



2401 South 35th Street
Tacoma, Washington 98409-7460

MITIGATED DETERMINATION OF NONSIGNIFICANCE

Environmental Application No. 791936

Application Family: 791938, 791932, 795264, 801530

Parcel Number: 0419336002

Online Permit: <http://palsonline.co.pierce.wa.us/palsonline/permitinfo?applPermitId=793936>

Action: Site Development Permit: Silver Creek Apartments

Proposal: Construct an apartment complex consisting of 182 units in thirteen (13), 3-story buildings, seven (7) carports, and a recreation facility with a manager's unit on a 9.1 acre parcel. The parcel is designated "Phase 7 C-3-PDD" by the Silver Creek Master Development Plan. The proposed multifamily use is permitted outright in the C-3 zone. Development of property in Silver Creek is regulated by the Silver Creek Master Development Plan, by Chapter 18.10, Pierce County Zoning Code of Title 18, Land Use Regulations, by Chapter 15.28 Sign Code and by various Hearing Examiner decisions relating to the Silver Creek PDD. The parcel is zoned Commercial Center (CC) and classified Master Planned Community (MPC) under Title 18A, Zoning. Multifamily housing is allowed outright in the CC zone classification.

Location: 17718 Gem Heights Drive East, Puyallup, WA, within the NW ¼ of Section 33, T19N, R4E, W.M. in Council District #3

Proponent: 17718 Gem Heights Drive LLC

Conclusions of Responsible Official:

The Responsible Official concludes that a Mitigated Determination of Nonsignificance (MDNS) may be issued for this proposal. This is based upon staff review of the environmental checklist and attachments, other information on file with Pierce County, and County regulations governing the project. The MDNS is supported by plans, policies, and regulations adopted by Pierce County for the exercise of substantive authority under SEPA. The following are the County adopted policies which support the MDNS.

1. Recognize that the mitigation of development impacts is the shared responsibility of the public and private sectors. The County requires that developers of land along identified transportation corridors contribute their fair share towards transportation improvements necessitated by their development(s). Impact mitigation efforts may include:
 - b. Requiring that developers assist the County and other jurisdictions in the provision of additional transportation facilities and services needed to serve new developments in proportion to the impacts and needs generated by their projects. (Section 19A.80.100.Q.2, Title 19A – Comprehensive Plan)



2. Determine the adequacy of transportation facilities taking into account existing development, approved but unbuilt development and proposed development through utilization of capacity-to-demand (LOS), availability of capacity including phased capacity, and/or coordination of appropriate standards of design across jurisdictional lines. (Section 19A.80.050.B.5, Title 19A – Comprehensive Plan)
3. Address concurrency by providing transportation facilities needed to accommodate new development with six years of development approval, limiting new development to a level that can be accommodated by existing facilities and facilities planner for completion over the next six years, and encouraging new and existing developments to implement measures to decrease congestion and enhance mobility through transportation demand and congestion management. (Section 19A.80.050.B.9, Title 19A – Comprehensive Plan)
4. Concurrent with development shall mean that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years. (RCW 36.70A.070(6)(e)) (1994 Pierce County Comprehensive Plan, pg. VII-13)
5. Maintain the Level of Service (LOS) standard for the public facilities identified in the Capital Facilities Element. (Section 19A.30.180.C.1, Title 19A – Comprehensive Plan)
6. "Public facility" means the capital improvements and systems of each of the following facilities or services:
 - (j.) Roads (including related sidewalks, lighting). (Section 19A.100.010.A.4, Title 19A – Comprehensive Plan)
7. Ensure adequate transportation facilities for all transportation modes, including trucks and passenger vehicles, transit, localized rail service, air and ferry service, and nonmotorized modes of travel. (Section 19A.80.100.A, Title 19A – Comprehensive Plan)
8. Use the transportation planning process to identify transportation system needs throughout the county in order to:
 1. Provide adequate transportation facilities and services to meet current and future travel needs;
 2. Identify specific transportation corridors and alignments where public roads are needed; and
 3. Locate and protect needed rights-of-way as soon as possible. (Section 19A.80.100.F, Title 19A – Comprehensive Plan)
9. Reserve property for needed rights-of-way as quickly as possible. Methods to acquire and preserve right-of-way include, but are not limited to:
 1. Requiring dedication of right-of-way as a condition for development. (Section 19A.80.100.G.1, Title 19A – Comprehensive Plan)
 4. Purchasing rights-of-way by the County. (Section 19A.80.100.G.4, Title 19A – Comprehensive Plan)

