

City of Federal Way
Planning Commission Meeting/Hearing
for
February 20, 2019

Department of Community Development
Planning Division

City of Federal Way
PLANNING COMMISSION

February 20, 2019
6:30 p.m.

City Hall
Council Chambers

AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF MINUTES
February 6, 2019
4. AUDIENCE COMMENT – UNRELATED TO COMMISSION BUSINESS
5. ADMINISTRATIVE REPORT
6. COMMISSION BUSINESS
 - **Public Hearing**
2018 Comprehensive Plan Amendments
 1. 324th Road Extension, Amendment to Chapter 3
 2. Milton Road Area Legislative Rezone
7. ADDITIONAL BUSINESS
8. ADJOURN

Commissioners

Wayne Carlson, Chair

Lawson Bronson

Dawn Meader McCausland

Diana Noble-Gulliford

Eric Olsen, Alternate

Tom Medhurst, Vice-Chair

Hope Elder

Tim O'Neil

Dale Couture, Alternate

City Staff

Robert "Doc" Hansen, Planning Manager

Margaret Clark, Principal Planner

E. Tina Piety, Administrative Assistant

253-835-2601

www.cityoffederalway.com

**CITY OF FEDERAL WAY
PLANNING COMMISSION**

February 6, 2019
6:30 p.m.

City Hall
City Council Chambers

MEETING MINUTES

Commissioners present: Wayne Carlson, Lawson Bronson, Tom Medhurst, Tim O'Neil, Diana Noble-Gulliford, Dawn Meader McCausland, Dale Couture, and Eric Olsen. Commissioners absent: Hope Elder. City Staff present: Planning Manager Robert "Doc" Hansen, Principal Planner Margaret Clark, City Traffic Engineer Rick Perez, Deputy City Attorney Mark Orthmann, and Administrative Assistant E. Tina Piety.

CALL TO ORDER

Chair Carlson called the meeting to order at 6:30 P.M.

APPROVAL OF MINUTES

The January 16, 2019, minutes were approved as presented.

AUDIENCE COMMENT

None

ADMINISTRATIVE REPORT

None

COMMISSION BUSINESS

ELECTIONS

Commissioner O'Neil *nominated* Wayne Carlson as Chair. There were no other nominations. The vote was held and Commissioner Carlson was elected as Chair. Vice-Chair Bronson *nominated* Tom Medhurst as Vice-Chair. There were no other nominations. The vote was held and Commissioner Medhurst was elected as Vice-Chair.

STUDY SESSION: 2018 Comprehensive Plan Amendments

Planning Manager Hansen commented that tonight staff will clarify why the proposed rezone for the Milton Road Area is being heard again, since it was considered in 2017. Chair Carlson commented that staff will be available after the meeting to answer any questions. A timeline was provided to the Commission and citizens to help with the clarification (attached). Principal Planner Clark delivered the report. The 2018 Comprehensive Plan Amendments originally included two city-initiated requests (the Milton Road Legislative Rezone and realignment of the South 324th Street Extension) and one citizen-initiated request, which has been withdrawn. She went over the requests and background of the two city-initiated requests. The next step in the process is a public hearing before the Planning Commission, which is scheduled for February 20, 2019, at 6:30 pm in the City Hall Council Chambers.

Commissioner Noble-Gulliford asked if Brittany Lane part of the Regency Woods development. Planner Clark replied it was originally Regency Woods Division II. Commissioner Noble-Gulliford then asked if the propose lot size changes consistent with the original Regency Woods approval. Planner Clark responded that the original approval was to keep those lots at RS 35.0, but it wouldn't make sense for the city to change the lot size of only some of the lots, so all lots within the proposed boundaries are proposed for the lot size change.

Chair Carlson opened the meeting for public comment.

Roger vonDeonhoff – He and his wife live in the proposed Milton Road Area Rezone boundaries. They have a 20-acre parcel and the south half of their property is not in Federal Way. They oppose the proposed up-zoning amendments. He feels the comprehensive plan should not propose putting everyone in a higher density. Spring Valley is an area that should not be a high density. The comprehensive plan does state the Spring Valley (and one other area) is particularly sensitive and should be kept low-density (one house per five acres). Currently, there are 20 some houses in the area and current zoning would allow 40 some new homes. If up-zone to RS 5 or RS 7.2, it will create huge traffic problems. There are already huge traffic back-ups at some of the streets during commuter times. It will bring some 300 to 400 new homes. The traffic analysis that is part of the EIS states that one way to mitigate the traffic is to punch a road through the middle of his property. There used to be a right-of-way/easement owned by the county, but he had it vacated, so there is currently no right-of-way available. The road would run through a wetland. It would exit his property right by a children's playground and up a street that is currently posted for 20 mph. He asked why RS 5.0 and RS 7.2 are the only choices considered. He suggested the city consider RS 15 if there is going to be a rezone.

Mark Spaur – He delivered a PowerPoint presentation (attached). He spoke in opposition of the South 376th Street extension to Milton Road. He opposes it because it would go through a designated wetland and would increase traffic in front of a community park. As proposed, the road will be in 20 feet of Mr. vonDeonhoff's home, making his home unusable. All the gravel trucks would come through their neighborhood. The Environmental Impact Statement (EIS) was drafted in 1993 and completed in 1995. It does not consider the area near Milton Road; the area wasn't annexed until after the EIS. Currently, there are a number of large projects in the area under consideration (Weyerhaeuser property, high density near the Commons and the Milton Road Area Rezone). WAC 197-11-172 states that the city should verify, "that the probable significant adverse environmental impacts of the project have been adequately addressed." The EIS was prepared 24 years ago. He suggests the city step back and prepare a new EIS that takes the new development into consideration. If development occurs in this area, he requests the city consider and put into place Low Impact Development (LID) that is beyond the current stormwater plan. He would also like the city to consider zoning at RS 7.2 or RS 9.6 rather than RS 5.0. The Traffic Impact Analysis (TIA) assumes that South 376th is extended all the way to Milton Road. Can a new TIA be done with the proposed zoning but without the road? What would the traffic impact be under that scenario?

Igor Stadnik – He and his wife live on Parcel 24, part of the Regency Woods II and they oppose the proposed Milton Road Area Rezone. He shares a lot of the same thoughts of the previous speakers. He is confused as to why this proposal was deemed "nonsignificant" [referring to the State Environmental Policy Act's Determination of Nonsignificance, as determined by city staff]. The proposal is 56-acres; roughly half the size of the Weyerhaeuser headquarters. He doesn't believe that development of half the Weyerhaeuser headquarters would be deemed nonsignificant. WAC 197-11-794 defines significant as, "a reasonable likelihood of more than a moderate

adverse impact on environmental quality.” He feels the proposal falls within a “moderate adverse impact”; given that there may be 203 houses added to the area. WAC 197-11-330(3)(a) states, “The same proposal may have a significant adverse impact in one location but not in another location.” He didn’t read that an alternative proposal was considered. WAC 197-11-330(3)(c) reads, “Several marginal impacts when considered together may result in a significant adverse impact.” He feels these regulations were not considered. He feels the city needs to take a step back and do their due diligence in regards to this proposal. The WAC also states the city should consider, “loss or destruction of historic, scientific, and cultural resources, parks, prime farmlands, wetlands, wild and scenic rivers, or wilderness.” He counted 12 species of animals and unknown, but large, amount of plant species in the area. In addition, the WAC states the proposal may be deemed significant if it will, “Establish a precedent for future actions with significant effects.” He is convinced there will be more development in the area in the future.

