from other agencies; please check this before beginning any activity.

This application expires 180 days after the last date that additional information is requested (LSMC 14316A.245)

If you suspect that your site contains a stream or wetland or is adjacent to a lake, you may need a permit from the state or federal government.

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS APPLICATION IS TRUE, CORRECT AND COMPLETE.

  
Signature of Property Owner/Agent

30 JAN 2014  
Date of Application

By affixing my signature I certify that I am the legal owner of the property for which this application is issued or an authorized agent of the owner.



Planning and Community Development  
1812 Main Street, P O Box 257  
Lake Stevens WA 98258  
Phone Number (425) 377-3235

To be completed by staff

Date of Application: 1-30-14  
Staff Initials: UR  
Permit Number: LVA 2014-0009 (Comp Plan)  
LVA 2014-0010 (Rezone)

STATEMENT OF OWNERSHIP/APPLICANT AUTHORITY

I certify or declare under penalty of perjury under the laws of the state of Washington that:

1. This application is authorized by the all the land owners with authority to bind the land/property;
2. That the developer is operating under the landowner's authority;
3. That the developer and/or landowner is either an individual or a duly formed and qualified corporation, partnership, or other legal entity; and
4. That the person signing all applications or other legal documents is authorized by the legal entity and/or landowner to do so; and
5. That the application and submittals are true and correct to the best of my information.

Applicant

Signature:

Walter Korsvik

Name:

WALTER KORSVIK.

Address:

1312 E LAKE SHORE DR.  
LAKE STEVENS WA 98258.

Phone:

206-4061213.

Email address:

WKORSVIK@GMAIL.COM

Property Owner(s)

Signature:

Walter Korsvik

Name:

WALTER KORSVIK.

Address:

As Above.

Phone:

\_\_\_\_\_

Email address:

\_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email address: \_\_\_\_\_

Mr. Walt Kjorsvik  
1312 E Lake Shore Drive  
Lake Stevens, WA 98258

Mr. Harry Cussen  
5772 Vista Linda Lane  
Boca Raton, FL 33433

March 7, 2014

City of Lake Stevens  
1812 Main Street  
Lake Stevens, WA 98258  
Attn: Russell Wright, Senior Planner

Re: Application Number: LUA2014-009 and LUA2014-0010

Dear Mr. Wright and City Management:

We wish to modify our previously submitted application, application # LUA2014-0009 and LUA2014-0010, **attachment 1**, to amend the Comprehensive and Land Use Plan with a rezone. The above-mentioned application is currently listed on the city docket. We want to include Tax Parcel 005907-000-304-01, (Parcel 1), **attachment 2**, 5907 000 320 01 (Parcel 2), 00 5907 000 320 02 (Parcel 3), 00 5907 000 304 01 (Parcel 4), 290501-004-011-00, Parcel 5, and 290501-004-013-00, Parcel 6. In addition, we want to include Tax Parcel Number 006049-000-008-04 (2731 Soper Hill Road, Lake Stevens, WA) **attachment 3**.

We are requesting that the above Tax Parcel(s) be re-zoned to Commercial. The owner of Tax Parcel 005907-000-304-01, thru Parcel 6 is John Jenkins, Executor of the Melvin Paul Jenkins Estate. The owner of Tax Parcel 006049-000-008-04 is Duane Nelson.

In support of the city's approval criteria for Comprehensive Plan amendments, our goal is to work with the city to provide long-term development benefits for the community without creating adverse impacts to the properties, existing businesses and immediate residents'.

If you have additional questions, please contact Walt at 206-406-1213, or Harry at 561-368-7325. We look forward to your hearing from you.

Sincerely,



Walt Kjorsvik  
Property Owner/Developer



Harry Cussen  
Property Owner/Developer

cc: Rebecca Ableman, Planning Director  
Botesch, Nash & Hall Architects

Attachment(s): 1 – Copy of Application Dated January 30, 2014  
2 – Snohomish County Property Information 0059070003200  
3 – Snohomish County Property Information 00604900000804

LUA2014-0009  
LUA2014-0010  
**RECEIVED**  
MAR 12 2014  
CITY OF LAKE STEVENS

LUA2014-0009  
LUA2014-0010  
**RECEIVED**  
MAR 18 2014  
CITY OF LAKE STEVENS

John Jenkins 602 Golden Eagle Circle, Golden Colorado, 80401

City of Lake Stevens

112 Main Street

P.O. Box 257

Lake Stevens, WA 98258

Attention Mr. Russ Wright, Senior Planner

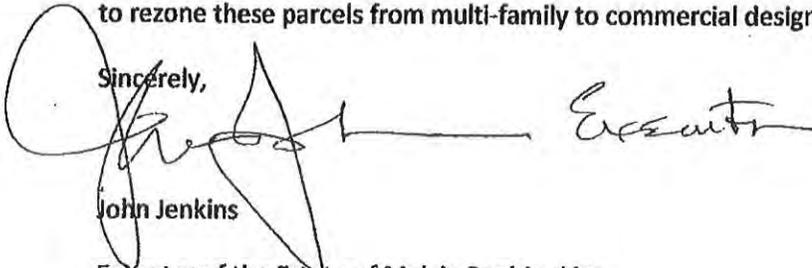
Subject: Kjorsvik Application for Rezone and Comprehensive Plan Amendment #LUA2014 and LUA2014-0010

Dear Mr. Wright,

As executor of the estate of my father, the late Melvin Paul Jenkins, I hereby agree that the subject application be amended to include the parcels outlined in Schedule A attached.

I understand that the application is in two parts; the change to the comprehensive plan and the request to rezone these parcels from multi-family to commercial designation.

Sincerely,

 *Essau*

John Jenkins

Executor of the Estate of Melvin Paul Jenkins

Shellie D Wilkerson  
3/11/2014

SHELLIE D WILKERSON  
Notary Public  
State of Colorado

My Commission Expires August 13, 2014

March 10, 2014

To: City of Lake Stevens  
112 Main Street  
P.O. Box 257  
Lake Stevens, WA 98258

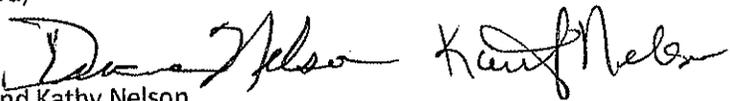
Attn: Mr. Russ Wright  
Senior Planner

Subject: Kjorsvik Application for Rezone and Comprehensive Plan Amendment  
#LUA202014 and LUA2014-0010

Dear Mr. Wright,

We, the owners of Tax #00604900000804, 2731 Soper Hill Road, Lake Stevens, hereby agree that the subject application be amended to include our property. We understand that the application is in 2 parts, the comprehensive plan change and the request to rezone this property from residential to commercial.

Thank you,

 3/10/14  
Duane and Kathy Nelson

**Planning & Community Development**City of Lake Stevens  
PO Box 257  
Lake Stevens, WA 98258

April 7, 2014

Walter Kjorsvik  
Harry Cussen  
1312 E. Lake Shore Drive  
Lake Stevens, WA 98258**Notice of Complete Application: K & C Rezone (LUA2014-0010) / Soper Hill & SR-92**

Dear Mr. Kjorsvik and Mr. Cussen:

This letter is to inform you that the city has deemed rezone request **LUA2014-0010**, received January 30, 2014, to be complete on the day of application. This determination of completeness means that the basic information needed to start the review has been submitted. However, the city may require additional or corrected information as we proceed to ensure the request meets city requirements.

Please note, as this application is directly tied to a concurrent rezone (LUA2014-0009), the city cannot take formal action on this application until the 2014 Comprehensive Plan Docket is set by City Council. Because, the city cannot take action yet, staff is placing this application on-hold and hereby notifies you that a decision will not occur within 120 days of receipt, as allowed pursuant to Lake Stevens Municipal Code 14.16A.230(d).

After the docket is set, the city will issue a Notice of Application and provide formal comments.

Feel free to contact me at 425-212-3315 or [rwright@lakestevenswa.gov](mailto:rwright@lakestevenswa.gov) if you have any questions.

Sincerely,

Russell Wright  
Senior PlannerCC: Melvin Jenkins (9023 Soper Hill Rd, Lake Stevens, WA 98258)  
John Jenkins (2230 S Monroe, Denver, CO 80210)  
Duane Nelson (2731 Soper Hill Rd, Lake Stevens, WA 98258)

July 24, 2014

City of Lake Stevens  
Attn: Mr. Russ Wright  
P.O. Box 257  
Lake Stevens, WA 98258-0257

RE: LUA 2014-0009/0010  
Kjorsvik, Jenkins, Nelson, Taff  
Rezone Analysis

Dear Mr. Wright:

In the following paragraphs we will describe how the proposed rezone to Local Business conforms with the criteria for amendment as outlined in comments dated July 3, 2014.

**1. The amendment complies with the Comprehensive Plan Land Use Map, policies, and provisions and adopted subarea plans;**

The instant rezone request has been made concurrently with a requested comprehensive plan amendment request. Together, this application clearly complies with the goals, policies and provisions of the Comprehensive Plan, County Wide Planning Policies and the Growth Management Act. The subject site is not located within a subarea planning area. Please see the attached letter, dated July 24, 2014 – Comprehensive Plan Analysis, for a detailed description of this proposals conformance with the adopted Comprehensive Plan.

**2. The amendment is in compliance with the Growth Management Act.**

A rezone that serves to implement an adopted Comprehensive Plan land use designation, is fully compliant with the Growth Management Act. The requested Local Business zoning district has been identified in the comprehensive plan as an implementing zone of the Commercial/Local Commercial land use designation. The city utilized the docketing process outlined within the Growth Management Act to allow for the proposed change to the comprehensive plan designation and the corresponding rezone action. Rezoning the subject site to Local Business zoning, an underrepresented zoning district within the city, provides an appropriate alternative for this area of the city. There remains a large and sufficient developable land supply of the existing zoning districts; primarily residential and mixed use districts. Conversion of this

eleven acres to Local Business will not have a substantial effect on housing supply within the city, while the addition of Local Business zoned property will have a positive effect on the community through the siting of much needed convenience commercial in an area well suited to such a land use, due to its size, relative lack of critical areas and proximity to arterial and state highway access.

**3. The amendment services to advance the public health, safety and welfare;**

A rezone that implements a comprehensive plan developed and adopted in conformance with the GMA is inherently serving to advance the public health, safety and welfare. Provision of a new area of Local Business zoning in at this hub intersection within the city will provide important and needed commercial business opportunity to service a growing residential area of the city. Locating a commercial district in this area provides a walkable, human scale commercial option in an area of the city that is not currently served by public transportation. A thoughtfully designed local business development in this area can serve as a gathering place and provide social benefits to this community. The proposed Local Business zoning will not create any resulting impact that is a hazard to the public health, safety and general welfare.

