

CITY OF OAK HARBOR
MITIGATED DETERMINATION OF NONSIGNIFICANCE

Description of proposal: The applicant proposes to subdivide the property into 22-lots for single-family residences and install associated improvements including streets, sidewalks, utility infrastructure (stormwater, sewer, water). The applicant also proposes to preserve the onsite wetland at the southwest corner of the site, but will reduce the standard 70-foot buffer required for a Category III wetland to a 40-foot buffer through mitigation plantings and buffer averaging. The function and values of the wetland are projected to remain equal or better by the applicant's wetland specialist. Also preserved on the site as part of the project development will be approximately 1/2-acre of native vegetation areas. The onsite circulation system will extend NW Prow Street to the south to the Island Place development and will extend NW 7th Avenue to the west for eventual extension to NW Upsala Street.

Proponent Land Resolutions on behalf of Seattle Pacific Development, LLC

Location of proposal The project is located south of the existing terminus of NW Prow Street, west of Heller Street and the Paragon Place development, and north of the existing/proposed Island Place development.

Lead Agency City of Oak Harbor

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This MDNS is issued under 197-11-350; with a fifteen day comment period ending on April 21 before 5:00 p.m.; provided there are no substantive comments submitted, the MDNS will become final on that date.

FINDINGS:

Earth

1. The site gently slopes downhill from east to west with maximum slopes of approximately 8 percent.
2. The applicant is proposing 4,500 cubic yards of cut on the site and 5,000 cubic yards of fill to bring the site to the desired elevation. The majority of the cut material will be retained on-site.
3. The applicant is proposing to utilize construction stormwater and erosion control BMPs in compliance with the Department of Ecology requirements. The BMPs are detailed in the applicant's stormwater pollution prevention plan. These BMPs will adequately control erosion during construction and include: (1) marking clearing limits (2) stabilized construction entrance (3) a temporary detention facility (4) filter fabric fencing (5) mulching and hydroseeding of graded soils (6) filter fabric socks on storm inlets (7)

check dams (8) construction vehicle staging (11) maintenance of all BMPs and (12) having a certified erosion control lead (CESCL) onsite.

Air

4. During construction, there may be nominal increases in air emissions from construction vehicles. After construction, there may also be nominal increases to air emissions associated with the residential structures and vehicular traffic.

Water

5. There is a category III onsite wetland located at the southwest corner of the site with a required standard 70-foot buffer and a habitat rating of less than 15. No fill or dredge material is proposed to be placed in the wetland.
6. The applicant is proposing to reduce the standard 70-foot buffer width of the wetland to 40 feet as allowed by the Oak Harbor Municipal Code through the use of restoration plantings and buffer averaging. The applicant's wetland specialist has indicated that the functions and values of the wetland post development will be equal or improved over existing conditions.
7. During construction, the wetland will be protected through the use of DOE approved BMPs including a siltation fence placed at the edge of the reduced wetland buffer.
8. After construction, stormwater runoff from the site will be treated using DOE approved permanent BMPs. The applicant proposes to collect, retain, treat, and infiltrate stormwater in the proposed onsite raingarden and infiltration gallery near the southwest side of the site. In addition, the applicant proposes infiltration trenches for roof drains on all lots.
9. There is an existing private septic drain field on the east side of the subject property served by a private pressure line that runs east west through the northern section of the property. This septic drain field and pressure line serves approximately 27 multifamily rental units at the Heathrow Apartments located immediately to the west and north of the project site.

Plants

10. The site is currently forested with a mix of Douglas Fir, Western Hemlock, and Western Red Cedar. Understory plants include Salmonberry, Himalayan Blackberry, Oregon Grape and other species.
11. The applicant is proposing to remove the majority of vegetation on the site, but will preserve 10 percent of the native vegetation, including 15 percent of the significant trees 12-inches d.b.h. or greater on the site, as required by the Oak Harbor Municipal Code (OHMC) in native vegetation areas generally located on the north, east, and southern edges of the site.
12. There are no known threatened or endangered plant species on the site.

Animals

13. The site contains minimal animal habitat. What exists is primarily composed of habitat for passerine birds as stated by the applicant's wetland specialist. The applicant also states in their SEPA environmental checklist that hawks, herons, songbirds, deer, and rabbit are known to occur on or near the site. There are no known threatened or endangered species on or near the site.

Energy and Natural Resources

14. The finished homes on the site will use a combination of electricity and natural gas to meet the energy needs of the project.
15. The applicant will meet all applicable provisions of the Washington State Energy Code and International Residential Code.