Robert Holman – He lives across from the Brittany Lane Park and has lived there since 1996. He asked the Commission not recommend that 376th be connected through to Milton Road. They already suffer a disparate amount of traffic in the summer due to Wild Waves. They have two nice neighborhoods that are a bit of an enclave. He feels the comprehensive plan in regards to this area was developed “under the nose” of those living there. He doesn’t remember a public process that discussed this for the comprehensive plan. The plan already has the road punched through. He feels the expansion of 376th would become a raceway through the neighborhood.

Sharon Green – She lives on the other side of the area than those who have already commented. She sees cars parking on 369th because they don’t want to have to pay to park for Wild Waves. They fight over parking and do drugs. They’ve rung her doorbell at 3:00 in the morning because their car won’t start. She is also concerned about the Olympic Pipeline, which is under Milton Road. The road is a collector for I-5 when I-5 is jammed packed. There was a recent car accident and she directed traffic in the area because so many cars were using the area roads as alternative routes. Twice cars have speeded down her hill and run-over her rhododendron plants. Last summer Wild Waves had an event that brought even more noise and disruption to the neighborhood. There is very poor lighting on 369th and people knock on their windows at night. It is a very windy road. More research needs to be done on for both sides of the area on the possible effects of this aspect.

Alex Kostin – Lives in Regency Woods. There are two very nice neighborhoods in this area. Crime has risen in the area due to Park 16. There are a lot of kids and older people living in the neighborhoods. They are already suffering from a huge increase in traffic due to newly build apartments all around them. In summer, people going to Wild Waves park in the neighborhoods (ignoring parking signs). They leave garbage and block driveways. The road will bring gravel trucks through the neighborhood where kids ride their bikes and many go to the park in the area. It will bring a huge increase in crime. He keeps guns in his home because of the crime rate. Cars are broken into and stolen every week. There are a lot of strange cars in the neighborhood. Building a road through the neighborhood will bring even more crime. It will also decrease the value of their homes. More people will move out of the area. Already, some 50 percent of the homes are rentals (with people who don’t seem to care about the neighborhood). When he moved into the neighborhood, almost every house was owner occupied. Please reconsider the proposal.

Mr. Bennet – He has lived in the area for over 40 years. The planned road connection is his biggest concern. It will go through a wetland and will cut his [Mr. vonDeonhoff] property in half. Has city staff talked to the City of Milton regarding this proposal? There is a Senior Citizen’s facility in the area; has the impact to them been considered? Hasn’t heard how the city will pay for the signal light that would have to be put in at 373rd and Pacific Highway South due to

additional traffic from this proposal. People will use the road to cut through the neighborhood when I-5 is backed up. Signs won't slow people down. Wild Waves customers who use the neighborhood for parking park on both sides of the street, leaving little room for passing cars.

Sherri Stanton – She lives in Regency Woods. She is concerned about the proposed extension of 19th Way. The map isn't a good representation of the impact. It doesn't show all of the houses in the area she lives. She and her children often walk in the area and play in the nearby park. The proposal will impact safety and increase pollution and trash.

Lesley Roth – She lives in the middle section of the proposed area. She agrees with her neighbors. She is concerned about the proposed road extension and the environmental impacts. She believes the city is missing an opportunity to research the proposed Milton Road Area and Weyerhaeuser development as a whole in regards to impacts to the water and waterways. She noted there are a lot of very short driveways along the road. She is very concerned about trucks possibly cutting through the neighborhood when other roads are congested. The road is not designed to handle large trucks. She is not against development, but wants thoughtful planning.

Richard Pierson – He commented on the proposed 324th Extension. He is part of the Save Weyerhaeuser Campus group and provided written comment earlier. One of his concerns is traffic. He noted the proposed Weyerhaeuser area projects are expected to add some 5000 additional vehicle trips per day. When the DaVita project is added, the number of vehicle trips jumps to 7000. Of those, 800 are expected to be trucks. The SEPA checklist stated it is unknown if any of the site has been used for agricultural or forest land use, but he noted the Weyerhaeuser Corporate Park has a Managed Forest Buffer surrounding the entire property. The SEPA checklist also stated there is no recreational use, but a city map shows trails going through the proposed extension.

Commissioner Noble-Gulliford commented that she is concerned that anyone who submitted comments for a proposed project (such as the Weyerhaeuser projects) may have information and/or comments that pertain to the proposed comprehensive plan amendments. She requested that all pertinent comments (even if submitted in response to a different project) be provided to the Commissioners. Chair Carlson agreed to her suggestion and encouraged citizens resubmit any such pertinent comments to the city for this proposal.

Mike Czerwonka – He lives at the top parcel in Brittany Lane. Lloyds is located close by and is a very busy gravel pit. The trucks cannot go west on 373rd or south on Milton Road due to road conditions. They can only go north. Currently, they go right by his house; even though due to road conditions they shouldn't be going through his neighborhood. They will most likely use the extension as a short cut.

Sarita Breivik – She lives on 18th Place South and agrees with what has been said tonight. She is particularly concerned with safety if the road extension is done. She has two school age daughters who get on the school bus on the north side of 19th, which means they have to cross the road. She is concerned 19th will become even busier if the proposed extension is done. She believes it will be used by gravel trucks, as a commuter cut-through, and by those avoiding the nearby traffic intersection light. She believes the summer time impact by Wild Waves is underestimated. Last summer during the auto show, there was street racing on 19th. It will bring in more transients and be an easier in and out for anyone committing a crime. She is concerned that additional houses will place an additional burden on our already overcrowded schools. There will also be a negative impact on our environment. She believes a new Environmental Impact Study needs to be done since it has been too long since the last study and many changes have happened in this area. Not doing a study will go against the Governor's task force that is working to reduce hazardous containments that may be going into the Hylebos.

Commissioner O'Neil asked staff to supply extensive information on what the impact will be on traffic (and utilities) from this proposal. What costs will be borne by the developer and what by the city.

Commissioner Medhurst noted that for the initial request there are two densities proposed for the Milton Road Area Rezone; are the current proposed densities consistent with the original request, or has there been a change in the acreage that would be dedicated to either one of those? Planner Clark responded that the original request had a couple parcels requesting RS 5.0 and more for RS 7.2. Staff would not support the request for RS 5.0. RS 7.2 is consistent with Brittany Lane and Regency Woods. Commissioner Medhurst also asked for information on traffic mitigation and possible "actual" housing density (how many homes). He also asked if the city can restrict truck traffic in the area. Traffic Engineer Perez commented that the city code currently designates truck routes. Currently, only Milton Road is a designated truck route in this area.

Commissioner Meader McCausland asked staff to provide the Commission with the older environmental study for this area. Manager Hansen commented that staff will provide the studies, but please be aware the current road plan is not part of the earlier studies. Commissioner Meader McCausland commented that in that case, she would like to see any studies on the current road plan. Manager Hansen explained that for the currently proposed rezone, the only environmental document is the current environmental checklist. The older environmental documents will not address this proposed rezone. He noted staff evaluated this particular rezone, not any particular proposal that may be a result of the rezone. The road is not part of the Milton Area Rezone. Traffic Engineer Perez commented he is not sure when the road was added to the comprehensive plan; it may have been in 1998 or even when the area was still part of King County. When the road is connected is dependent on when the parcel to the west is developed.

Chair Carlson commented that staff will be available after the meeting to answer any questions from citizens. He went on to explain that under SEPA, there are project actions and non-project actions. Tonight he has heard relevant concerns that would apply to a project action; or development of the properties. However, policy actions (such as the comprehensive plan update and rezones) are non-project actions and are reviewed at a different scale. The extension of 376th was not included in the review for the Milton Area Rezone because it is already in the comprehensive plan (or policy) and is not a changed circumstance [as changing the density is a change in the current circumstances].