**4. The amendment is warranted because of changed circumstances, a mistake, or because of a need for additional property in the proposed zoning district;**

Currently, there is only one small area of local business zoning in the vicinity of the site, but it is not within walking distance of this area of the city. The recent growth of new residential development in this area and the commercial land use designation of property just west of the site, within the city of Marysville, constitutes both a changed circumstance and the need for additional property in the proposed zoning district. The buildable lands inventory, last completed in 2007, indicated that nearly 60% of the city is zoned for residential development of one sort or another, while less than 0.2% of the city is zoned for local business. Clearly, this limited amount of inventory warrants the proposed change. The market demand for new commercial lands in this area is growing. This fact also constitutes a changed circumstance since the comprehensive plan was last adopted in 2006.

**5. The subject property is suitable for development in general conformance with zoning standards under the proposed zoning district;**

The site is of adequate configuration and size to allow for conformance with the zoning standards of the Local Business designation. Critical areas encumber limited areas of the site, and the site has appropriate frontages to allow for access meeting the requirements of the city of Lake Stevens and the State

Department of Transportation. This site exactly meets the "purpose" language of the Local Business zone contained with LSMC 14.36.020 – Commercial Districts Established. "The Local Business (LB) zone is designed to accommodate commercial development generally similar to the types permissible in a Central Business District, except that it is intended that this zone be placed along arterials to cater to commuters, or as a transition in some areas between a higher intensity zone (e.g., commercial, industrial, etc.) and a lower intensity zone (e.g., residential, park, etc.), or may provide for a smaller scale shopping center that primarily serves one neighborhood or area of the City (as opposed to a sub-regional or regional shopping center). This site exactly complies with these standards. It is located between higher intensity and lower intensity zones, it is located on SR-9 and Soper Hill Road; roadways commonly utilized by commuters, and it is the intention of the applicant to develop the site with a small scale shopping center targeting the residents in the immediate vicinity of the site.

**6. The amendment will not be materially detrimental to uses or property in the immediate vicinity of the subject property;**

Development of the subject site with uses that are allowed within the Local Business zoning district will not pose a detrimental impact on the surrounding land uses and property. The types of businesses permitted in the Local Business zone are carefully regulated to be compatible with surrounding residential uses. Additionally, Lake Stevens Municipal Code includes a broad range of development standards and requirements specifically designed to mitigate the affect of changes in zoning and land use. In fact, the proposed rezone to Local Business will serve as an asset to the neighboring property and uses, by providing a walkable, small scale, neighborhood focused option for commercial services in this growing area of the city.

**7. Adequate public facilities and services are likely to be available to serve the development allowed by the proposed zone;**

The subject site can be serviced with public water and sanitary sewer. Adequate police, fire and EMS services are also available to support the proposal.

**8. The probable adverse environmental impacts of the types of development allowed by the proposed zone can be mitigated, taking into account all applicable regulations, or the unmitigated impacts are acceptable;**

Existing municipal code provides adequate provision to require mitigation for the impacts that are likely to be caused by the development of the subject site with a commercial land use. Municipal code regulates the land uses allowed within the Local Business zoning district, including height limitations, lot coverage, parking requirements, use restriction, landscaping/screen standards,

road and intersection standards, infrastructure improvement requirements/standards, traffic impact mitigation, critical area protections, storm water/water quality standards, building construction requirements, fire safety requirements, building setbacks, and many other likely impacts, that are well understood, related to commercial land development practices.

**9. The amendment complies with all other applicable criteria and standards in this title; and**

The instant proposal complies with all the applicable criteria and standards of LSMC 14.16C, as demonstrated by this analysis and the accompanying material in this resubmittal package.

- 10. If the proposal is located within an adopted subarea plan:**
- i. The rezone is to a zoning designation allowed within the applicable subarea; and**
  - ii. The rezone does not increase the established intensities adopted as part of the planned action ordinance or mitigates increased or additional impacts by supplementing, amending or adding the applicable planned action draft and final environmental impact statement.**

The subject site is not within an area that is encumbered by an adopted subarea plan. This subsection is not applicable to the instant proposal.

We hope this analysis meets with your approval. If any further information is needed or desired, please feel free to contact the applicant, Mr. Walt Kjorsvik at 206-406-1213 for additional details.

Sincerely,



Angela Larsh,  
Principal Planner

**Russell Wright**

---

**From:** Henry Cussen <hcussen@aol.com>  
**Sent:** Tuesday, August 19, 2014 8:53 AM  
**To:** Russell Wright  
**Cc:** <wkjorsvik@gmail.com>; wkh.1@juno.com  
**Subject:** Proposed rezoning clarification/ Soper Hill and Highway 9/ Kjorsvik application

This memo will confirm that we are requesting the following rezoning.

We request that the North East corner property of approximately 9 acres be changed from Multi Family to Commercial, i.e. from MFR to CD and the adjoining residential lot be also changed from SR to CD We request that the South East corner be changed from Mixed Use to Local Business. i.e. From MU to LB.

I trust this clarifies matters but please call me if there are any other questions.

Harry Cussen

Sent from my iPad



## NOTICE OF APPLICATION & SEPA DETERMINATION

**Proposal:** Kjorsvik Map Amendment and Rezone LUA2014-0009 and LUA2014-0010

**Project Location:** Eastern intersection of SR-9 & Soper Hill Road

**Proponent:** Walt Kjorsvik

**Lead Agency:** City of Lake Stevens

**Proposed Project Description:** The proposal would change the land use designation and zoning on several parcels to Commercial District from Multifamily Residential and Suburban Residential and change zoning on a single parcel from Mixed-Use to Local Business. The city is recommending the second proposed zoning change be extended to the adjacent parcel to the east. The proponent has submitted a project narratives, environmental checklist and traffic report in support of the proposed land use request. The city has issued a Mitigated Determination of Non-Significance. As conditioned and subject to identified traffic improvement there will be no adverse environmental impacts.

**Permits Required:** Comprehensive Plan Map Amendment / Rezone

**Date of Application:** January 30, 2014

**Completeness Date:** January 30, 2014

**Notice of Application &  
SEPA Determination Issued:** August 19, 2014

**Public Review and Comment Period:** Interested parties may view the project file at the Lake Stevens Permit Center (1812 Main Street) Monday-Friday 8 am to 5 pm. To receive further information or to submit written comments, please contact the Planning and Community Development Department.

**Email:** [rwright@lakestevenswa.gov](mailto:rwright@lakestevenswa.gov)

**Mailing address:** P.O. Box 257, Lake Stevens, WA 98258

Upon publication of the Notice of Application & issuance of the Mitigated Determination on Non-Significance, there is a 14-day comment / appeal period. **The deadline for public comment & appeals is 5:00 PM, September 2, 2014.**

***It is the City's goal to comply with the American with Disabilities Act. The City offers its assistance to anyone with special needs, including the provision of TDD services.***

---

Distribution: Applicant  
Official City Notification Boards (City Hall, Subject Property)  
Property Owners within 300 feet of project site  
Everett Herald



## NOTICE OF PUBLIC HEARING Lake Stevens Planning Commission Lake Stevens City Council

### **2014 Docket – Comprehensive Plan Amendments Public Hearing**

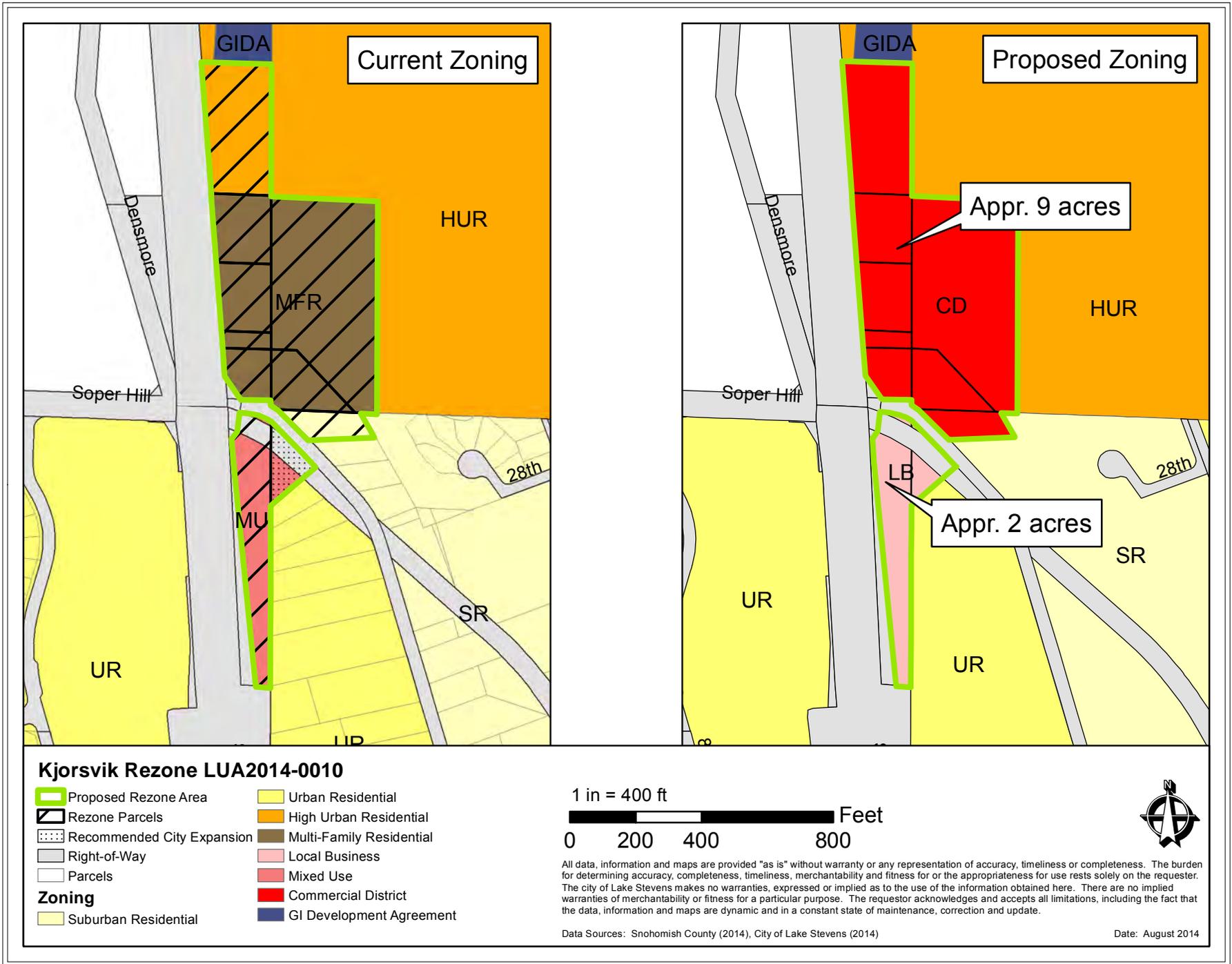
The Lake Stevens Planning Commission is scheduled to conduct a public hearing and receive public testimony on September 3, 2014 at 7:00 PM to consider proposed amendments to the Lake Stevens Comprehensive Plan at the Lake Stevens Community Center (1808 Main Street).