Environmental Health

16. As with all wooden structures, there is a risk of fire with the single-family homes that will eventually be constructed on the site. The applicant will be required to meet International Residential Code and International Fire Code requirements for fire-resistive construction. Fire suppression will be provided to the site by the Oak Harbor Fire Department.
17. Noise will be generated during the construction of the project from construction vehicles and activities. The applicant will be required to meet the City's noise ordinance (OHMC 6.56.030) by limiting construction to the hours of 7:00 a.m. – 9:00 p.m. Monday through Friday. Construction activities outside of these hours are only allowed with building official approval.

Land and Shoreline Use

18. The site is designated "Medium-High Density Residential" in the City's Comprehensive Plan and is zoned R-2 "Limited Multi-Family Residential." The applicant is proposing single-family lots at densities meeting the zoning requirements of the R-2 zone.
19. The site contains an environmentally sensitive area in the form of a category III wetland at the southwest side of the site.

Housing

20. The applicant is proposing single-family housing on the site. As no housing units presently exist on the site none will be demolished.

Aesthetics

21. The applicant is proposing single-family structures which will adhere to the 35-foot height limits in the R-2 zone. No significant aesthetic impacts are anticipated from the construction of these structures and associated site improvements.

Light and Glare

22. The completed project will produce light levels from finished homes, automobiles, and street lighting typical of a single-family neighborhood. Street lighting will be required to be in accordance with City standards for reduction of light pollution and glare.

Recreation

23. As a single-family neighborhood, the proposed development will increase demand for and use of city parks. The applicant will pay the City's applicable park impact fees as mitigation for the increased demand and use of city parks.

Historic and Cultural Preservation

24. There are no known historic sites, objects, or evidence of archaeological, scientific, or cultural importance on the site. The Department of Archaeology and Historic Preservation reviewed the applicant's SEPA environmental checklist and commented that "the project area landform has a low to moderate probability for containing precontact archaeological resources." DAHP recommended that an Inadvertent Discovery Plan (IDP) be added to the permit and be available for reference during construction.

Transportation

25. The applicant is proposing an onsite system of streets to serve the development. Primary access to the site will be from NW Prow Street.
26. An Island Transit bus stop is within walking distance (1/2 mile) of the site along Heller Street.
27. The applicant is proposing a minimum of two off-street parking spaces to serve each lot.
28. To reduce speeds within the neighborhood, a traffic calming measure will be required.
29. The applicant will pay applicable transportation impact fees for each residential unit.

Public Services

30. The proposal will incrementally increase the demand for public services including fire, police, health care, schools, etc. Property taxes levied on lots within the development will help mitigate for the increased demand on public services.

Utilities

31. The applicant will install utility infrastructure to serve the site. The property owners or home owners association will maintain the onsite stormwater infrastructure. Oak Harbor will own and maintain sewer, water, and stormwater infrastructure within public rights-of-way and provide solid waste disposal services to residents. Puget Sound Energy will be the purveyor of electricity, Comcast the purveyor of cable/internet, and Frontier the purveyor of telephone. All utility infrastructure will be placed underground.

CONDITIONS:

Water

1. The applicant shall meet all requirements of the City's critical areas ordinance (OHMC Title 20) regarding mitigating impacts to the wetland and its buffer during and after construction and shall also adhere to all recommendations in the wetland reports by Bredberg and Associates and Wetland Resources, Inc. including the "Buffer Enhancement Plan" by Wetland Resources dated March 11, 2014.
2. The applicant must decommission or abandon in-place the existing private septic pressure line and drain field on the property in accordance with Island County Health Department and State of Washington Department of Health requirements prior to the issuance of building permits on the subject site.

Light and Glare

3. The applicant shall install city-approved street lights in accordance with City standards for reduction of light pollution and glare.

Historic and Cultural Preservation

4. The applicant shall sign a copy of the City's Inadvertent Discovery Plan (IDP) and make a copy of the IDP available onsite during construction.

Transportation

5. To reduce speeds within the proposed development, the applicant shall install a city-approved traffic calming mechanism. The specific location and design of this mechanism will be determined as part of the civil plan approval.

Responsible Official: Steve Powers, AICP

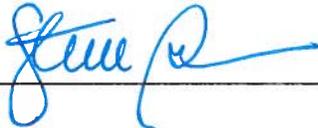
Position/Title: Development Services Director

Phone: (360) 279-4512

Address 865 SE Barrington Drive, Oak Harbor, WA 98277

Date April 3, 2014 (Revised April 21, 2014)

Signature _____



This determination of non-significance shall be considered final. You may comment on this determination at Oak Harbor City Hall, 865 SE Barrington Drive, Oak Harbor, WA, 98277 no later than close of business April 21, 2014.