Chair Medhurst commented that density in the city is a concern. To help him visualize what that looks like, he asked what the zoning of Park 16 is. Planner Clark replied she believes it is RM 24, which calculates to 18.15 units per acre.

Commissioner Noble-Gulliford asked if staff would provide a map of the proposed 324th extension that covers from 320th to SR-18 and includes the on and off ramps. She would also like to know how the amount of an additional 5000 daily vehicle trips was arrived at.

Discussion of what background information is available and how Commissioners and citizens can access it. Staff commented that information will be found on the city's website. Manager Hansen went over what will be included in the Planning Commission Agenda Packet for the public hearing.

Chair Carlson would like staff to include what other designations staff has considered. What other densities.

ADDITIONAL BUSINESS

Deputy City Attorney Orthmann discussed the question that had arisen during the last meeting regarding visiting the proposed site. He had sent the Commissioners an answer to this question via email a couple of

weeks ago; however, he has since realized his response was incorrect. His answer is correct for a site-specific request [specifically, it would be inappropriate for Commissioners to visit a site-specific request], but not a legislative rezone. The Milton Road Area Rezone is a legislative (a wide area) rezone and as such, Commissioners are welcome to visit the site. He does suggest if they do visit, they do so in groups of less than four; otherwise, since four Commissioners is a quorum, the site visit would have to be noticed and the public invited to participate. Commissioner Medhurst commented that he would like to visit the site to have a better idea of what the area looks like.

ADJOURN

The meeting adjourned at 8:00 P.M.

MILTON ROAD AREA LEGISLATIVE COMPREHENSIVE PLAN AMENDMENT AND REZONE

Date **Event**

2017 COMPREHENSIVE PLAN AMENDMENTS SELECTION PROCESS

June 21, 2017 Planning Commission Briefing

- Six citizens in the Milton Road area submitted applications for comprehensive plan amendments for the 2017 Comprehensive Plan Amendment Cycle.
- Mark Johnson, Pam Otteson, Rick Beard, and Visnou Dararak requested a change from Single Family Medium Density Residential, RS 35.0 (one unit per 35,000 square feet) to Single Family High Density Residential RS 7.2, (one unit per 7,200 square feet). Larry Neether and Arnie Ellingson requested a change from Single Family Medium Density Residential, RS 35.0 (one unit per 35,000 square feet) to Single Family High Density Residential RS 5.0, (one unit per 5,000 square feet).

July 10, 2017 Selection Process to LUTC.

July 18, 2017 Selection Process to City Council. At the end of the public hearing, the City Council gave staff direction to contact the other property owners with RS 35.0 zoning to find out whether they would like to join in with the six requests.

September 8, 2017 Staff notified the other 11 property owners in writing and gave them until September 29, 2017, to respond. No one responded by the deadline.

2017 COMPREHENSIVE PLAN AMENDMENTS FORMAL REVIEW PROCESS

September 28, 2017 The six requests were presented to the Development Review Committee (DRC).

October 4, 2017 Public Notice sent to the paper for SEPA and Planning Commission Public Hearing.

October 5, 2017 Sites posted for SEPA and Planning Commission Public Hearing.

October 5, 2017 Public notice boards posted for SEPA and Planning Commission Public Hearing.

October 6, 2017 The 300 foot notification for SEPA and Planning Commission Public Hearing.

October 6, 2017 Notice for SEPA and Notice of Planning Commission Public Hearing published in the Mirror.

Week of
October 8, 2017 Three property owners indicated an interest in joining in with the requests.

October 20, 2017 The 14-day comment period ends.

October 25, 2017 Planning Commission Public Hearing. The Planning Commission concurred with the Mayor's recommendation of denial of all six requests on the basis that approval could be construed as spot zoning and would not be consistent with housing-related goals and policies in the comprehensive plan. However, if all of the parcels designated Single Family Medium Density Residential and Single Family (RS 35.0, one unit per 35,000 square feet) were to apply in the future, or if the city were to initiate a legislative rezone for all properties in this area, the Mayor would likely recommend approval of a request for higher density to be determined upon further analysis.

November 3, 2017 The 21-day appeal period ends.

December 4, 2017 LUTC Meeting. The LUTC concurred with the Planning Commission's recommendation.

January 2, 2018 City Council 1st Reading. The Council voted to table the request and send it back to the Planning Commission as a legislative comprehensive plan amendment and rezone for all of the RS 35.0 zoned parcels in this area.

Date **Event**

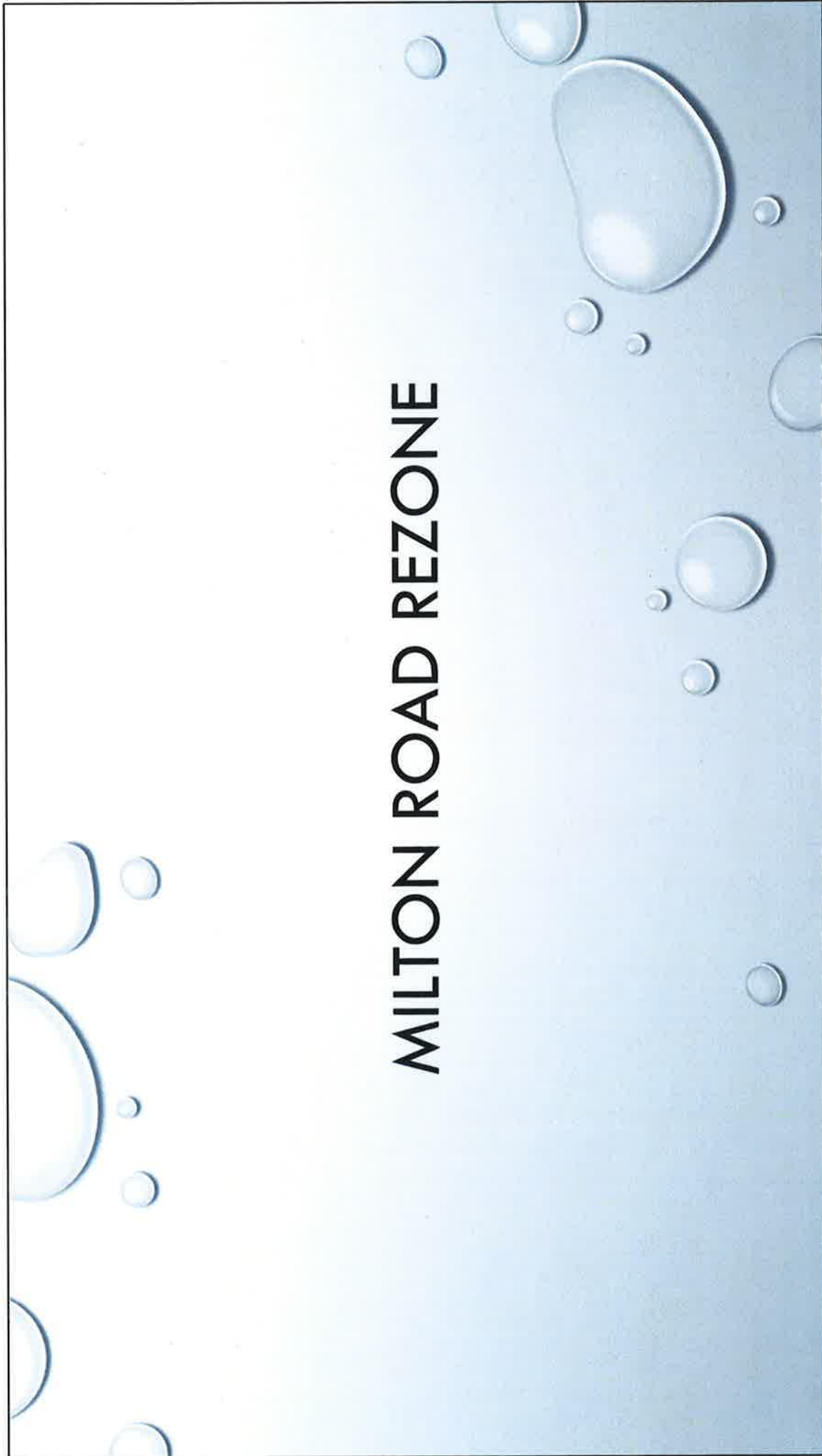
2018 COMPREHENSIVE PLAN AMENDMENTS FORMAL REVIEW PROCESS -- CONTINUED

January 4, 2019	Issuance of Determination of Nonsignificance (DNS) pursuant to the State Environmental Policy Act (SEPA).
January 18, 2019	End of SEPA comment period.
February 6, 2019	Planning Commission Study Session.
February 8, 2019	End of SEPA appeal period.
February 20, 2019	Planning Commission Public Hearing.