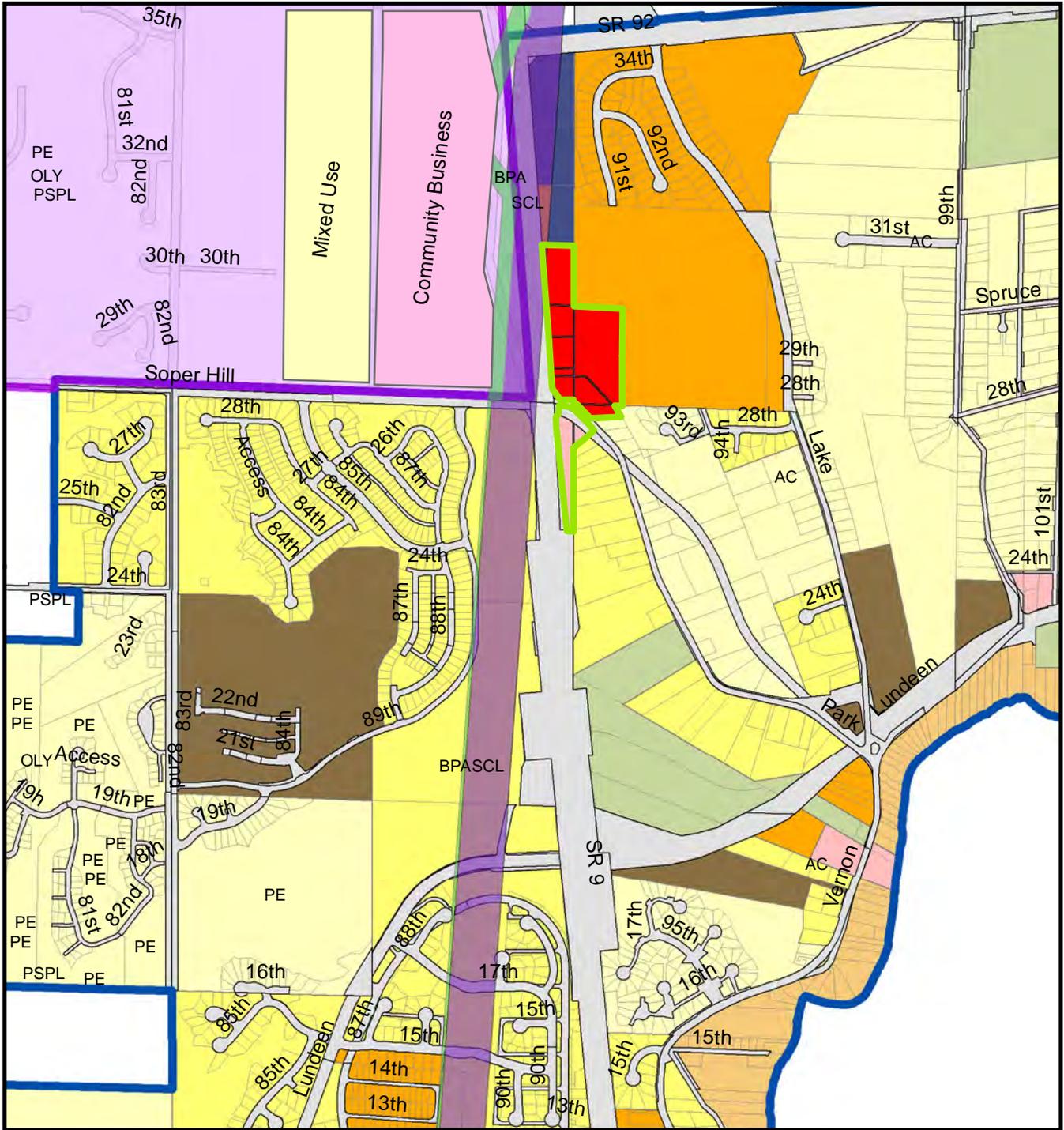
If recommended for approval, the Lake Stevens City Council will conduct a public hearing and first ordinance reading on September 22, 2014 to consider proposed amendments to the Lake Stevens Comprehensive Plan. A second public hearing and ordinance reading will occur on October 13, 2014. Council hearings are at the Lake Stevens School District Educational Center (12309 – 22<sup>nd</sup> Street NE) at 7:00 pm.

The 2014 Docket covers two citizen-initiated Map Amendments (**LUA2014-0007 – Huber Map Amendment** and **LUA2014-0010 – Kjorsvik Map Amendment**). Both requests would create additional commercial designations in the city. The city is also proposing text amendments to the Comprehensive Plan (**LUA2014-0013**) to add capital projects to the Parks and Capital Facilities Elements along with standard administrative amendments.

A list of the proposed amendments is available at the Planning and Community Development Department and the City Website. ADA information may be found at [www.lakestevenswa.gov](http://www.lakestevenswa.gov).

Comments regarding the proposed amendments may be submitted orally during the hearing or in writing any time prior to the hearing by sending them to City Hall, attn: Russ Wright, PO Box 257, Lake Stevens, WA 98258, or by email at [rwright@lakestevenswa.gov](mailto:rwright@lakestevenswa.gov).





**Zoning Details**

- |                         |                           |                           |
|-------------------------|---------------------------|---------------------------|
| Lake Stevens            | Urban Residential         | Planned Business District |
| Marysville              | High Urban Residential    | Mixed-Use Neighborhood    |
| rows                    | Waterfront Residential    | Main Street               |
| <b>Easements</b>        | Multi-Family Residential  | Commercial District       |
| BPA                     | MF Development Agreement  | Business District         |
| SCL                     | Local Business            | Light Industrial          |
| Land Use Amendment Area | Mixed Use                 | General Industrial        |
| <b>Zoning</b>           | Central Business District | GI Development Agreement  |
| Suburban Residential    | Neighborhood Business     | Public / Semi-Public      |



1 in = 1,000 ft  
For Illustration Only



**CITY OF LAKE STEVENS**  
 PLANNING AND COMMUNITY DEVELOPMENT  
 PO BOX 257, LAKE STEVENS, WA 98258  
 PHONE: (425) 377-3235 / FAX: (425) 212-3327

## SEPA ENVIRONMENTAL CHECKLIST

### ***Purpose of checklist:***

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

### ***Instructions for applicants:***

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

### ***Use of checklist for nonproject proposals:***

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

**A. BACKGROUND**

1. **Name of the proposed project:**  
Kjorsvik Rezone
2. **Name of Applicant:**  
Walter Kjorsvik
3. **Address and telephone number of applicant and contact person:**

Applicant:	Contact:
Walter Kjorsvik	Harry Cussen
1312 E Lakeshore Dr.	1312 E Lakeshore Dr.
Lake Stevens, WA 98258	Lake Stevens, WA 98258
(206) 406-1213	(561) 789-0055
4. **Date checklist prepared:** January 23, 2014
5. **Agency requesting checklist:** City of Lake Stevens
6. **Proposed timing or schedule (including phasing, if applicable):**  
Comprehensive Plan Docket Process: March 2014-April 2014  
Rezone Approval: May 2014-June 2014
7. **Plans for future additions, expansion, or further activity related to or connected with this proposal:** Yes; future construction of a service station/coffee shop/retail structure to comply with the proposed zoning regulations and future land use designation.
8. **Environmental information that has been prepared, or will be prepared, directly related to this project:** SEPA checklist, Critical Areas Map, Soil Logs.
9. **Applications that are pending for governmental approvals or other proposals directly affecting the property covered by the proposal:**  
Snohomish Health District Approval.
10. **List of governmental approvals or permits that will be needed for the proposal:** SEPA determination, Comprehensive Plan Amendment, Rezone approval.
11. **Brief, complete description of the proposal, including the proposed uses and the size of the project and site:** The entire project will be completed

on a 1.55 acre site currently zoned Mixed Use (MU). The first phase of the project is to amend the Comprehensive Plan Land Use Designation of the proposed site from Medium Density Residential (MDR) to Local Commercial (LC) through the docket process. The second phase is to rezone the proposed site from Mixed Use (MU) to Local Business (LB). The third phase will be to submit a permit application for the site development and construction of a service station/coffee shop/retail structure.

4. **Location of the proposal, including street address, if any, and section, township, and range; legal description; site plan; vicinity map; and topographical map, if reasonably available:**  
SR 9 & Soper Hill Rd, Lake Stevens, WA 98258 / NE ¼ NW ¼ Sec 12 Twp 29 N Range 05 E

## B. ENVIRONMENTAL ELEMENTS

### 1. Earth

a. **General description of the site:**

- Flat  
 Rolling  
 Hilly  
 Steep Slopes  
 Mountainous  
 Other

b. **What is the steepest slope on the site (approximate percent slope)?** Approximately 15%.

c. **What general types of soils are found on the site (for example clay, sand, gravel, peat, muck)? Specify the classification of agricultural soils and note any prime farmland.**

The Department of Agriculture Natural Resources Conservation Service lists the soils on the property as Tokul gravelly medial loam, 0 to 8 percent slopes and Tokul-Winston gravelly loams, 25 to 65 percent slopes.

d. **Are there any surface indications or a history of unstable soils in the immediate vicinity? If so, describe.**

There are 2 Category III Wetlands (A/B & C) located on the property. However, there are no indications of unstable soils on site.

e. **Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate the source of the fill.**

Approximate quantities are unknown at this time. Grading and clearing quantities will be provided with the development permit application.

**f. Could erosion occur as a result of clearing, construction, or use?**

Erosion is very unlikely given the gentle slope of the property and the time of season that construction will be taking place.

**g. About what percent of the site will be covered with impervious surfaces after project construction (for example buildings or asphalt)?**

Approximate impervious surface calculations are unknown at this time. Impervious surface calculations will be provided with the development permit application.

**h. Describe the proposed measures to reduce or control erosion, or other impacts to the earth, if any.**

Erosion control measures include limited construction access, stabilization of exposed soils and other BMP's required by the City of Lake Stevens.

**2. Air**

**a. What types of emissions to the air would result from the proposal e.g. dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities, if known.**

Short-term emissions would result from construction equipment used during site preparation and dust during dry weather. These impacts would be minimal. Long term emissions include personal automobile emissions.

**b. Are there any off-site sources of emissions or odors that may affect your proposal? If so, generally describe.**

No there are no off-site sources of emissions that may affect the proposal.

