



City of Tukwila

Department of Community Development

Jim Haggerton, Mayor

Jack Pace, Director

FINAL STAFF EVALUATION FOR ENVIRONMENTAL CHECKLIST

File No: E09-001

I. SUMMARY OF PROPOSED ACTION

The proposal is to develop two existing lots, approximately one acre total area, into a 9-lot short plat and subsequent cottage housing development. Site improvements include a shared tract for common outdoor spaces, including sensitive areas; low-impact development techniques with rain gardens and wetland recharging, and frontage improvements including curb, gutter, and sidewalks. The site contains a wetland and a stream buffer; a 50% buffer reduction is requested. Included in this report is an aerial photo of the site with the stream and wetland and buffers depicted.

II. GENERAL INFORMATION

Project Name: Cooke Creek Meadows Cottage Housing

Applicant: Todd Smith for Cooke Riverside Properties, LLC

Location: The site is located at 13325 Macadam Road South. Tax parcels are 7340600982 & 7340600983.

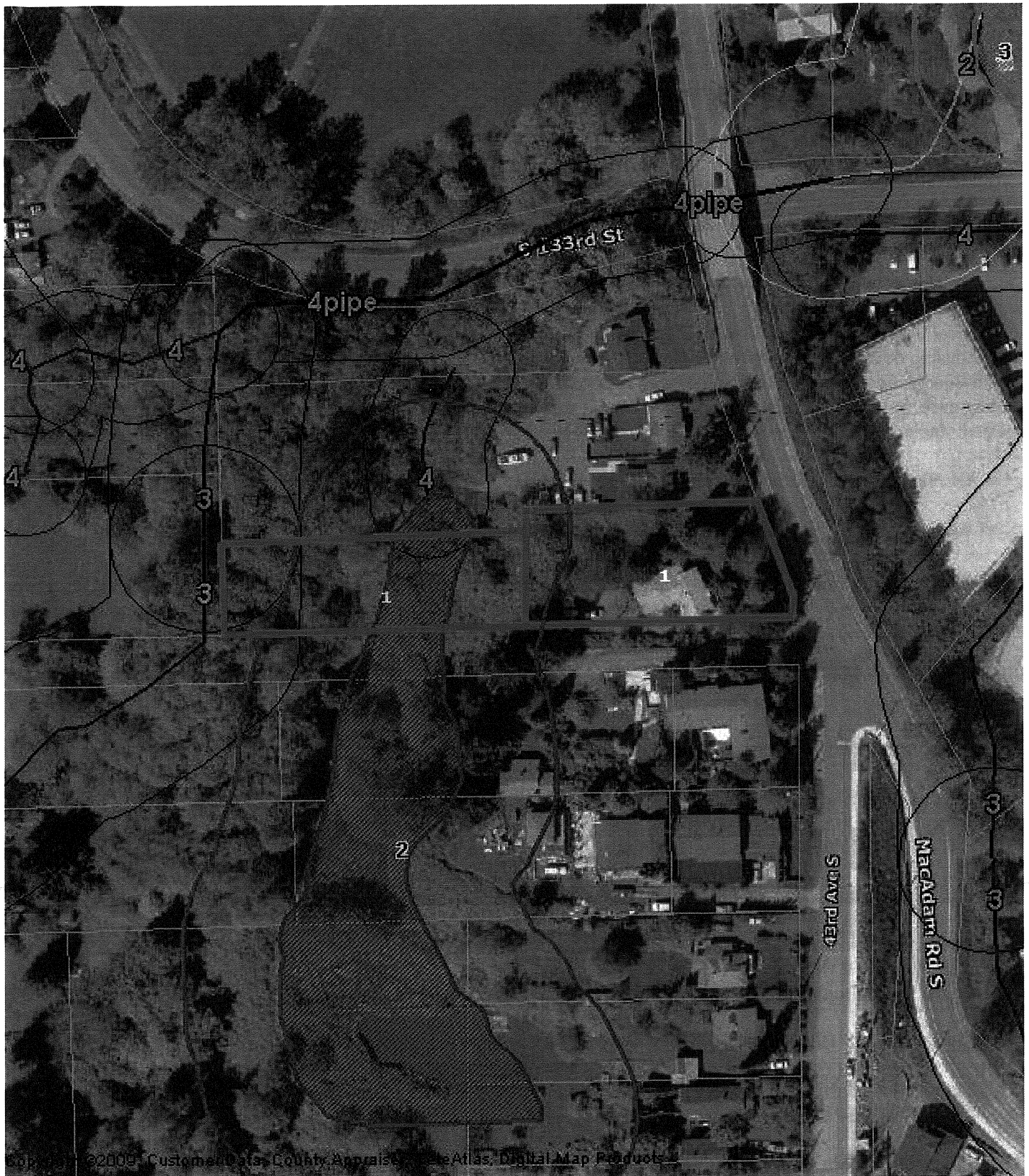
Zoning and Comprehensive

Plan Designation: Low-Density Residential (LDR)

The following information was considered as part of review of this application.