**COMPREHENSIVE PLAN AMENDMENT TO REALIGN FUTURE
SOUTH 324TH EXTENSION**

December 21, 2018	Issuance of Determination of Nonsignificance (DNS) pursuant to the State Environmental Policy Act (SEPA).
January 4, 2019	End of SEPA comment period.
January 25, 2019	End of SEPA appeal period.
February 6, 2019	Planning Commission Study Session.
February 20, 2019	Planning Commission Public Hearing.

MILTON ROAD REZONE



S. 376TH STREET EXTENSION TO THE MILTON ROAD

- ROAD EXTENSION WOULD GO THROUGH A DESIGNATED WETLAND
- WOULD INCREASE TRAFFIC IN FRONT OF A COMMUNITY PARK
- FEDERAL WAY NO LONGER HAS AN EASEMENT FOR THIS EXTENSION
- NEW ROAD ALIGNMENT IS WITHIN 20 FEET OF AN EXISTING HOME
- INCREASED TRUCK TRAFFIC INSIDE A RESIDENTIAL NEIGHBORHOOD

CITY OF FEDERAL WAY EIS

- THE ENVIRONMENT IMPACT STATEMENT (EIS) FOR CITY DEVELOPMENT WAS DRAFTED IN 1993 AND FINALIZED IN 1995
- DOES NOT CONSIDER THE AREA NEAR THE MILTON ROAD – AREA NOT ANNEXED UNTIL AFTER THE EIS.
- SINCE THE LAST EIS, FEDERAL WAY IS CONSIDERING REDEVELOPMENT OF THE WEYERHAEUSER PROPERTY, HIGH DENSITY DEVELOPMENT NEAR THE COMMONS AND THE MILTON ROAD REZONE.
- HYLEBOS WATER SHED PLAN WAS COMPLETED AFTER THE EIS.
- WAC 197-11-172 (PLANNED ACTIONS—PROJECT REVIEW) STATES THAT THE CITY SHOULD VERIFY "THAT THE PROBABLE SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS OF THE PROJECT HAVE BEEN ADEQUATELY ADDRESSED IN THE EIS PREPARED UNDER WAC 197-11-164 (1)(B)

TRAFFIC IMPACT ANALYSIS (TIA)

- TIA ASSUMES THAT THE S. 376TH STUB IS EXTENDED FROM REGENCY WOODS TO THE MILTON ROAD. THIS EXTENSION IS IN THE EXISTING COMPREHENSIVE PLAN.
- TIA DOESN'T CONSIDER THE IMPACT OF TRUCKS FROM THE GRAVEL QUARRY AND PROPOSED WAREHOUSES IN MILTON ON 19TH WAY.
- CAN THE COMMISSION DIRECT STAFF TO DO AN ANALYSIS OF THE REZONE WITHOUT THE EXTENSION? THE EXTENSION IS NOT WANTED BY LOCAL RESIDENTS.

LOWER IMPACT DEVELOPMENT (LID)

- SECTION 6.1 OF THE HYLEBOS WATERSHED PLAN STATES "URBAN DEVELOPMENT CAUSES REDUCTION/ DEGRADATION OF HABITAT." IN ORDER TO COMBAT THAT DEGRADATION, THE WATERSHED PLAN SAYS TO "MANDATE LOW IMPACT DEVELOPMENT (LID)/GREEN STORMWATER INFRASTRUCTURE (GSI) METHODS FOR NEW DEVELOPMENTS."
 - PERMEABLE PAVEMENT FOR ROADS AND DRIVEWAYS IN THE NEWLY DEVELOPED AREA
 - TREE RETENTION AND PLANTING IN THE AREA.
 - CURVILINEAR ROAD MAPS AND CLUSTERED HOUSING TO REDUCE IMPERVIOUS SURFACES.
 - MINIMAL EXCAVATION FOUNDATIONS.
 - BIORETENTION PONDS AND ROOF RAINWATER COLLECTION AND DISPERSION SYSTEMS.
- THE HYLEBOS WATER SHED PLAN MANDATES LID WITH DEVELOPMENT INSIDE THE WATER SHED. THE LID CONCEPTS IN THE HYLEBOS BASIN PLAN GO BEYOND THE KING COUNTRY SURFACE WATER MANUAL.
- CONSIDER ZONING TO R7.2 OR R9.6 RATHER THAN THE R5.0 THAT IS PROPOSED IN KEEPING WITH THE REST OF THE DEVELOPMENT IN THE AREA.

SUMMARY

- **EXTENSION OF S. 376TH TO THE MILTON ROAD IS NOT WANTED. FURTHER ANALYSIS OF TRAFFIC IMPACTS WITHOUT THIS EXTENSION IS WARRANTED.**
- **THE EIS IS 24 YEARS OLD AND DOESN'T ADDRESS THE ANNEXED SOUTH END. A NEW EIS SHOULD BE DONE.**
- **IF THE AREA IS REZONED, LOWER DENSITY AND LOW IMPACT DEVELOPMENT SHOULD BE MANDATED.**

City of Federal Way Study Session

2018 Comprehensive Plan Amendments

February 6, 2019
Presentation to the Planning
Commission



1

Background– Site-specific Requests

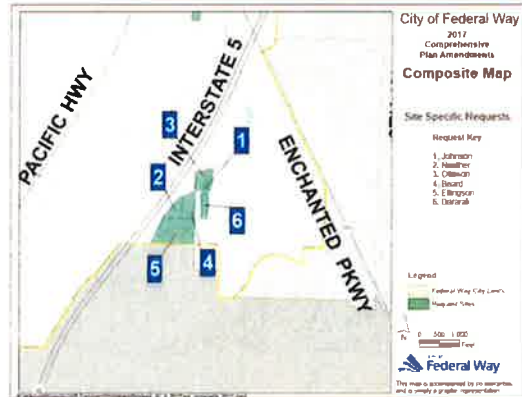
- **The 2018 Comprehensive Plan Amendments originally included:**
- **Two City-initiated requests**
 - **The Milton Road Legislative Rezone**
 - **The realignment of the South 324th Street Extension**
- **One citizen-initiated request, which has been withdrawn**



2

History of the Milton Road Comprehensive Plan Amendment and Rezone

- Six requests were received in September 2017 for comprehensive plan amendments
- All of the parcels are designated Single Family Medium Density Residential with RS 35.0 (one unit per 35,000 sq. ft.) zoning
- Site-specific Requests #1, #3, #4, & #6 requested Single Family High Density Residential with RS 7.2 (one unit per 7,200 sq. ft.) zoning
- Site-specific Requests #2 & #5 requested Single Family High Density Residential with RS 5.0 (one unit per 5,000 sq. ft.) zoning