**c. Describe proposed measures to reduce or control emissions or other impacts to air, if any.**

Abide by Federal, State and City of Lake Stevens regulations.

**3. Water**

**a. Surface**

**1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, and wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.** Yes; there are 2 Category III Wetlands (A/B & C) located on the property.

**2. Will the project require any work over, in, or adjacent to**

**(within 200 feet) the described waters? If yes, please describe and attach available plans.** Yes; future construction of a service station/coffee shop/retail structure would be located within 200 feet of the described wetlands.

**3. Estimate the amount of fill and dredge material that could be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill materials.**  
No fill or dredge is expected.

**4. Will the proposal require surface water withdrawals or diversion? Give general description, purpose, and approximate quantities, if known.**  
No surface water withdrawal is anticipated.

**5. Does the proposal lie within a 100 year flood plain? If so, note location on the site plan.**  
No the proposal does not lie within a 100 year flood plain.

**6. Does the proposal involve discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**  
No the proposal does not involve discharge of water.

**b. Ground**

**1. Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.**  
No ground water will be withdrawn.

**2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any. Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) is expected to serve.**  
No wastewater will be discharged into the ground.

**c. Water Runoff (including storm water)**

**1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (including quantities if known). Where will this water flow? Will this water flow into other waters? If so, describe.**  
The source of water runoff will be a rooftop and driveway.  
Collection and disposal will be roof gutters, catch basins, and a

detention system to be designed prior to the submittal of the development permit application packet.

**2. Could waste materials enter ground or surface waters? If so, generally describe.**

No waste materials will enter the ground or surface water. All required containment facilities and equipment shall be installed during construction and tested to ensure they are operating at 100% capacity at the time of building opening.

**3. Describe proposed measures to reduce or control surface, ground, and runoff water impacts, if any.**

Abide by Federal, State and City of Lake Stevens regulations.

**4. Plants**

**a. Types of vegetation found on site:**

- Deciduous trees: Alder, Maple
- Evergreen trees: Cedar, Fir
- Shrubs:
- Grass:
- Pasture:
- Wet Soil Plants: Ferns
- Water Plants:

**b. What kind and amount of vegetation will be removed or altered?**

All vegetation located within proposed access driveway and location of proposed service station/coffee shop/retail structure will be removed.

**c. List threatened or endangered plant species or critical habitat known to be on or near the site.**

No threatened or endangered plant species are known to be on site.

**d. Describe proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on site.**

Proposed landscaping will be designed per City of Lake Stevens code prior to the submittal of the development permit application packet.

**5. Animals**

**a. Identify any birds and animals which have been observed on or near the site or are known to be on or near the site:**

- Invertebrates:
- Fish:
- Amphibians:

- Reptiles:
- Birds: Crow, Sparrow
- Mammals: Squirrels

**b. List any threatened or endangered animal species or critical habitat near the site.**

No known threatened or endangered species are near the site.

**c. Is the site part of a migratory route? If so, explain.**

To the best of our knowledge, the site is not part of a migratory route.

**d. Proposed measures to preserve or enhance wildlife, if any.**

No measures are being proposed at this time, because no impact is being created.

**6. Energy and Natural Resources**

**a. What kinds of energy (electric, natural gas, oil, wood, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**

It is unknown at this time, but it is anticipated that the future construction will use electricity and natural gas for energy.

**b. Would the project affect the potential use of solar energy by adjacent properties? If so, explain. No.**

**c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any. New construction will comply with the Washington State Energy Code.**

**7. Environmental Health**

**a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spills, or hazardous waste that could occur as a result of this proposal? If so, describe. No**

**1. Describe special emergency services that might be required. None other than normal fire and police services.**

**2. Describe proposed measures to reduce or control environmental health hazards. No measures proposed because there are no health hazards.**

**b. Noise**

**1. What types of noise exist in the area which may affect**

**your project (for example: traffic, equipment operation, other)?**  
Existing noise includes traffic from SR 9 and Soper Hill Road;  
however it will not affect the project.

**2. What types and levels of noise would be created by or associated with the project on a short-term or long-term basis (for example: traffic, construction, operation, other)?**  
Future development would include construction noise and additional noises from adding a service station/coffee shop/retail structure to the area.

**3. Describe proposed measures to reduce or control noise impacts, if any.** Abide by Lake Stevens Municipal Code 9.56 for noise control.

**8. Land and Shoreline Use**

**a. What is the current use of the site adjacent to the properties?**

The current use of the property is vacant. The surrounding properties are single-family residential.

**b. Has the site been used for agriculture? If so, describe.** No

**c. Describe any structures on the site.** None.

**d. Will any structures be demolished? If so, what?** N/A

**e. What is the current zoning classification of the site?**

The property is currently zoned Mixed Use (MU).

**f. What is the current comprehensive plan designation of the site?**

The current Comprehensive Plan Land Use Designation is Medium Density Residential (MDR).

**g. If applicable, what is the current shoreline master program designation of the site?** N/A

**h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.** Yes; there are 2 Category III Wetlands (A/B & C) located on the property.

**i. Approximately how many people would reside or work in the completed project?**

It is unknown at this time. A Site Development Plan, architectural elevations and floor plans will be provided with the development permit application.



b. **Could light or glare from the finished project be a safety hazard or interfere with views?** No.

c. **What existing off-site sources of light or glare may affect your proposal?**  
None.

d. **Describe the proposed measures to reduce or control light and glare impacts, if any.** No measures proposed at this time.

**12. Recreation**

a. **What designated and informal recreational opportunities are in the immediate vicinity?** Lundeen Park is approximately 1 mile east of the proposed site.

b. **Would the proposed project displace any existing recreational uses? If so, describe.** No, the project will not displace any existing recreational uses.

c. **Describe proposed measures to reduce or control impacts on recreation, including recreational opportunities to be provided by the project or applicant.** Mitigation pursuant to LSMC 14.120.

**13. Historic and Cultural Preservation**

a. **Are there any places or objects listed on or eligible for national, state, or local preservation registers known to be on or next to the site? If so, generally describe.** No objects or places near or on the site are listed for historical preservation.

b. **Generally describe any landmarks or evidence of historic, archeological, scientific, or cultural importance known to be on or next to the site.** No landmarks or other items of cultural importance are on or near the site.

c. **Describe proposed measures to reduce or control impacts, if any.** No measures proposed at this time.

**14. Transportation**

a. **Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.** Soper Hill Road currently serves the property.

b. **Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?** No. The closest stop

approximately 0.67 miles away at SR 9 & Lundeen Pkwy.

**c. How many parking spaces would the completed project have? How many would the project eliminate?** It is unknown at this time. A Site Development Plan, architectural elevations and floor plans will be provided with the development permit application.

**d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe.** Yes. The proposal will require a drive aisle/parking lot for the proposed project.

**e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.** No

**f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.** It is unknown at this time. A Site Development Plan, architectural elevations and floor plans will be provided with the development permit application.

**g. Describe proposed measures to reduce or control transportation impacts, if any.** Mitigation pursuant to LSMC 14.112.

**15. Public Services**

**a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally explain.**

The project would result in an increase in all of the above with the increase of units on the property.

**b. Describe proposed measures to reduce or control direct impacts on public services.** Mitigation pursuant to Lake Stevens Municipal Code.

**16. Utilities**

**a. List utilities currently available at the site:**  
Water, Electricity, Natural Gas, Telephone, Cable, and Refuse Service

**b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**  
Water will be provided by Snohomish County PUD. Local companies will provide all other services.

**C. SIGNATURE**

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:  Date: January 23, 2014

Andrew S. Lofstedt  
A.S.P.I. Land Surveying & Planning

Submitted: January 23, 2014

#### **D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS**

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal or the types of activities likely to result from the proposal, would affect the item at a greater intensity, or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

**1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**

Any stormwater runoff that discharges into any water will be detained and discharged and will meet all water quality standards of the Clean Water Act, Western Washington Stormwater Manual and Lake Stevens Municipal Code.

Short-term emissions would result from construction equipment used during site preparation and dust during dry weather. These impacts would be minimal. Long term emissions include personal automobile emissions.

There will be no production, storage, or release of any toxic or hazardous substances.

Future development would include construction noise and additional noises from adding a service station/coffee shop/retail structure to the area.

**Proposed measures to avoid or reduce such increases are:**

Abide by Federal, State and City of Lake Stevens regulations.

**2. How would the proposal be likely to affect plants, animals, fish, or marine life?**

The proposal will have no affect on any plants, animals, fish, or marine life other than clearing any vegetation located within the proposed area for the service station and parking area.

**Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

Abide by Federal, State and City of Lake Stevens regulations.

**3. How would the proposal be likely to deplete energy or natural resources?**

The proposal will not deplete energy or natural resources.

**Proposed measures to protect or conserve energy and natural resources are:**

New construction will comply with the Washington State Energy Code.

- 4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**

The proposal will be constructed adjacent to Category III Wetlands.

**Proposed measures to protect such resources or to avoid or reduce impacts are:**

Split-rail fence and NGPA signs will be installed to protect the critical areas. No impacts to the critical areas or associated buffers are proposed.

- 5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

The property is not located within the Shoreline designation. However, the proposal is to construct a service station/coffee shop/retail structure on a vacant parcel.

**Proposed measures to avoid or reduce shoreline and land use impacts are:**

Install erosion control measures such as limited construction access, stabilization of exposed soils and other BMP's required by the City of Lake Stevens.

- 6. How would the proposal be likely to increase demands on transportation or public services and utilities?**

The proposal will create additional vehicular trips and will require parking stalls for future customers.

Water will be provided by Snohomish County PUD. Local companies will provide all other services.

**Proposed measures to reduce or respond to such demand(s) are:**

A traffic study will be completed to analyze the number of additional vehicular trips the proposed service station will create.

Mitigation payments will be required at building permit issuance

- 7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

The proposal will not conflict with any local, state, or federal laws for the protection of the environment.



## MITIGATED DETERMINATION OF NON-SIGNIFICANCE

### **Proposal: Kjorsvik Comprehensive Plan Amendment and Rezone – LUA2014-0009 and LUA2014-0010**

**Description of Proposal:** The applicant has applied for a comprehensive plan designation change and concurrent rezone of approximately 11 acres near the eastern intersection of SR-9 and Soper Hill Road. The proposal would change the land use designation and zoning on seven parcels in the northeastern corner of the project area to Commercial (Commercial District) from High Density Residential (Multifamily Residential and High Urban Residential) and Medium-Density Residential (Suburban Residential) and change the land use designation and zoning on a single parcel in the southeastern corner of the project area from Mixed-Use (Mixed-Use) to Local Commercial (Local Business). The city is recommending the second proposed zoning change be extended to the adjacent parcel to the east. The proponent has submitted a project narrative, environmental checklist and traffic report in support of the proposed changes.

