MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)

Application No.: SEP06-031 (Related files: CUPO6-001; DEV07-017; SUB07-008; Resolution No. 1374; Resolution No. 1385).

Description of proposal: The construction of a 45,000 square foot Boys and Girls Club facility (known as "The PEAK") with exclusive and shared parking as well as an outdoor children's play area. Proposed uses at the facility include a field house and licensed daycare.

Proponent: The Boys and Girls Club of King County

Location of proposal: Mercer Island High School Campus
4160 86th Avenue SE, Mercer Island WA
(Identified by King County Assesor tax parcel identification numbers 1824059005, 1824059006, 1824059045).

Lead agency: City of Mercer Island

The lead agency for this proposal has determined that this proposal will not have a probable significant adverse impact on the environment subject to mitigation measures provided herein, and therefore a SEPA Mitigated Determination of Non-Significance (MDNS) is issued pursuant to the optional DNS process, as specified in WAC 197-11-355. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.031(1). This threshold determination was made after review of the completed SEPA environmental checklist, permit application materials, Subsurface Exploration, Geologic Hazard and Geotechnical Engineering Report prepared by Associated Earth Sciences, Inc. (dated October 7, 2005), The Peak at Mercer Island Transportation Impact Analysis prepared by The Transpo Group (original report dated November 2006, revised report dated March, 2007), comments submitted in response to the Notice of Application (issued July 30, 2007) and other information on file with the lead agency.

This Mitigated DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

SEPA Responsible Official:
Steve Lancaster, Director of Development Services
City of Mercer Island
9611 SE 36th Street. Mercer Island, WA 98040

Phone: (206) 275-7706
FAX: (206) 275-7726

Signature _______________________________ Date: January 7, 2008
MITIGATION CONDITIONS

Per the environmental documents on file with the City of Mercer Island, the following shall be the Mitigation Conditions for the proposed action:

1. The applicant and the Mercer Island School District shall provide a total of two hundred fifty-five (255) on-site parking stalls. Ninety-nine (99) of these stalls shall be dedicated and enforced for the exclusive use of PEAK at all times. One hundred and fifty-six (156) of these stalls shall be shared with the Mercer Island School District, pursuant to the approved First Amendment to Development Agreement (Resolution No.1385).

2. Prior to final inspection of work authorized by the building permit, the applicant and the Mercer Island School District shall implement a unified scheduling system as required by the “First Amendment to Development Agreement,” Section IV, Restrictions on Operations (Resolution No 1385).

3. The Mercer Island School District shall administer and implement the Mercer Island School District Transportation Demand Management Plan for Mercer Island High School Campus dated December 10, 2007 (date-stamped “Received” by City of Mercer Island Development Services on December 11, 2007).

4. The Mercer Island School District shall dedicate right of way on the southeast corner of the intersection of SE 40th Street and 86th Avenue SE and grant any reasonable temporary construction easements needed for roadway related improvements including a sidewalk and traffic signal infrastructure. The specific limits of the dedication shall be determined by the City Engineer and will not exceed 225 square feet in size. The dedication shall occur no later than March 31, 2008 or alternative timeframe approved by the City Engineer.

5. Prior to the issuance of the Building Permit, the applicant shall pay the City of Mercer Island the pro rata share, as determined by the City Engineer, of the cost of project numbers C.8 (SE 40th St Corridor) identified in the City of Mercer Island Six-Year Transportation Improvement Plan. The project also includes improvements on 86th Avenue SE.

6. The applicant shall pay the City of Mercer Island the pro rata share, as determined by the City Engineer, of the cost of project number C.9 (Island Crest Way/Merrimount intersection improvements) identified in the City of Mercer Island Six-Year Transportation Improvement Plan (TIP) or as modified in future TIPs. The cost of project number C.9 upon which the applicant’s pro rata share will be calculated shall not exceed the amount shown in Mercer Island’s 2008-2013 TIP, adjusted for inflation. Payment shall be provided within sixty (60) days of advertisement for construction bids.

7. Prior to the issuance of the Building Permit, the applicant shall have a construction parking, staging and storage plan approved by the City Engineer. The applicant shall comply with all conditions and requirements of said plan throughout the duration of construction. Construction parking, staging and storage may not be permitted in the public right-of-ways, except as otherwise approved as part of a Right-of-Way Use Permit.
8. Prior to commencement of construction, the applicant shall obtain a Right of Way Use Permit designating haul routes for the construction of the PEAK facility, including all on-site and off-site improvements. The Right-of-Way Use Permit shall limit haul movements during peak traffic periods as determined by the City Engineer.

9. Prior to final inspection of the work authorized by the building permit, the applicant shall construct sidewalk and driveway improvements to provide pedestrian and vehicular connections between the site and 86th Avenue SE. These improvements shall be designed to connect to the improvements to be constructed on 86th Avenue SE as part of the SE 40th Street Corridor improvements. The Right-of-Way Use Permit shall limit haul movements during peak traffic periods as determined by the City Engineer.

10. Prior to final inspection of the work authorized by the building permit, the applicant shall construct curb and gutter on the east side of 86th Avenue SE between the proposed PEAK parking lot driveway and the south terminus of the SE 40th Street Corridor Improvements. The specific extent of these improvements will be determined by the City Engineer.

11. Prior to final inspection of the work authorized by the building permit, parking stalls one (1) through nine (9) in Lot F on the PEAK Proposal Site Plan date stamped June 11, 2007 shall be dedicated for the exclusive use of the CHILD Institute during CHILD operating hours, through the installation of signage as approved by the City Engineer and enforced through the approved Transportation Demand Management Plan. Parking stalls ten (10) through twelve (12) in Lot F shall be dedicated and enforced for the exclusive use of PEAK staff.

12. Prior to final inspection of the work authorized by the building permit, the east curb of Lot F on the PEAK Proposal Site Plan date stamped June 11, 2007 shall be designated as a "Fire Lane" through pavement markings and signage and enforced by the Mercer Island School District and the City Fire Marshal.

13. All school bus and van loading and unloading shall occur on-site in designated loading areas. All vehicles including buses and vans shall not block private driveways.

14. If deemed necessary by the City Engineer, the Mercer Island School District shall restrict any or all driveways from the property to 86th Avenue SE to right-turn in and/or right-turn out only, at any time following commencement of operation of the PEAK facility.

15. The applicant shall prepare a headlight screening plan for all newly constructed or reconstructed parking areas, which plan shall be subject to approval of the Design Commission.

16. The applicant shall prepare a Pedestrian Circulation Plan indicating and describing existing and any proposed pedestrian pathways or improvements linking the PEAK facility with assigned parking areas, the nearest transit stop, and other potential pedestrian traffic generators located on the Mercer Island High School Campus. The Pedestrian Circulation Plan shall be subject to the approval of the Design Commission.
This decision to issue a Mitigated Determination of Non-significance (MDNS) rather than to require an EIS may be appealed pursuant to Chapters 19.07 Environmental Procedures and 19.15 Administration of the Mercer Island Unified Land Development Code. An appeal of this SEPA determination must be filed with the City Clerk at 9611 SE 36th Street on or before January 22, 2008, 5:00 PM on the appropriate City forms and accompanied by the applicable appeal fee. Please contact the City Clerk for further information.