3

Procedural Summary

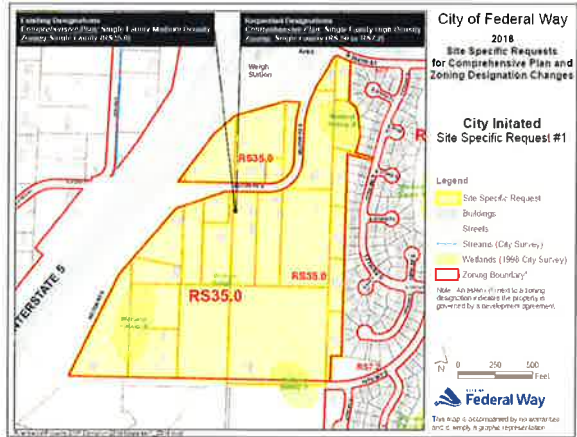
Date	Step
Planning Commission Briefing & Selection Process	
6/21/17	Planning Commission Briefing
7/10/17	LUTC Meeting on Selection Process
7/18/17	The City Council gave staff direction to contact the other property owners with RS 35.0 zoning
Direction by City Council	

4

2018 Comprehensive Plan Amendments

- **26 parcels totaling 56.06 acres with 17 different owners located between I-5 and Brittany Lane**

- **21 existing houses**



Procedural Summary

Date	Step
9/08/17	Staff notified the other property owners by mail No Response Formal Review Process
10/06/17	SEPA Issued (14 Day Comment & 21 Day Appeal Period)
Week of 10/8/17	Three property owners indicated an interest in joining in with the requests

Procedural Summary

Date	Step
	Formal Review Process (Cont.)
10/25/17	Planning Commission Public Hearing The Planning Commission supported the Mayor's recommendation for denial The Mayor stated that if all of the parcels designated RS 35.0 were to apply in the future, or if the City were to initiate a legislative rezone, the Mayor would recommend approval of a request for higher density



7

Procedural Summary

Date	Step
	Formal Review Process (Cont.)
12/4/17	LUTC Meeting Concurred with the Planning Commission's recommendation
1/02/18	City Council 1st Reading The Council voted to send the requests back to the Planning Commission as a legislative comprehensive plan amendment and rezone for all parcels



8

Procedural Summary

Date	Step
Legislative Rezone	
1/04/19	SEPA Issued (14 Day Comment & 21 Day Appeal Period)
2/06/19	Planning Commission Study Session
2/20/19	Planning Commission Public Hearing



9

Background– Site-specific Requests

City-initiated request to realign the South 324th Street Extension east of I-5 further south to connect with Weyerhaeuser Way South

Table III-10. Capital Improvement Program (CIP) – 2016 to 2040

Project Number	Project Description	Cost (2016 \$1,000)
Capital Project List		
94-10b	SR 509: 9th Pl S - 16th Ave S: Widen to 5 lanes, signal at 9th Pl S	8,794
07-06	1st Ave S @ SW 301st St: Install signal or roundabout	404
16-11	8th Ave S @ S 320th St: Add left-turn lanes NB, SB	485
16-13	S 324th St Interchange: Extend 5-lane minor arterial to 22nd Ave Weyerhaeuser Way S	134,587



10

Procedural Summary

Date	Step
	Planning Commission Briefing
12/21/18	SEPA Issued (14 Day Comment & 21 Day Appeal Period)
2/06/19	Planning Commission Study Session
2/20/19	Planning Commission Public Hearing



11

Questions?



12

Public Hearing

**Amendment to the Comprehensive Plan
Extension of 324th to Weyerhaeuser Way**

City of Federal Way Planning Commission

February 20, 2019



PLANNING COMMISSION STAFF REPORT

February 12, 2019

TO: Wayne Carlson, Federal Way Planning Commission Chair

FROM: Brian Davis, Community Development Director *BD*
Robert "Doc" Hansen, Planning Manager *RH*
Margaret H. Clark, AICP, Principal Planner *MHC*

SUBJECT: **Public Hearing – Comprehensive Plan Amendment for the Future Realignment of South 324th Street Extension, Files 18-105898-00-SE and 18-105198-UP**

MEETING DATE: February 20, 2019

I. BACKGROUND

This proposal was initiated by the Council to have the Planning Commission make a recommendation to amend the comprehensive plan and zoning for properties along Milton Road South and South 376th Street from Single Family Medium Density (RS 35.0, one unit per 35,000 square feet) to Single Family High Density (RS 7.2, one unit per 7,200 square feet). The comprehensive plan amendment and rezone would permit the same residential density as the adjacent properties to the east of the proposed amendment area.

II. REASON FOR PLANNING COMMISSION ACTION

FWRC Chapter 19.80, "Council Rezones," establishes a process and criteria for comprehensive plan amendments. Consistent with Process VI review, the role of the Planning Commission is as follows:

1. To review and evaluate the requests for comprehensive plan amendments;
2. To determine whether the proposed comprehensive plan amendments meet the criteria provided by FWRC.80.140, 19.80.150, and 19.75.130(3); and
3. To forward a recommendation to the City Council regarding adoption of the proposed comprehensive plan amendments.

III. PROCEDURAL SUMMARY

Steps	Date
Issuance of Determination of Nonsignificance (DNS) pursuant to the State Environmental Policy Act (SEPA) (<i>Exhibit A</i>) ¹	December 21, 2018
End of SEPA Comment Period	January 4, 2019
Planning Commission Study Session	February 6, 2019
End of SEPA Appeal Period	January 25, 2019
Public Hearing before the Planning Commission	February 20, 2019
LUTC Meeting	March 4, 2019
City Council 1st Reading	March 19, 2019
City Council 2nd Reading	April 2, 2019

IV. BACKGROUND

The 2015 comprehensive plan shows the future road alignment as extending over I-5 east to 32nd Avenue South (*Exhibit C*). This comprehensive plan amendment would realign the future extension further south to connect with Weyerhaeuser Way South (*Exhibit D*). The South 324th extension is planned to be constructed no sooner than 2025; although, no construction plans or resources have been allocated towards the project and the amendment is a non-project action. A larger map of the area is shown in *Exhibit E*.

V. CITIZEN COMMENTS

Four written comments, as shown in Table I, were received on this proposed amendment.

Table I

No.	Summary of Comments	Names
1	A representative from the BP Olympic Pipe Line states that realigning South 324 th Street will impact their 14-inch pipe line that needs to be protected in this area.	Chase Wakefield representing BP Olympic Pipe Line
2	The realignment of the road will direct traffic volume from 5,000 vehicles to Weyerhaeuser Way South, instead of being dispersed to both Weyerhaeuser Way South and 32 nd Avenue South. In addition, the 2015 comprehensive plan did not address traffic from the proposed developments of DaVita and the Industrial Realty Group. He also stated that in relationship to the environmental checklist, forest land use has been practiced in the location of the proposed alignment as a “Managed Forest Buffer,” and the realignment would also affect a trail in that area.	Richard Pierson
3	They are generally in favor of the realignment, although they have	Lori Sechrist on behalf

¹Refer to *Exhibit B* – Agencies that were sent a copy of the DNS and environmental checklist.