The vacant properties directly to the north are zoned General Industrial Development Agreement and High Urban Residential. The vacant properties to the east are zoned High Urban Residential. The developed properties to the south are zoned Urban Residential and Suburban Residential. Highway SR-9 abuts the properties to the west. Future access to the site would be off Soper Hill Road via a new road.

Future development under the proposed land use and zoning would add 2,303 additional daily trips and 188 PM peak-hour trips. The proposed changes could support nearly 90,000 square of new commercial development. The city has not modeled traffic improvements for this area under its current capital facilities plan or street network. The applicant will need to analyze local roadway impacts in depth at the time of development to ensure concurrency standards can be met. Future access and circulation will need to address impacts to SR-9 and Soper Hill Road, access to the proposed commercial areas, circulation along Soper Hill Road, and impacts to the intersection of Soper Hill Road and Lake Drive. The city will review all site-specific impacts related to the land use and zoning changes at the time of development.

**Project Location:** Intersection of SR-9 and Soper Hill Road, Lake Stevens, WA 98258 (Portions of Section 1 and 12 Township 29, Range 5E)

**Proponent:** Walter Kjorsvik

**Lead Agency:** City of Lake Stevens

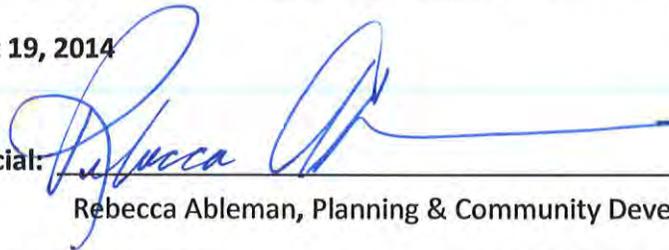
**Threshold Determination:** The City of Lake Stevens, acting as lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This MDNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date of issuance.

**Mitigation Measures:**

1. The proponent or successor must analyze local roadway impacts related to future development under the proposed land use designations and zoning to ensure concurrency standards can be met and consider the following issues and potential solutions as part of their analysis:
  - a. Analyze intersection of SR-9 and Soper Hill.
  - b. Propose alignment for new local collector road north of Soper Hill for access to the commercial development with a roundabout intersection connecting to Soper Hill placed as far to the east of SR-9 as possible. The new public road should terminate at the end of the property along its eastern property line.
  - c. Analyze intersection of Soper Hill Road and Lake Drive to ensure concurrency standards can be met. Recommend including a mini-roundabout at this location.
  - d. Analyze southern leg of Soper Hill for impacts to existing residential area. Future improvements should consider limiting northbound access to roundabout to one-way entrance. The southern section of Soper Hill Road may remain a two-way street for residential traffic provided a turnaround at the north end of this section is provided. Upon completion of a future connecting road between the northern ends of Soper Hill Road and Lake Drive, Soper Hill may become a permanent northbound one-way road.

**Issuance Date: August 19, 2014**

**SEPA Responsible Official:**



Rebecca Ableman, Planning & Community Development Director

**Contact Person:** Russ Wright, Senior Planner

**Phone:** 425-212-3315

**Comments on the Threshold Determination:** Interested parties may comment on this Threshold Determination, by submitting written comments to the Responsible Official at the address below by **September 2, 2014**. The Responsible Official may incorporate any substantial comments into the MDNS. If the MDNS is substantially modified, it will be reissued for further public review.

**Appeals:** Parties of Record may appeal this Mitigated Determination of Non-Significance by submitting an appeal to City of Lake Stevens, P.O. Box 257, Lake Stevens, WA 98258, Attn: Planning and Community Development no later than 5:00 PM, **September 2, 2014**. The appeal must be in writing, contain a concise statement of the matter being appealed and the basic rationale for the appeal. A fee is required per the City's Fee Resolution. Please note that failure to file a timely and complete appeal shall constitute a waiver of all rights to an administrative appeal under City code.

**Russell Wright**

---

**From:** Stenstrom, Clarissa <Clarissa.Stenstrom@co.snohomish.wa.us>  
**Sent:** Thursday, August 21, 2014 12:11 PM  
**To:** Russell Wright  
**Cc:** Soine, Candice  
**Subject:** FW: Lake Stevens SEPA Determination

Hi Russ,

These are official comments from Snohomish County Department of Public Works.

Thank you,  
Clarissa

---

**From:** Kerwin, Karen  
**Sent:** Thursday, August 21, 2014 11:04 AM  
**To:** Soine, Candice  
**Cc:** Stenstrom, Clarissa  
**Subject:** RE: Lake Stevens SEPA Determination

Thank you for the opportunity to review the above development proposal. Snohomish County Public Works, Surface Water Management Division, offers the following comments:

1. For the portions of the project area that drains to the west to Ebey Slough, the County recommends that the developer perform an erosion analysis and be required to mitigate any potential erosion that would occur as a result of these developments/changes in land use. In particular, erosion of the ravines, causing sediment to be deposited in downstream agricultural properties, is a potential concern.
2. Given concerns about the potential impact to agricultural properties from potential new development and continued issues with Lake Stevens itself, we would also encourage the City of Lake Stevens to require Low Impact Development, including reducing impervious surfaces, cleaning stormwater and discharging it into the ground, and designing landscaping such that it requires less fertilizer and other nutrients, especially on property that drains to the Lake itself.

**Karen R. Kerwin, P.E.** | Interim Engineering Manager  
Surface Water Management



**Snohomish County**

**Department of Public Works**

3000 Rockefeller Ave, M/S 607

Everett, WA 98201

Phone: (425) 388-6422  
FAX: (425) 388-6455  
EMAIL: [k.kerwin@snoco.org](mailto:k.kerwin@snoco.org)  
WEB: [www.Snoco.org](http://www.Snoco.org)

*NOTICE: All emails, and attachments, sent to and from Snohomish County are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56)*

*All emails, and attachments, sent to and from Snohomish County are public records and may be subject to disclosure pursuant to the Public Records Act ([RCW 42.56](http://www.wa.gov/rcw/default.aspx?title=42&chapter=42.56))*

**Subject:** Lake Stevens SEPA Determination

SEPA Reviewers and interested parties,

Find attached the city of Lake Stevens MDNS, Environmental Checklist and Project Map for a proposed Comprehensive Plan Amendment and concurrent rezone (File Nos. LUA2014-0009 and LUA2014-0010) near SR-9 and Soper Hill Road.

Best regards,

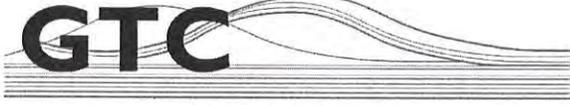
Russ Wright, *Senior Planner*

**City of Lake Stevens | Planning & Community Development**

1812 Main Street | PO Box 257

Lake Stevens, WA 98258-0257

425.212.3315 | [rwright@lakestevenswa.gov](mailto:rwright@lakestevenswa.gov)



Gibson Traffic Consultants  
2802 Wetmore Avenue  
Suite 220  
Everett, WA 98201  
425.339.8266

# Kjorsvik Rezone Traffic Impact Analysis

Jurisdiction: Lake Stevens

July 2014



RECEIVED  
JUL 27 2014  
CITY OF LAKE STEVENS

GTC #14-150

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## ATTACHMENTS

Trip Generation Calculations .....	A
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## 1. DEVELOPMENT IDENTIFICATION

Gibson Traffic Consultants, Inc. (GTC) has been retained to provide a traffic impact analysis for the proposed rezone for the Kjorsvik property in the City of Lake Stevens. Brad Lincoln, responsible for this report and traffic analysis, is a licensed professional engineer (Civil) in the State of Washington and member of the Washington State section of ITE.

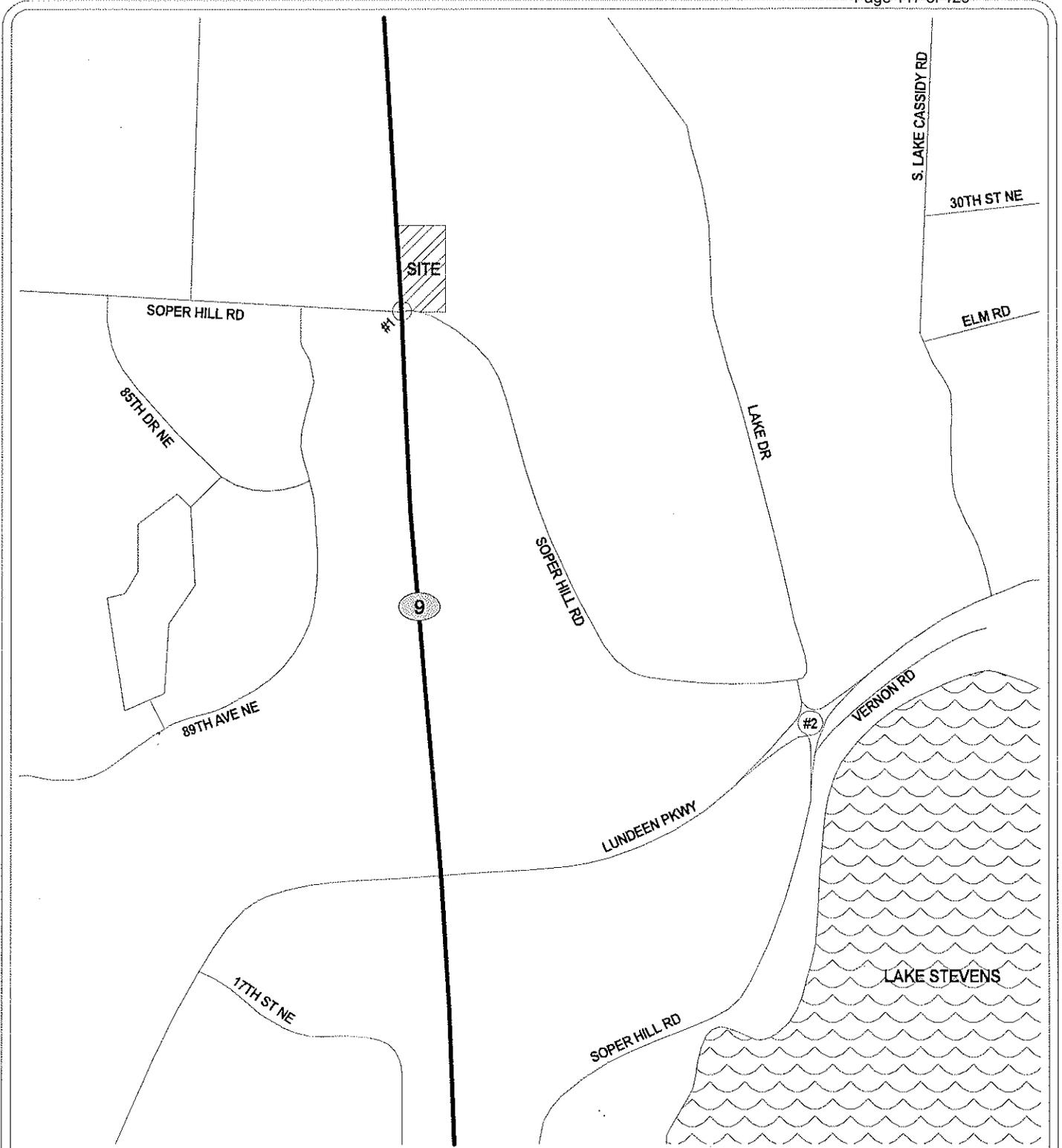
The Kjorsvik property is a development site that is currently zoned for mixed-use development. The proposed rezone would change the land use to commercial use without the requirement for a residential use. The development is located in the northeast quadrant of the intersection of SR-9 at Soper Hill Road. A site vicinity map has been included in Figure 1.