1. SEPA Checklist dated 3/30/2009
2. Critical Area Mitigation Grading & Planting Plan dated 9/21/2009.
3. Infiltration Evaluation by GEO Group Northwest dated 8/11/2009.
4. Cooke Creek Meadows Submittal and Buffer Reduction (response to comments) undated, received 9/22/2009.
5. Geotechnical Engineering Study by Geo Group Northwest, Inc, dated 7/7/2008.
6. Cooke Property Conceptual Mitigation Plan by ESA Adolphson dated 10/16/2007.
7. Tukwila land use files L09-013 (Design Review), L09-012 (Buffer Reduction), L09-020 (Short Plat), L08-068 (Tree Clearing Permit).

NOTE: Technical reports and attachments referenced above may not be attached to all copies of this decision. Copies of exhibits, reports, attachments, or other documents may be reviewed and/or obtained by contacting Stacy MacGregor, Assistant Planner, 6300 Southcenter Boulevard, Tukwila, Washington, 98188, Phone: (206) 433-7166.



Map of site (2 parcels) outlined in bright green. Southgate Creek is shown to the east of the property labeled with the number 3; the wetland running across the property is shown as green hatch. Buffers to sensitive areas are shown as solid lines. The aerial photo shows the wetland and buffer boundaries based on the SAO maps and have since been corrected based on the wetland delineation in the field.

III. REVIEW PROCESS

The proposed action is subject to State Environmental Policy Act (SEPA) review as the project does not meet the exemptions listed under WAC 197-11-800. The proposal is for 9 homes with an estimated cut and fill of 3000 cubic yards and includes lands partially covered by water. SEPA is required because the categorical exemptions adopted by reference in Tukwila Municipal Code 21.04.100 are not met

IV. BACKGROUND/PROPOSAL

The proposal is to develop two existing lots consisting of 1.14 acres into a 9-lot short plat and subsequent cottage housing development with common outdoor spaces, including sensitive areas, on a shared tract. The site includes a Type 3 wetland with a 50' buffer and approximately 90' of the 100' buffer of Southgate Creek, a Type 2 watercourse. Type 3 wetlands are those wetlands that are greater than 1,000 square feet and less than one acre in size with two or fewer wetland classes. Type 2 watercourses have perennial or intermittent flows and support salmonid fish use.

In addition to a permit to subdivide, the project is requesting a 50% buffer reduction on the east side of the wetland which requires buffer enhancement for approval; the project also requires buffer mitigation for unauthorized tree clearing in the buffered area between the stream and the wetland. Infrastructure on the public street includes curb, gutter, and sidewalks. The conceptual project was approved under the City's Housing Options program to create a cottage housing demonstration project subject to Tukwila Municipal Code (TMC) 18.120.

V. REVIEW OF THE ENVIRONMENTAL CHECKLIST

The following lists the elements contained within the Environmental Checklist submitted for the proposed project. The numbers in the staff evaluation correspond to the numbers in the Environmental Checklist. If staff concurs with the applicant's response, this is so stated. If the response to a particular item in the checklist is found to be inadequate or clarification is needed, there is additional staff comment and evaluation.

A. BACKGROUND:

- 1-4. Concur with checklist.
5. The construction will follow issuance of a SEPA determination and after obtaining all required permits from the City of Tukwila and other agencies.
6. Adding additional phases to the project will require obtaining required permits from the City of Tukwila or other agencies. Future phases are not included in this review.
7.
 - i. Critical Area Mitigation Grading & Planting Plan dated 9/21/2009.
 - ii. Infiltration Evaluation by GEO Group Northwest dated 8/11/2009.
 - iii. Cooke Creek Meadows Submittal and Buffer Reduction (response to comments) undated, received 9/22/2009.
 - iv. Geotechnical Engineering Study by Geo Group Northwest, Inc, dated 7/7/2008.
 - v. Cooke Property Conceptual Mitigation Plan by ESA Adolphson dated 10/16/2007.
8. Concur with checklist.
9. In addition to the permits listed, with the exception of subdivision approval and a boundary line adjustment which are not required, preliminary and final approval for the short plat is required. The project also requires a US Army Corps of Engineers (USACE) Nationwide permit which the applicant has applied for. The need for a 401 Water Quality Certification from the Department of Ecology will be determined by the USACE as part of the Nationwide permit process. The Department of Fish and Wildlife determined that Hydraulic Project Approval (HPA) is not needed.