No.	Summary of Comments	Names
	concerns about the increased traffic going to Weyerhaeuser South. They are, however, in favor of the well-paying jobs that DaVita will bring. They state that the proposed road should not result in elimination of the managed forest buffer; if the I-5 off-ramps are constructed, South 324 th Street should be the only access point for semi-trucks entering and exiting the CP-1 zoned property located north of South 336 th Street; the property is within the Tacoma Smelter Plume zone; the proposed street extension will eliminate portions of recreational trails in the CP-1 zone; and the Weyerhaeuser Headquarters building and likely most of the landscape are eligible for National Historic Register listing.	of Save Weyerhaeuser Campus
4	Has concerns about the increased safety issue related to the proposed intersection being located on a curve at the intersection with Weyerhaeuser Way South as compared to a minimal curve on the connection to Weyerhaeuser Way in the comprehensive plan from South 323 rd Street.	Richard Pierson

VI. COMPLIANCE WITH FWRC 19.80.140 AND 19.80.150

1. *FWRC 19.80.140, Factors to be considered in a Comprehensive Plan Amendment* – The city may consider, but is not limited to, the following factors when considering a proposed amendment to the comprehensive plan.

(1) The effect upon the physical environment.

There should be no adverse impact on the physical environment related to future construction of South 324th Street in its new alignment. Impacts from the future connection have already been evaluated and will not be increased by this proposal.

Future road construction will be subject to environmental review as required by the Washington State Environmental Policy Act (SEPA) and the National Environmental Policy Act (NEPA), and will be evaluated in accordance with all plans, policies, rules, and regulations adopted as a basis for the exercise of substantive authority under SEPA to approve, condition, or deny the proposed action.

There is a Class II wetland located east of I-5, approximately 275 feet north of the proposed alignment. Class II wetlands have buffers ranging from 75 to 225 feet. There is also a small Class III wetland located where South 324th would intersect with Weyerhaeuser Way South. Class III wetlands have buffers ranging from 60 to 225 feet. In addition, there is a major stream, East Hylebos Creek, located approximately 150 feet to the north. Major streams have 100 foot buffers. Refer to *Exhibit F*.

The site is located within the Enhanced Basic Water Quality Treatment Area. Any water-related or erosion-related impacts associated with future development must be mitigated in compliance with the city-adopted *2016 King County Surface Water Manual* (KCSWM) and the City of Federal Way Addendum to the Manual. This requires any erosion-related impacts created during clearing and construction activities to be addressed according to a Temporary Erosion Sedimentation Control Plan (TESC), which is a standard part of engineering review and approval.

(2) The effect on open space, streams, and lakes.

Please refer to responses under Section VI (1) (1), above.

(3) The compatibility with and impact on adjacent land uses and surrounding neighborhoods.

Land to the north is zoned OP-1. The road extension is planned to be constructed on land zoned CP-1. Based on language in the 1994 Concomitant Agreement, which established the zoning and allowable uses in each zone, the uses in the respective zones are deemed to be compatible. Any future roadway should also be compatible with the uses in each zone.

(4) The adequacy of and impact on community facilities including utilities, roads, public transportation, parks, recreation, and schools.

Construction of South 324th Street, with an alignment further to the south than the existing alignment will not impact community facilities, including utilities, roads, public transportation, parks, recreation, and schools. However, the proposed street extension will eliminate portions of recreational trails in the CP-1 zone.

(5) The benefit to the neighborhood, city, and region.

Moving the future realignment of South 324th Street further south would benefit the city because the existing alignment would bisect the future DaVita Campus. DaVita is proposing to expand its campus in two phases. The first phase includes a full site buildout with a 160,000 square building and 681 new parking spaces. The second phase will come at an undetermined time in the future with an expansion of the building to 200,000 square feet. This will benefit the neighborhood, city, and region by providing 640 to 720 well-paying jobs in the first phase expansion. The realignment will also be beneficial for future development in East Campus by providing more land for such development that is not bisected by a road.

(6) The quantity and location of land planned for the proposed land use type and density and the demand for such land.

This road or its parallel alternative at South 312th Street has been in the comprehensive plan since 1995, and the realignment will not affect the quantity of land required for its construction.

(7) The current and projected population density in the area.

The area on which the future road extension would be constructed is zoned CP-1, which does not permit housing, so there is no current or projected population density in the area.

(8) The effect upon other aspects of the comprehensive plan.

Realignment of the future extension of South 324th Street will not affect other aspects of the comprehensive plan.

2. *FWRC 19.80.150, Criteria for Amending the Comprehensive Plan* – The city may amend the comprehensive plan only if it finds that:

(1) *The proposed amendment bears a substantial relationship to public health, safety, or welfare;*

Realignment of the future extension of South 324th Street is related to the public safety as it will provide an alternative safe access from areas east of I-5 to areas to the west. It also improves public welfare by providing more land for development.

(2) *The proposed amendment is in the best interest of the residents of the city.*

Please see responses under Sections VI (1) (5) and VI (2) (1).

(3) *The proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the city's adopted plan not affected by the amendments.*

The comprehensive plan amendment and rezone under consideration is consistent with the following goals of RCW Chapter 36.70A.020 (2) of the *Growth Management Act* (GMA):

“(i) Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.

“(ii) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

“(iii) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.”

The proposal is also consistent with the following goals and policies of the comprehensive plan:

“TG1 Maintain mobility through a safe, balanced, and integrated transportation system.

“TG3 Enhance community health, livability, and transportation by providing a connected system of pedestrian, bicycle, and transit ways that are integrated into a coordinated regional network.”

VII. COMPLIANCE WITH FWRC 19.75.130(3)

Site-specific requests are also required to be evaluated for compliance with this section.

1) The city may approve the application only if it finds that:

a. The proposed request is in the best interests of the residents of the city.

Please see responses under Sections VI (1) (5) and VI (2) (2).

b. The proposed request is appropriate because either:

(i) Conditions in the immediate vicinity of the subject property have so significantly changed since the property was given its present zoning that, under those changed conditions, a change in designation is within the public interest; or

(ii) The rezone will correct a zone classification or zone boundary that was inappropriate when established.

The area where the road will be constructed was given the CP-1 designation in 1994. Since that time, new developments have been proposed in the area as a result of the purchase of the Weyerhaeuser property. With the Greenline warehouses in the planning stages and with the construction of the new DaVita office buildings, the area is changing significantly.

c. It is consistent with the comprehensive plan.

The comprehensive plan shows the location of the existing road on Map III-3 (*Exhibit G*). This connection or its parallel alternative at South 312th Street has been in the plan since 1995, and the proposed realignment to the south is substantially in compliance with that location.

d. It is consistent with all applicable provisions of the title, including those adopted by reference from the comprehensive plan.

Please refer to the response under Section VII. (1)(C) and Section VI. (2) (3) above.

e. It is consistent with the public health, safety, and welfare.

Refer to responses under Section VI. (2)(1).

VIII. MAYOR'S RECOMMENDATION

The Mayor recommends that project number 16-13 in Table III-10, Capital Improvement Program (CIP) – 2016 to 2040, of the Federal Way Comprehensive Plan be amended as follows:

Project Number	Project Description	Cost (2016 \$1,000)
16-13	S 324 th St Interchange: Extend 5-lane minor arterial to 32 nd Ave <u>Weyerhaeuser Way S</u>	134,587

IX. PLANNING COMMISSION ACTION

Consistent with the provisions of FWRC 19.80.240, the Planning Commission may take the following actions regarding each proposed comprehensive plan amendment and rezone request:

1. Recommend to City Council adoption of the proposed comprehensive plan amendment as proposed;
2. Recommend to City Council that the proposed comprehensive plan amendment not be adopted;
3. Forward the proposed comprehensive plan amendment to City Council without a recommendation; or
4. Modify the proposed comprehensive plan amendment and recommend to City Council adoption of the amendment as modified.