## 2. METHODOLOGY

Trip generation calculations for the Kjorsvik property have been performed according to data contained in the Institute of Transportation Engineers' (ITE) *Trip Generation Manual, 9<sup>th</sup> Edition (2012)*. City of Lake Stevens' staff requested the analysis of two off-site intersections with the existing zoning and the proposed zoning. The off-site intersections are:

1. SR-9 at Soper Hill Road – Signalized
2. Lundeen Parkway at Vernon Road – Roundabout

GTC has analyzed the off-site intersections for the 2014 existing, 2020 baseline and 2020 future with development conditions for the existing and proposed zoning scenarios.



GIBSON TRAFFIC CONSULTANTS

TRAFFIC IMPACT STUDY  
GTC #14-150

KJORSVIK REZONE

CITY OF LAKE STEVENS

LEGEND



DEVELOPMENT SITE



KEY INTERSECTION

FIGURE 1

SITE VICINITY  
MAP

Additionally, an internal crossover reduction of 10% has been applied to account for trips between the different uses on the site. It is important to note that ITE internal crossover reduction calculations show a potential for 25% or more of the total trips being internal. However, the internal crossover has been reduced to 10% to represent a conservative estimate of the internal crossover trips

The trip generation summary of the property with the proposed rezone is summarized in Table 2.

**Table 2: Proposed Zoning Trip Generation Summary**

Land Use	SF	Average Daily Trips	PM Peak-Hour		
			In	Out	Total
Shopping Center Land Use Code 820	82,500 SF	3,523	147	159	306
Bank Land Use Code 912	5,000 SF	741	61	61	122
Coffee/Donut Shop Land Use Code 937	2,500 SF	2,046	54	53	107
Internal Crossover Trips	---	-631	-27	-27	-54
Pass-By Trips	---	-2,312	-95	-99	-194
<b>TOTAL</b>		<b>3,367</b>	<b>140</b>	<b>147</b>	<b>287</b>

The increase in trip generation with the proposed zoning is summarized in Table 3.

**Table 3: Change in Trip Generation with Rezone**

Zoning	Average Daily Trips	PM Peak-Hour		
		In	Out	Total
Existing Mixed-Use	1,064	64	35	99
Proposed Commercial	3,367	140	147	287
<b>INCREASE</b>	<b>2,303</b>	<b>76</b>	<b>112</b>	<b>188</b>

The proposed zoning could result in 2,303 additional daily trips and 188 additional PM peak-hour trips than the existing zoning. The trip generation calculations with the proposed zoning are included in the attachments.

#### **4. TRIP DISTRIBUTION**

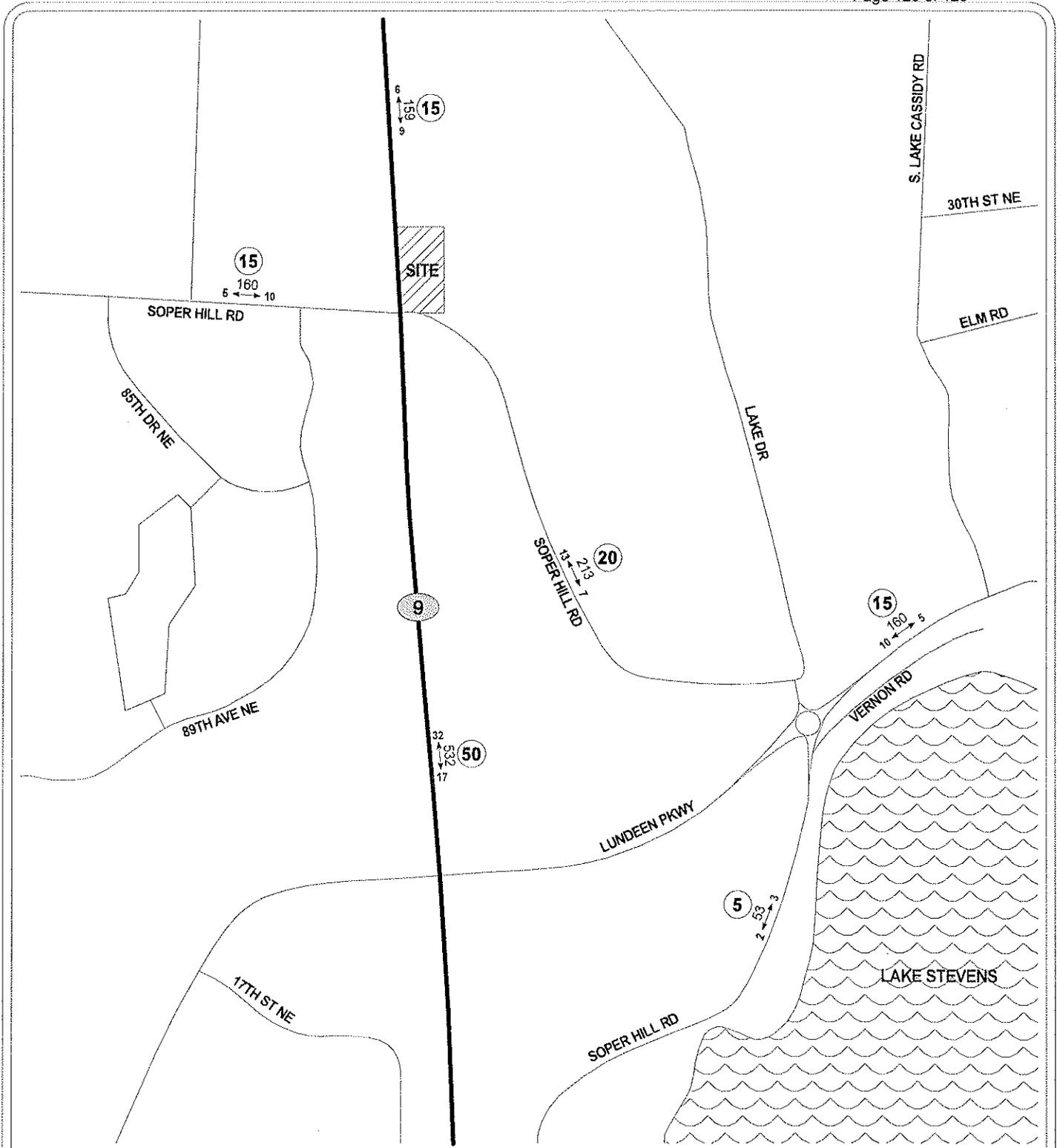
The distribution of trips generated by the Kjorsvik property is based on two different distributions due to the difference in the proposed uses, residential versus commercial. A residential trip distribution was used for the existing zoning and a commercial trip distribution was used for the proposed zoning change.

##### **4.1 Residential Trip Distribution**

It is estimated that 65% of the residential trips would utilize SR-9, fifteen percent to and from the north and fifty percent to and from the south. The remaining 35% of the residential trips would travel along Soper Hill Road, 15% to and from the west and 20% to and from the southeast. A detailed distribution for the PM peak-hour for the existing zoning is shown in Figure 2.

##### **4.2 Commercial Trip Distribution**

It is anticipated that 40% of the commercial trips would travel along SR-9, twenty percent to and from north and twenty percent to and from the south. The remaining 60% of the commercial trips would travel along Soper Hill Road, thirty percent to and from the west and thirty percent to and from the southeast. A detailed distribution for the PM peak-hour for the proposed zoning commercial uses is shown in Figure 3.