10. Concur with checklist.
11. Q-S-T-R: NE-15-23-4
12. The site includes a Type 3 wetland with a 50' buffer and approximately 90' of the 100' buffer of Southgate Creek, a Type 2 watercourse. Class 2 slope areas (defined at areas where landslide potential is moderate, which slope is between 15-40%, and which are underlain by relatively permeable soils) are dispersed over approximately half of the site.

B. ENVIRONMENTAL ELEMENTS:

1. Earth:
 - a-b. Concur with checklist.
 - c. According to the soil test pits provided in the geotechnical engineering study, the soils on the site are topsoil, silt, glacial till, and glacially consolidated silt. The report states that the soils are mapped as Younger gravel but Younger gravel was not encountered in the nine test pits.
 - d-e Concur with checklist.
 - f. Project is to comply with Geotechnical Engineering Report, by GEO Group Northwest, dated July 17, 2008. ESC measures as recommended in the 1998 KCSWM must be utilized.
 - g. According to the conceptual plans submitted and revised after the SEPA checklist was submitted, approximately 30% of the site will be covered with impervious surface (building or paving).
 - h. In addition to the checklist, the project is to comply with Geotechnical Engineering Report, by GEO Group Northwest, dated July 17, 2008. ESC measures as recommended in the 1998 KCSWM must be utilized.
2. Air:
 - a-c. Concur with checklist.
3. Water:
 - a(1). In addition to the description in the checklist, less than 20 feet of a buffer for a type 4 stream is located on the north side of the parcel. The buffer is located in the area which is covered by wetland.
 - a(2) In addition to the response in the checklist, the project is proposing to increase the size, improve the function and increase the capacity of the wetland through creation of additional wetland (excavation, replanting and filtering storm water discharged from the site to the wetland via a dispersion trench. A weir is proposed to cross the wetland functioning as both a footpath and as flow control to temporarily detain stormwater in the wetland. Five of the nine homes will fall within 200 feet of the western edge of the wetland along with some shared paths (paved and mulched) and a small portion of the driveway.

a(3) The sewer line will no longer be brought through the wetland. Additionally, the applicant changed the plan after the SEPA checklist was submitted and now, approximately 2500 cubic feet of soil will be excavated to create additional wetland on the site. The excavated material will be used on site in landscaping and other areas.
 - a(4). Excavation in the mitigation area will only occur during the dry season

a(5-6). Concur with checklist.

b(1-2). Concur with checklist.

c(1) 50% of the driveway storm water will be tight-lined into the storm drain system. All of the remaining storm water on the site will be filtered through rain gardens before either entering either the storm drain system, the dispersion trench (and eventually the wetland), or used on site for irrigation. Three of the houses (1, 2 & 3) will have about 30% of the storm water flow through a rain garden system to the east then tight-lined into the existing storm water conveyance system. The remaining 70% storm water runoff from the site flows into the wetland via the dispersion trench. The run-off from six houses (4, 5, 6, 7, 8 & 9) will be directed through the rain gardens and used to irrigate the common landscaping. Excess water will be dispersed into the wetland from a 50' dispersion trench running north-south 25' from the wetland. The impervious concrete driveway will divert 50% of the storm water east tight-lined to the storm water drain system. The remaining 50% will flow west connecting to the rain garden system getting filtered and biologically treated before it enters the wetland.

Water enters the wetland from the west and flows northerly along an existing ditch over relatively impermeable soils with minimal infiltration. The wetland feeds into Southgate Creek which drains into the Duwamish River about 2500 feet to the north. The project includes improving functionality and increasing wetland capacity to retain water during storm events by increasing the holding capacity of the wetland, improving the wetland function through invasive plant removal and native species re-habitation, and installing a weir to control the rate of water released from the wetland.

The area between the wetland and the stream drains to the creek. No additional runoff will result to this sub-basin in the developed condition.

c(2-3). The project shall meet all King County Surface Water Design Manual drainage requirements. All impacts associated with drainage will be mitigated as part of the construction permit. Best Management Practices must be followed to ensure that no construction debris enters the storm drainage system. All impacts related to construction debris will be mitigated as part of the construction permit. Additionally, the wetland mitigation plan requires monitoring for 5 years. Plantings are required to thrive and the wetland and weir will have performance measures that must be met.