LIST OF EXHIBITS

Exhibit A	Determination of Nonsignificance and Checklist
Exhibit B	Agencies That Were Sent a Copy of the DNS and Environmental Checklist
Exhibit C	Existing Alignment of South 324 th Street Extension
Exhibit D	Proposed Realignment of South 324 th Street Extension
Exhibit E	Vicinity Map – Existing Alignment of South 324 th Street Extension
Exhibit F	Vicinity Map – Proposed Alignment of South 324 th Street Extension
Exhibit G	Critical Areas Map
Exhibit H	Map III-3 of the City of Federal Way Comprehensive Plan
Exhibit I	Written Comments

DETERMINATION OF NONSIGNIFICANCE (DNS)

**Comprehensive Plan Amendment to realign the extension of South 324th Street east of I-5
(Non-Project Action)
File No: 18-105898-00-SE**

Description: The 2015 Comprehensive Plan shows the future road alignment of South 324th Street as extending over I-5 east to 32nd Avenue South. This non-project comprehensive plan amendment would allow for the realignment of the future extension further south to connect with Weyerhaeuser Way South. The South 324th extension is planned to be constructed no sooner than 2025.

Applicant: Public Works Department - Traffic Division

Lead Agency: City of Federal Way

Staff Contact: Principal Planner Margaret Clark – 253-835-2646, margaret.clark@cityoffederalway.com

The city's Responsible Official has determined that the proposal does not have a probable significant adverse impact on the environment, and 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 city.

A completed environmental checklist and supporting documents are available for review at the City of Federal Way Community Development Department (Federal Way City Hall, 33325 8th Avenue South, Federal Way, WA 98003, 253-835-7000), from 8 a.m. to 5 p.m., Monday through Friday.

This DNS 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. Comments must be submitted by 5:00 p.m. on **January 4, 2019**. Unless modified by the city, this determination will become final following the comment deadline. Any person aggrieved by the city's determination may file an appeal with the city within 21 days of the above comment deadline. You may appeal this determination to the Federal Way City Clerk (address above), no later than 5:00 p.m. on **January 25, 2019**, by a written letter stating the reason for the appeal of the determination. You should be prepared to make specific factual objections.

Responsible Official: Brian Davis
Title: Director of Community Development/SEPA Official
Address: 33325 8th Avenue South, Federal Way, WA 98003

Date Issued: December 21, 2018

Signature:  for **BRIAN DAVIS**



Department of Community Development
33325 8th Avenue South
Federal Way, WA 98003-6325
253-835-2607; Fax 253-835-2609
www.cityoffederalway.com

SEPA 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 and/or 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:

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 nonprojects) 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:

Comprehensive Plan Amendment to realign the extension of South 324th Street east of I-5, File Numbers 18-105198-UP and 18-105898-SE

2. Name of applicant:

Federal Way Public Works Department – Rick Perez

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

Contact Person

Margaret Clark
33325 8th Avenue South,
Federal Way, WA 98003.
(253) 835-2646

4. Date checklist prepared:

November 3, 2018

5. Agency requesting checklist:

City of Federal Way

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

Planning Commission Public Hearing – February 20, 2019
Land Use/Transportation Committee Public Meeting –March 4, 2019
City Council Public Meeting with 1st Reading of Ordinance –March 19, 2019
City Council Public Meeting with 2nd Reading of Ordinance – April 2, 2019

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

The 2015 Comprehensive Plan shows the future road alignment on Map III-3 (Exhibit A) as extending over I-5 east to 32nd Avenue South (Exhibit B). This comprehensive plan amendment would realign the future extension further south to connect with Weyerhaeuser Way South (Exhibit C). The south 324th extension is planned to be constructed no sooner than 2025, although no construction plans or resources have been allocated towards the project and the amendment is a non-project action.

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

If the future road extension is constructed and federal funds are used, the proposal must be evaluated pursuant to the National Environmental Policy Act (NEPA), which would be adopted by the City to satisfy the State Environmental Policy Act (SEPA).

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.

This is non-project proposal.

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

Refer to Section A.8. of this Checklist

11. 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.)

Refer to the response under Section A.7. of this Checklist.

12. 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.

Refer to Exhibit C – New South 324th Street road alignment located in NW15-21-04, NE16-21-04, and NW 16-21-04.

Staff concurs with the checklist.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site

(Underline/circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

The site is fairly flat.

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

The steepest slope is approximately 17 percent, just southwest of the existing DaVita Business Office.

- 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.

Based on the City of Federal Way Regional Soils Map, the future extension as realigned would be built on Alderwood Gravelly Sandy Loam (AgC) (6-15 percent slope).

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

Based on the city's Critical Areas Map (Exhibit D), there are no surface indications or history of unstable soils in the immediate vicinity.

- 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.**

The proposal is a non-project action. Any future road construction will be subject to its own review pursuant to the *State Environmental Policy Act (SEPA)*, if applicable.

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

This is a non-project action. It is unlikely that erosion could occur as a result of clearing, construction, or use as this is a fairly flat area. Please refer to response under Section B.1.h.

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

This is a non-project action. However, the future road would have a C Cross Section, (Exhibit E) consisting of a 106 foot wide right-of-way with 18 feet of landscaping, therefore approximately 83 percent would be impervious.

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

This is a non-project action. Any future project specific action will be subject to environmental review as required by the *SEPA Rules*, and will be evaluated in accordance with all plans, policies, rules, and regulations adopted as a basis for the exercise of substantive authority under *SEPA* to approve, condition or deny the proposed action. In addition, when a future project is submitted, any erosion-related impacts created during clearing and construction activities will be mitigated in compliance with the 2016 *King County Surface Water Manual (KCSWM)*, as amended by the city. This requires any erosion-related impacts created during clearing and construction activities to be addressed according to a Temporary Erosion Sedimentation Control Plan (TESC), which is a standard part of engineering review and approval.

Staff concurs with the checklist.

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.**

This is a non-project action. However, increased emissions to the air are expected, temporary emissions during construction due to use of construction vehicles and after construction by increased vehicle traffic in the area. Quantities of the increased emissions are unknown.

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

No.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any.**

Any future development will be subject to City of Federal Way requirements for air emissions as addressed in FWRC Title 7, Public Nuisances.

Staff concurs with the checklist.

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.**

There is a Class II wetland located east of I-5, approximately 275 feet north of the proposed alignment. Class II wetlands have buffers ranging from 75 to 225 feet. There is also a small Class III wetland located where South 324th would intersect with Weyerhaeuser Way South. Class III wetlands have buffers ranging from 60 to 225 feet. There is also a major stream, East Hylebos Creek, located approximately 150 feet to the north. Major streams have 100 foot buffers. Refer to Exhibit D – Critical Areas Map.

- 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.**

See response to above question.

- 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.**

This is a non-project action. No future filling or dredging of the wetland is anticipated.

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

This is a non-project action. No surface water withdrawals or diversions are expected, but will have to be evaluated at the time of a specific proposal.

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

Based on the Washington State Coastal Atlas (Flood Hazard Maps), there are no floodplains in this area.

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.

No.

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.

This is a non-project action. However, based on the Lakehaven Water & Sewer District Wellhead Protection Maps, there are no wells in this area.

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.

No septic tanks or other similar sources of pollutants associated with the future construction of the South 324th road extension are anticipated.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including stormwater) 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.

Stormwater facilities will be constructed to take care of runoff from the road per regulations when, and if, a facility is constructed.

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

Runoff from any future road will discharge to an approved stormwater treatment and detention system and the closest wetland is approximately 275 feet north of the proposed alignment.

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

Since this is a non-project action, it is unknown whether future construction of the road will alter drainage patterns in the vicinity.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage

pattern impacts, if any:

At the time of any road construction, any water-related impacts will be mitigated in compliance with the City-adopted *2016 King County Surface Water Manual*, or its successors as amended by the City.