GIBSON TRAFFIC CONSULTANTS

TRAFFIC IMPACT STUDY  
 GTC #14-150

KJORSVIK REZONE

CITY OF LAKE STEVENS

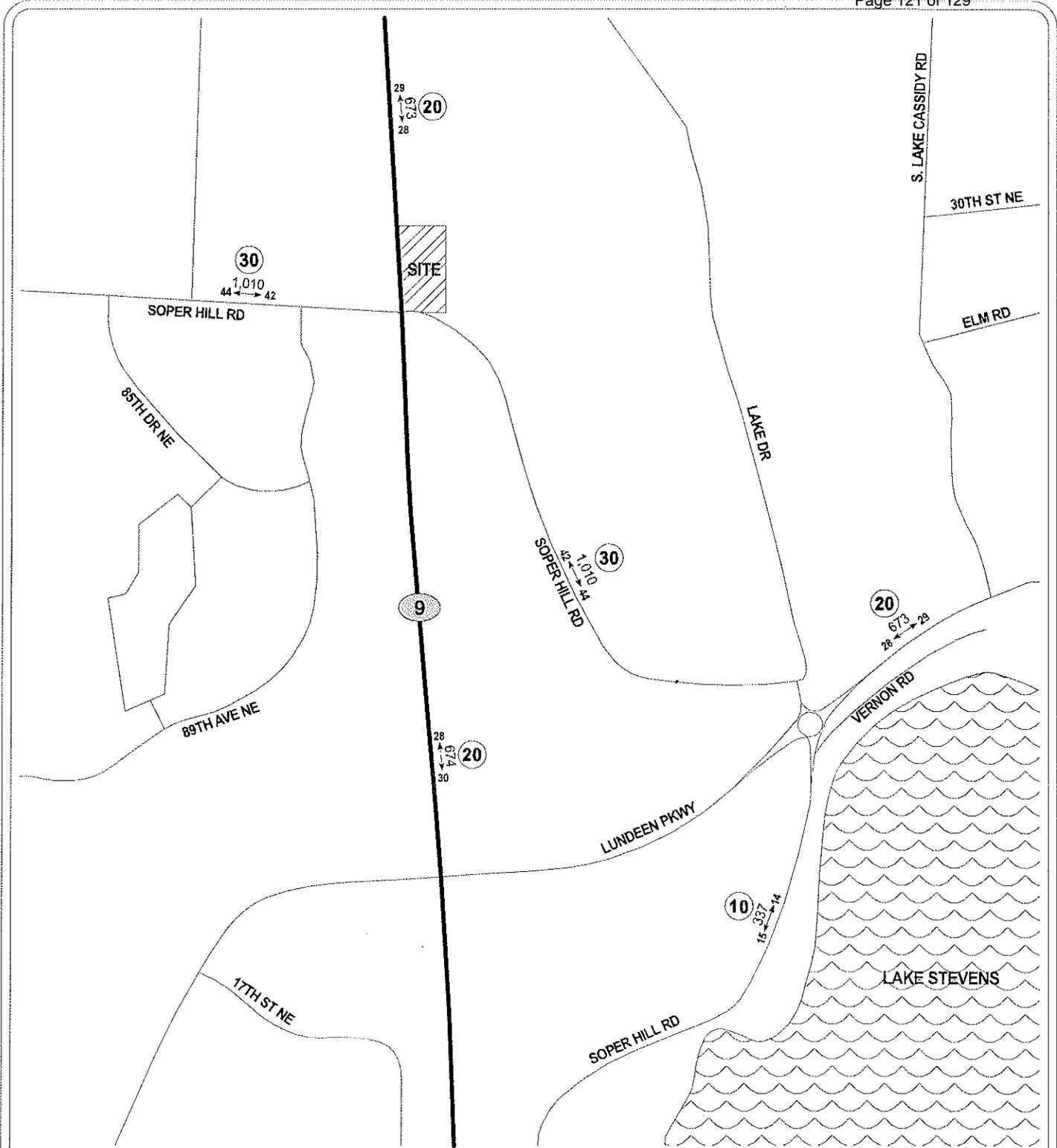
**LEGEND**

AWDT  
 PM ← → PEAK

NEW DAILY TRAFFIC  
 NEW PM PEAK HOUR TRIPS

(XX)  
 TRIP DISTRIBUTION %

**FIGURE 2**  
 EXISTING ZONING  
 PM PEAK-HOUR  
 TRIP DISTRIBUTION



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TRAFFIC IMPACT STUDY  
 GTC #14-150

KJORSVIK REZONE

**LEGEND**  
 AWDT  
 PM ← → PEAK  
 (XX)  
 NEW DAILY TRAFFIC  
 NEW PM PEAK HOUR TRIPS  
 TRIP DISTRIBUTION %

CITY OF LAKE STEVENS

**FIGURE 3**  
 REZONE  
 PM PEAK-HOUR  
 TRIP DISTRIBUTION

**5. INTERSECTION ANALYSIS**

**5.1 2014 Existing Conditions**

Scoping discussions with City of Lake Stevens’ staff identified two study intersections for analysis, SR-9 at Soper Hill Road and Lundeen Parkway at Vernon Road. Existing PM peak-hour turning movement counts were collected by the independent counting firm Traffic Data Gathering in July of 2014. The level of service analysis shows that study intersections currently operate at acceptable LOS C or better. The 2014 existing level of service results are summarized in Table 2. Turning movement volumes at the study intersections for the 2014 existing conditions are shown in Figure 4.

**Table 4: PM Peak-Hour LOS Calculations**

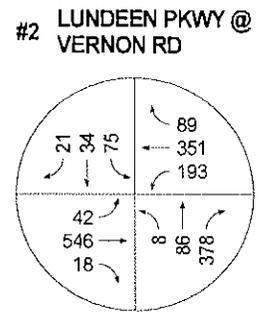
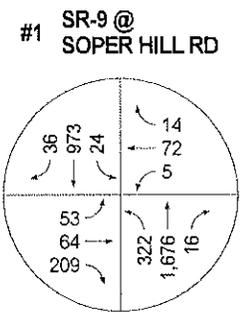
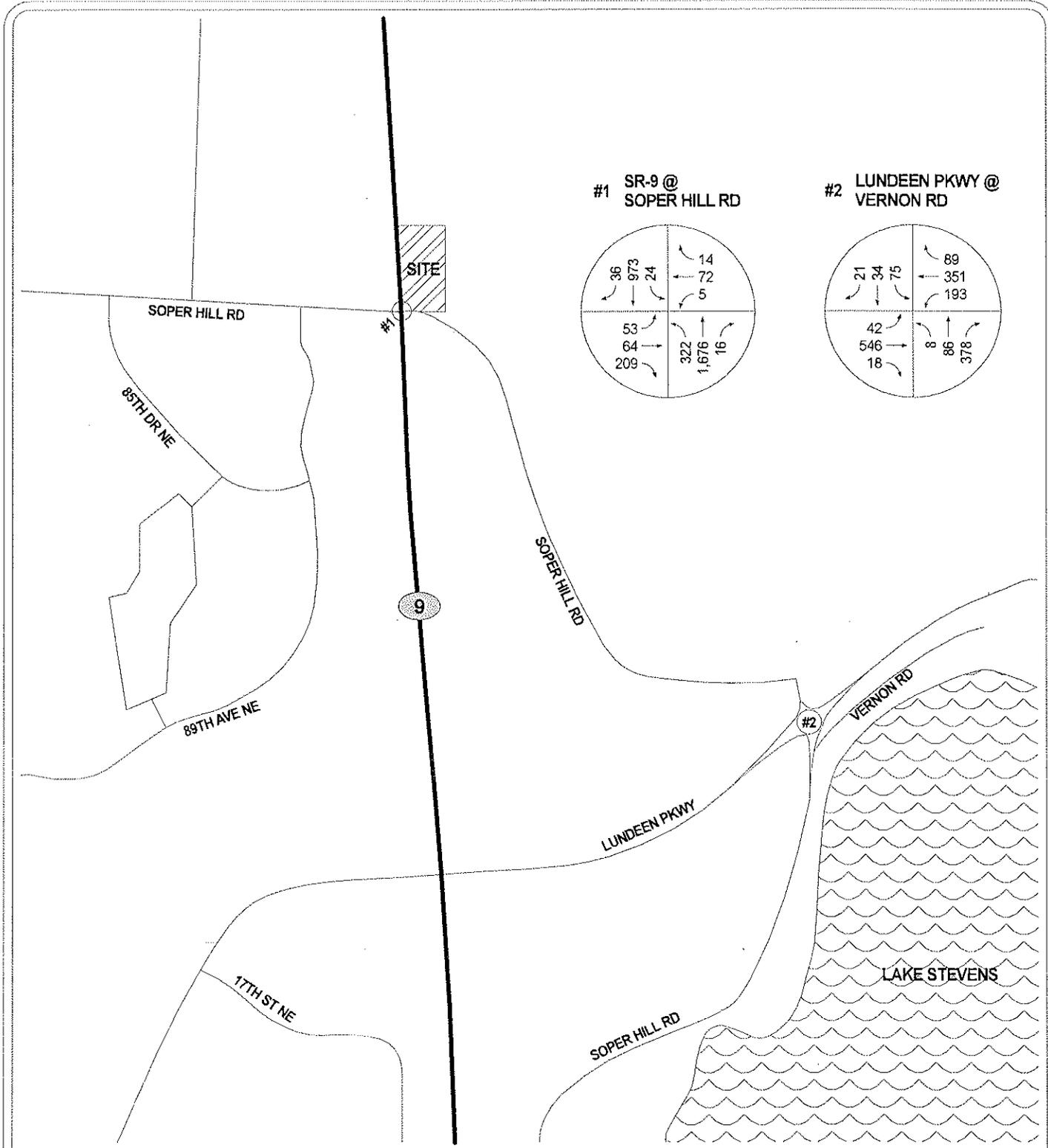
Intersection	2014 Existing Conditions	
	LOS	Delay
1. SR-9 @ Soper Hill Rd.	C	21.2 sec
2. Lundeen Pkwy @ Vernon Rd.	A	8.0 sec

**5.2 2020 Baseline Conditions**

A 2.0% annually compounding growth rate was used to estimate 2020 baseline traffic volumes at the study intersections. The growth rate is the standard growth for the area, even though WSDOT data shows little to no growth along SR-9 in the study area. The study intersections are expected to remain at LOS C or better under the 2020 baseline conditions. The 2020 baseline level of service results are summarized in Table 3. Turning movement volumes at the study intersections for the 2020 baseline conditions are shown in Figure 5.

**Table 5: PM Peak-Hour LOS Calculations**

Intersection	2014 Existing Conditions		2020 Baseline Condition	
	LOS	Delay	LOS	Delay
1. SR-9 @ Soper Hill Rd.	C	21.2 sec	C	24.2 sec
2. Lundeen Pkwy @ Vernon Rd.	A	8.0 sec	A	9.7 sec