4. Plants:

a. Concur with checklist.

b. Non-native invasive species, including reed canary grass, ivy, and Himalayan Blackberry will be removed. The applicant removed an estimated 35 trees from the buffer areas, 6 of which were significant trees. The permit includes replacing trees per City code and improving the landscape with native species as mitigation for the buffer reduction and work in the buffers.

c. Concur with checklist.

d. Only native species of plants are allowed in the wetland and stream buffers. Invasive species will be removed. The landscaping must be maintained over the life of the project and maintenance will be written into the CC&Rs for the homeowner's association.

5. Animals:

a-b. Concur with checklist.

- c. Yes – This area is part of the Pacific Flyway, a primary corridor for migratory bird species.
 - d. Improving the wetland function and re-vegetating with native plants should encourage use of the area by wildlife, especially bird species. The wetland enhancement includes placing 11 snags and 7 horizontal logs to provide habitat for wildlife.
6. Energy and Natural Resources:
a-c. Concur with checklist.
7. Environmental Health:
a-b(1). Concur with checklist.
- b(2-3). The project must meet City of Tukwila noise ordinance requirements. Compliance with applicable local, state and federal noise regulations will mitigate any potential adverse noise impacts associated with the project.
8. Land and Shoreline Use:
a-k. Concur with checklist.
- l. The project is subject to Board of Architectural (BAR) approval under Tukwila Municipal Code (TMC) Chapter 18.14.060. The project will be reviews for compliance with the City's adopted Comprehensive Plan, the Tukwila Municipal Code and specifically with the City's Zoning Code Chapter 18.120 Housing Options. Within the Housing Options Program and the Board of Architectural Review Criteria, there are a number of design guidelines by which the BAR will decide whether to approve, condition, or deny a project.
9. Housing:
a-c. Concur with checklist.
10. Aesthetics:
a. The Housing Options Program under which this project is subject to limits the height of all structures to 18 feet except that cottages with a minimum roof pitch of 6:12 for all parts of the roof over 18 feet can extend to 25 feet in height.
- b-c. Concur with checklist.
11. Light and Glare:
a-d. Concur with checklist.
12. Recreation:
a. Riverton Park is located less than 300 feet to the north; Riverton Mini Park is located less than 1000 feet to the northwest. Both parks are accessible on public streets. Southgate Park is located 2500 feet to the south by roads and trails. Macadam Road fronting the project is designated as a bicycle-friendly route in the City's Walk and Roll Plan. A bike lane and sidewalks are requested improvements to be installed as a part of the project.
- b. Concur with checklist.
- c. A bike lane and sidewalks are requested improvements for the applicant to install as a part of the project.

13. Historic and Cultural Preservation:
 - a-b. Concur with checklist.
 - c. Applicant will comply with all local, state, and federal laws in the case that archaeological or paleontological artifacts are encountered.
14. Transportation:
 - a. Concur with checklist.
 - b. In addition to the applicant's response, the commuter rail station is approximately 3 miles away off West Valley Highway. The light rail station is located off Tukwila International Boulevard not Interurban Avenue.
 - c. Concur with checklist.
 - d. Yes, improvements on Macadam Road will need to meet City standards and adopted plans and may include curb, gutter, sidewalk, bike lanes, and landscape strip.
 - e. Concur with checklist.
 - f-g. The applicant has applied for a traffic concurrency certificate. The certificate will determine the amount of traffic mitigation fees required for this project. Traffic mitigation fees shall be paid prior to issuance of the building permit. All temporary traffic impacts associated with construction shall be mitigated as part of the construction permit.
15. Public Services:
 - a. Concur with checklist.
 - b. Fire and Park impact fees will apply and shall be paid prior to issuance of the building permit.
16. Utilities:
 - a-b. Concur with checklist.

VI. COMMENTS:

On May 8, 2009, Notice of Application was posted on the site and mailed to property owners and tenants within 500 feet of the project. Additionally, a public meeting was held May 13, 2009. Two citizens attended the public meeting to learn about the project; no written comments were received during the public comment period. A public hearing will be held with the Board of Architectural review as required in TMC 18.104 for all Housing Options Cottage Demonstration Projects.

VII. CONCLUSION

The proposal can be found to not have a probable significant adverse impact on the environment and pursuant to WAC 197-11-340 a Determination of Nonsignificance (DNS) is issued for this project. This DNS is based on impacts identified within the environmental checklist, attachments, and the above *Final Staff Evaluation for Environmental Checklist File No. E09-001*, and is supported by plans, policies, and regulations formally adopted by the City of Tukwila for the exercise of substantive authority under SEPA to approve, condition, or deny proposed actions.

Prepared by: Stacy MacGregor, Assistant Planner

Date: November 17, 2009