10. Allow land use changes (such as master plan developments, rezones, plats and conditional use permits) only when these changes are accompanied by specific documentation or proposed plans showing how the transportation system can adequately support the needs of existing and proposed development. Pierce County will establish threshold levels for this policy so that small landowners will not be unfairly disadvantaged, and will tie implementation of this policy to impact mitigation planning that seeks to fairly allocate the costs of transportation improvements among and between the County and all affected parties. (Section 19A.80.100.K, Title 19A – Comprehensive Plan)
11. Work to secure adequate long-term funding sources for transportation through a variety of methods, including:
 6. Sharing costs with private developers who want to accelerate construction of particular transportation improvements or for additional transportation facilities and services needed to serve new development, in proportion to the impact and needs generated by individual projects. (Section 19A.80.100.P.6, Title 19A – Comprehensive Plan)
12. Both existing and future development shall pay for the costs of needed capital improvements.
 2. Future development.
 - a. Future development shall pay its fair share of the capital improvements needed to address the impact of such development, and may pay a portion of the cost of the replacement of obsolete or worn out facilities. Upon completion of construction, “future” development becomes “existing” development, and shall contribute to paying the costs of the replacement of obsolete or worn out facilities as described in Policy CFP 2.2.1.a (PCC 19A.100.020 B.1.a). (Section 19A.100.020.B.2.a, Title 19A – Comprehensive Plan)
 - b. Future development’s payments may take the form or, but are not limited to, voluntary contributions for the benefit of any public facility, impact fees, capacity fees, dedications of land, provision of public facilities, public or private partnerships and future payments of user fees, charges for services, special assessment, and taxes. Future development shall not pay impact fees for the portion of any public facility that reduces or eliminates existing deficiencies. (Section 19A.100.020.B.2.b, Title 19A – Comprehensive Plan)

MITIGATION: The Responsible Official has determined that the proposal does not have a probable significant impact on the environment, and an Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c), only if the following conditions are met. This decision was made after review of a completed environmental checklist, other information on file with Pierce County, and existing regulations. This information is available to the public on request. These mitigation measures are required as authorized under the Substantive Authority of SEPA in accordance with the guidelines contained in Section 18D.10.080 of the Pierce County Code and shall be implemented by the applicant.

1. Additional lighting shall be required on Gem Heights Drive East, between 176th Street East and the two-way left-turn lane, to bring the roadway lighting levels to current standards. Design and construction shall be in accordance with the Pierce County Road Standards. The lighting design shall be approved prior to issuance of any building permits, and construction shall be completed prior to final building inspection of any building permit application.

2. The existing slope mountable curbing on 176th Street East, near the project access, shall be extended to help prevent vehicles from turning westbound onto 176th Street East. The extent of the improvement shall be as determined by the Pierce County Traffic Division. Design shall be approved prior to issuance of any building permits, and construction shall be completed prior to final building inspection of any building permit application.

This Mitigated Determination of Nonsignificance (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 issue. Comments must be submitted by close of business on the comment deadline date. The Responsible Official will reconsider the MDNS based on timely comments and may retain, modify, or, if significant adverse impacts are likely, withdraw the MDNS. If the MDNS is retained, it will be final after the expiration of the comment deadline. No permits may be issued, and the applicant shall not begin work, until the comment deadline has expired and any other necessary permits are issued.

RESPONSIBLE OFFICIAL: Dennis Hanberg
POSITION/TITLE: Director
ADDRESS: 2401 S. 35th St., Suite 2, Tacoma, WA 98409

STAFF CONTACT: Adonais Clark, Senior Planner, Phone (253) 798-7165

DATE OF ISSUE: April 17, 2015

COMMENT DEADLINE: May 1, 2015

APPEAL DEADLINE: May 15, 2015


for Dennis Hanberg, Responsible Official

NOTE: Pursuant to RCW 43.21C.075, Section 18D.10.080 of Title 18D, Pierce County Development Regulations-Environmental and Chapter 1.22 of Title 1, General Provisions, decisions of the Responsible Official may be appealed. Appeals are filed with appropriate fees and Notice of Appeal at the Planning and Land Services Department, located at the Development Center in the Public Services Building, 2401 S. 35th St., Suite 2, Tacoma, WA 98409. You should be prepared to make specific factual objections. Appeals must be filed within 14 days of the expiration of the comment deadline.

NOTE: The issuance of this Mitigated Determination of Nonsignificance does not constitute project approval. The applicant must comply with all other applicable requirements of Pierce County, federal, and state agencies, and/or the Hearing Examiner prior to receiving construction permits.

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