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TURNING MOVEMENT VOLUMES

**FIGURE 5**  
**2020 BASELINE**  
**TURNING MOVEMENT**  
**VOLUMES**

CITY OF LAKE STEVENS

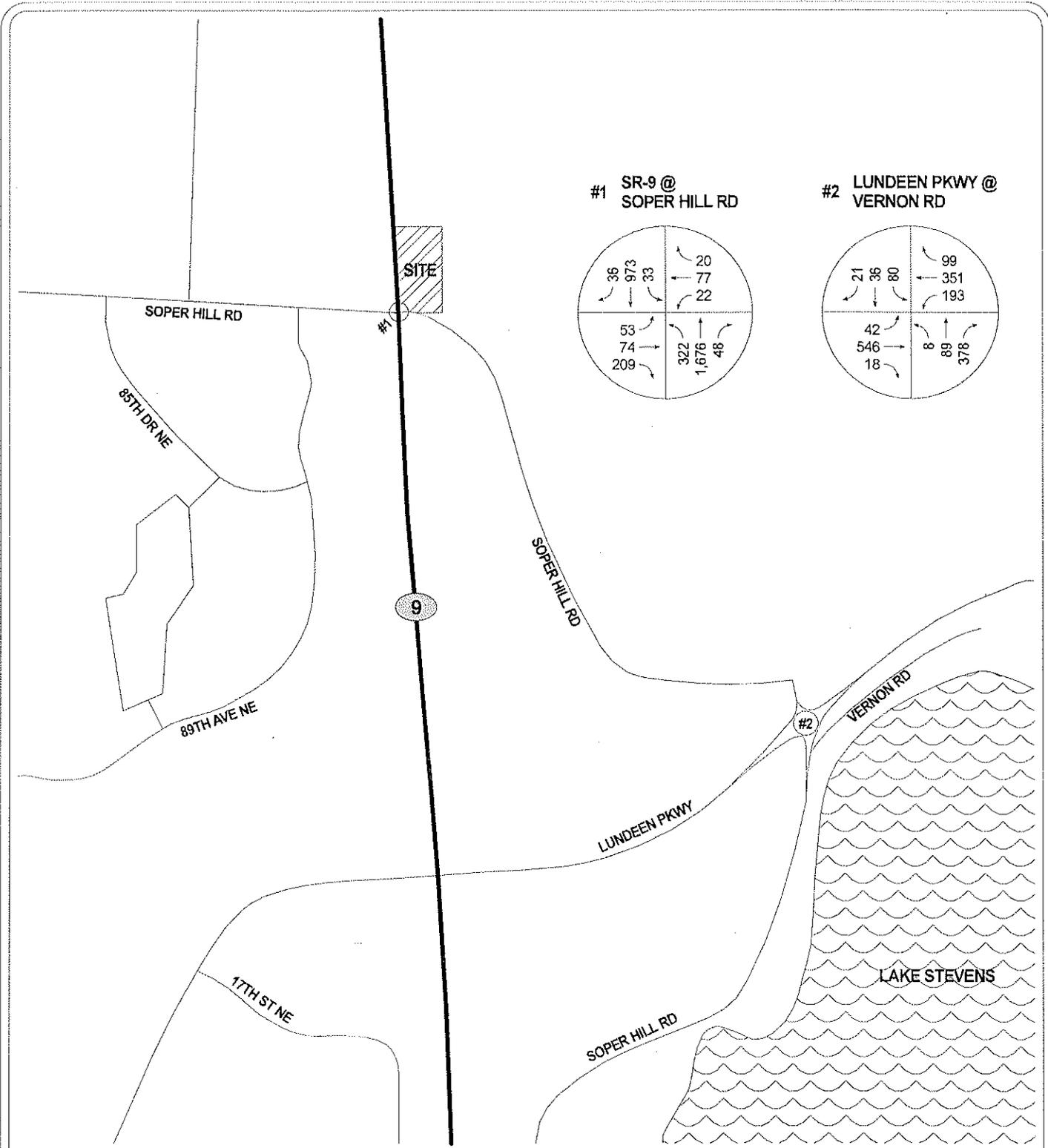
### 5.3 2020 Future with Development Conditions

The 2020 future with development conditions were analyzed for the current zoning and the proposed rezone. The 2020 future with development conditions were calculated by adding trips for both zoning scenarios and distributions to the 2020 baseline conditions. It is important to note that pass-by trips generated by the rezone have been assigned to the intersection of SR-9 at Soper Hill Road based on the existing turning movements. The 2020 future with development conditions are summarized in Table 4. Turning movement volumes at the study intersections for the 2020 future conditions with existing zoning conditions and 2020 future conditions with rezone conditions are shown in Figure 6 and Figure 7, respectively.

**Table 6: PM Peak-Hour LOS Calculations**

Intersection	2014 Existing Conditions		2020 Baseline Condition		2020 Future with Development Conditions			
	LOS	Delay	LOS	Delay	Current Zoning		Rezone	
					LOS	Delay	LOS	Delay
1. SR-9 @ Soper Hill Rd.	C	21.2 sec	C	24.2 sec	C	27.3 sec	D	48.3 sec
2. Lundeen Pkwy @ Vernon Rd.	A	8.0 sec	A	9.7 sec	A	9.9 sec	B	10.7 sec

The at the level of service analysis shows that the intersection of SR-9 and Soper Hill Road is expected to operate at LOS C with 27.3 seconds of delay with the existing zoning and LOS D with 48.3 seconds of delay with the rezone under the 2020 future with development conditions. The roundabout at the intersection of Lundeen Parkway and Vernon Road is expected to operate at LOS A with 9.9 seconds of delay with the existing zoning and LOS B with 10.7 seconds of delay with the rezone under the 2020 future with development conditions. The level of service calculations for all conditions are included in the attachments.



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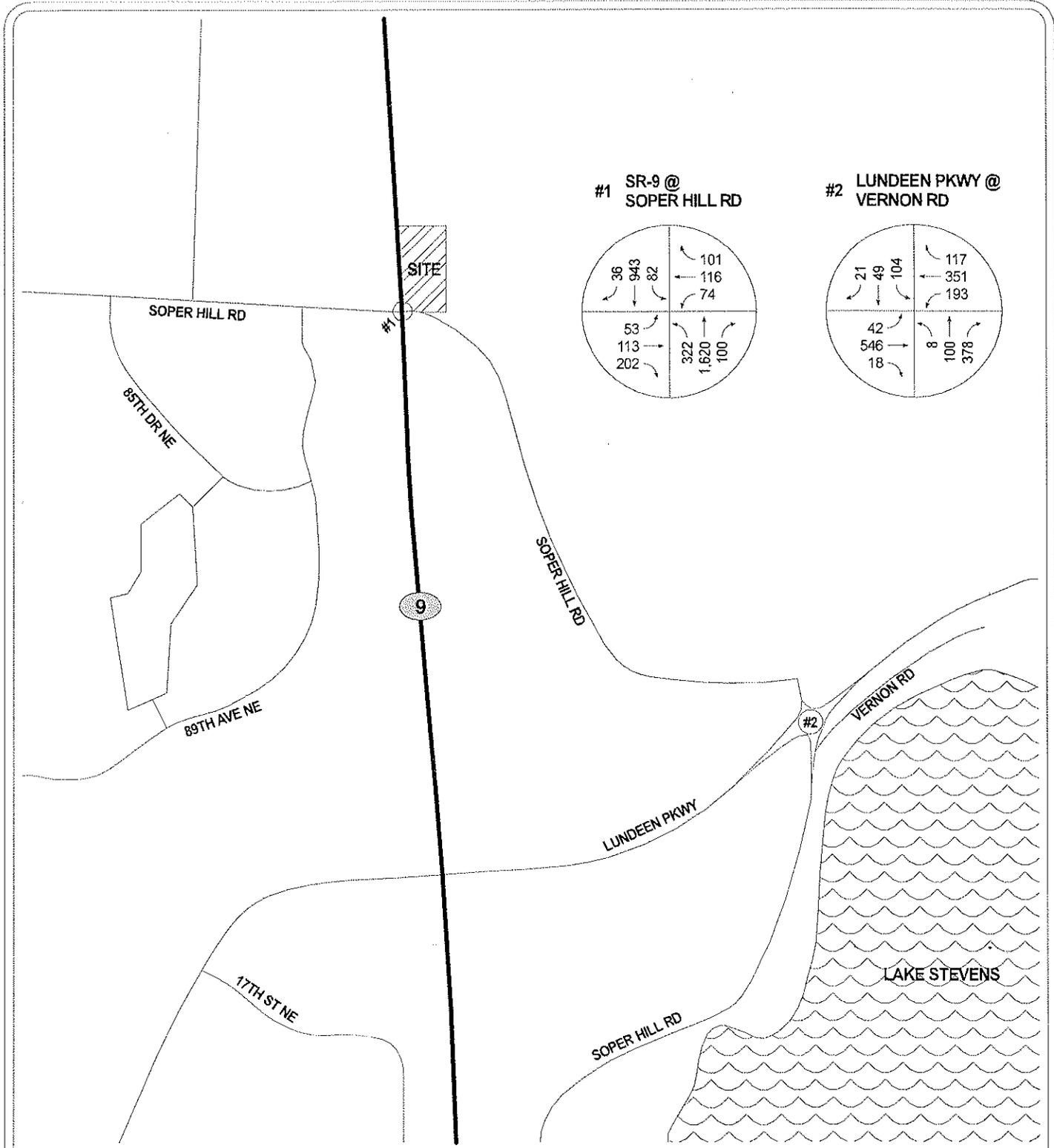
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TURNING MOVEMENT VOLUMES

CITY OF LAKE STEVENS

**FIGURE 6**  
**2020 FUTURE CONDITIONS**  
**WITH EXISTING ZONING**  
**TURNING MOVEMENT**  
**VOLUMES**



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TURNING MOVEMENT VOLUMES

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**FIGURE 7**  
**2020 FUTURE CONDITIONS**  
**WITH REZONE**  
**TURNING MOVEMENT**  
**VOLUMES**

## 6. CONCLUSIONS

The Kjorsvik property is currently zoned for mixed-use development within the City of Lake Stevens. A conservatively low estimate of the build-out of the site as currently zoned would be 160 apartment units and zero commercial space. The zoning change to commercial could allow for up to 82,500 SF of shopping center, a 5,000 SF bank, and a 2,500 SF coffee shop. The proposed zoning would generate approximately 2,303 more daily trips and 188 more PM peak-hour trips than the current zoning would generate. The study intersections would operate at an acceptable level of service with the proposed zoning change, although the delay at the study intersections is anticipated to be higher with the rezone.



## MEMORANDUM

To: Russ Wright, Senior Planner

From: Mick Monken, Public Works Director/City Engineer 

Date: 15 August 2014

Subject: **Kjorsvik Rezone – Traffic Impact Analysis**

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I have reviewed the report prepared by GTC for the above subject site and have the following comments:

1. Trip generation with pass-by and internal crossover trips as stated in the TIA is acceptable.
2. Future development under the proposed zoning would add 2,303 additional daily trips and 188 PM peak-hour trips. The City has not modeled traffic improvements for this area under its current capital facilities plan or street network.
  - a. Distribution of trips shown on Soper Hill Road, east of SR 9, and south of site, is shown to add 1,010 AWDT. Current City's traffic model shows this road having an existing volume 1,250 AWDT. The roadway is approximately 20 feet wide with little to no shoulders and no pedestrian travel. The applicant will need to analyze local roadway impacts in depth at the time of development to ensure concurrency standards can be met. The traffic model predicts the Level of Service at the intersection of SR 9 and Soper Hill will drop to LOS D with future development under the proposed zoning. The current intersection includes an all-way stop, which would need to be addressed at the time of development to ensure concurrency standards can be met. A new road connection would be required to the east to serve the northern property. I have spoken with the applicants and suggested that a roundabout access control be used to join their site entrance to Soper Hill Road. The placement of this roundabout is suggested to be placed as far to the east of SR 9 as possible.
  - b. The intersection of Soper and Lake Drive would need to be addressed at the time of development to ensure concurrency standards can be met. Current configuration has two legs of a tee intersection stopped control. This could be addressed with a mini-roundabout. All stop not considered acceptable due to the close proximity to the Lundeen RAB.
  - c. I have also suggested that Soper Hill Road southern leg become a one-way access at the proposed roundabout. This would reduce existing trips onto

this portion of Soper Hill Road (residential section) and lessen impacts from this development. Soper Hill Road southern section could remain a two-way street provided a turnaround at the north end of this residential section is provided. Upon completion of a future connecting road between the northern ends of Soper Hill Road and Lake Drive, Soper Hill will become a permanent one-way road.

If the Developer supports this concept, this will need to be modeled at the time of future development. If not, impact mitigation to the southern leg of Soper Hill Road (residential section) will need to be addressed to accommodate the additional traffic.