Staff concurs with the checklist.

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 - meadows

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

It is unknown at this time what kind and amount of vegetation will be removed or altered for any proposed project.

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

There are no known threatened or endangered species in the vicinity.

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

If a road was to be constructed, there would be a six foot wide planting strip on each side of the paved roadway surface (Refer to Exhibit E – Roadway Cross Section C).

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

There are no known noxious weeds or invasive species on or near the site.

Staff concurs with the checklist.

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: x
mammals: deer, bear, elk, beaver, other: x
fish: bass, salmon, trout, herring, shellfish, other x

A variety of birds, mammals, and fish native to the Pacific Northwest are found within the City of Federal Way. Species vary depending on whether the area is in a natural versus developed state.

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

There are no known threatened or endangered species in this area.

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

Federal Way is located within the Pacific Flyway migration route utilized by waterfowl migrating north into Alaska and northern Canada. It is unknown whether there are key rest stops in this area.

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

There are no proposed measures at this time to preserve or enhance wildlife.

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

None known.

Staff concurs with the checklist.

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.

It is anticipated that there will be street lights along the road if one is constructed. Energy for the lights would be provided by Puget Sound Energy (PSE).

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

Any road construction would not affect the potential use of solar energy by adjacent properties.

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.

There are no plans proposed at this time, and any proposed measures to reduce or control energy impacts can only be determined once a proposal is made.

Staff concurs with the checklist.

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.**

There are none.

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

There is no known contamination in this area.

- 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.**

The Olympic Pipeline runs parallel to I-5 on the east and a high pressure natural gas line runs north to south through the area (Exhibit F).

- 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.**

If a road was constructed, no toxic or hazardous chemicals will be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

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

No special emergency services will be required for this amendment.

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

No measures are proposed to reduce or control environmental health hazards.

b. Noise

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

There are no known types of noise that would affect any future road construction

- 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.**

If a road was constructed, there would be short-term noise associated with construction equipment and long-term noise associated with traffic if South 324th Street is extended to Weyerhaeuser Way South.

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

As a non-project action, no measures are proposed to control noise impacts.

Staff concurs with the checklist.

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 site is currently vacant land. Current use to the north, moving from east to west is a wetland, detention pond, vacant commercial land, DaVita office building, and a detention pond. Current use to the south is vacant commercial land. The proposed road construction will not affect these adjacent uses.

- 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?**

It is unknown if any of the sites have been used for agriculture or as forest land in the past.

- 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.**

There are no surrounding working farms or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting.

- c. Describe any structures on the site.**

The site is vacant.

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

There are no structures on the site.

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

The site is currently zoned Corporate Park-1 (CP-1).

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

The current comprehensive plan designation is Corporate Park.

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

The site is not located in a designated shoreline master program area.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

The proposed realignment for the South 324th road extension is not designated as a critical area, however there is a small Class III wetland to the north of the proposed road terminus at Weyerhaeuser Way South.

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

Not applicable. This is a non-project action.

j. Approximately how many people would the completed project displace?

Not applicable. This is a non-project action.

k. Proposed measures to avoid or reduce displacement impacts, if any.

Not applicable.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.

Land to the north is zoned OP-1. The road extension is planned to be constructed on land zoned CP-1. Based on language in the 1994 Concomitant Agreement which established the zoning and allowable uses in each zone, the uses in the respective zones were deemed to be compatible. Any future roadway should also be compatible with the uses in each zone.

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any.

There are no agricultural and forest lands of long-term commercial significance within the city.

Staff concurs with the checklist.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable.

c. Proposed measures to reduce or control housing impacts, if any.

Not applicable.

Staff concurs with the checklist.

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?**

If a road was constructed, the tallest structure would be street lighting poles that extend over the roadway. Height of poles needs to exceed the limit for tall vehicle clearance by enough to not need warning signs. This is often around 40 feet on arterial roadways.

- b. What views in the immediate vicinity would be altered or obstructed?**

Trees would be removed with any future road construction.

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

Not applicable. This is a non-project action and aesthetic impacts would have to be determined if a project is proposed.

Staff concurs with the checklist.

11. Light and Glare

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

There would be light emitted from street lighting poles after dark if a project is proposed.

- 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. Proposed measures to reduce or control light and glare impacts, if any.**

Federal Way Revised Code (FWRC) 19.105.030, Lighting regulation, prohibits light sources both directable and nondirectable from extending on to adjacent properties.

Staff concurs with the checklist.

12. Recreation

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

North Lake, located to the southeast, offers seasonal fishing opportunities for largemouth bass and rainbow trout. There are also a wide variety of recreational opportunities in the greater Federal Way area. These opportunities include Dash Point State Park, a 398-acre state park on the west side of the city, operated and maintained by Washington State Parks; Celebration Park, an 84-acre

city-owned community park located approximately in the middle of the City with ballfields and walking trails; Town Square Park, a four acre city-owned community park located in the City Center; and recreation trails in the Bonneville Power Administration right-of-way.

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

The proposed realignment of the South 324th Street extension would not displace any existing recreational uses.

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

Not applicable.

Staff concurs with the checklist.

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 former Weyerhaeuser Corporate Headquarters, now "Greenline," opened in 1971, making it over 45 years of age. However, it is not listed in any national, state, or local preservation registers.

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.

It is unknown whether there are any landmarks or evidence of Indian or historic use or occupation in the area.

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.

The Notice of Determination of Non-significance (DNS) will be sent to the Department of Archeology and Historic Preservation and to the Puyallup Suquamish, and Muckleshoot tribes.

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.

No measures will be proposed until, and if, a project is proposed.

Staff concurs with the checklist.

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.**

There are no streets serving the area proposed for realignment of the road extension. However, if the roadway extension is constructed it will connect the existing South 324th Street at 23rd Avenue South west of I-5 with Weyerhaeuser South, east of I-5.

- 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?**

Sound Transit, King County Metro, and Pierce Transit provide service to the city. There is also a dial-a-ride-transit (DART) service, as well as two park and ride facilities (Twin Lakes and Redondo Heights) and the Federal Way Transit Center. Two operate routes through the Weyerhaeuser site. Pierce County's Route 402 runs on Weyerhaeuser Way South from Tacoma and west on South 336th Street to the Federal Way Transit Center every hour. Additionally, King Count Metro Transit Route 181 runs on South 320th Street connecting Federal Way Transit Center to Auburn and the Green River Community Center every 30 minutes.

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

Not applicable.

- 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).**

The proposed comprehensive plan amendment would allow the realignment of the South 324th Street extension east of I-5, and would not require any improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities.***

- e. Will the project or proposal 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 or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?**

The City uses travel demand modelling based on PSRC's regional model with detail added within and near Federal Way with current 2040 land use forecasts. If constructed, the new roadway is estimated to carry approximately 5,000 vehicles per day. However, other land use proposals in the area may increase these volumes significantly, so those projects will evaluate their impacts on this roadway as they move forward. Similarly, another roadway improvement project may result in the addition of freeway ramps to and from I-5 at South 324th Street, which would also alter the traffic volume forecasts.

- 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.**

Federal Way is considered an Urban area, and there is little agricultural or forestry activity.

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

Not applicable.

Staff concurs with the checklist.

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.**

No.

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

Not applicable.

Staff concurs with the checklist.

16. Utilities

- a. Underline/circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.**

It is unlikely that any utilities are available along the proposed realignment as this is presently vacant commercial land.

- 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.**

If the road is constructed, street lights are expected to be installed at the same time as the roadway. Puget Sound Energy would provide the electricity for the lights.

Staff concurs with the checklist.

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: Margaret H. Clark

Printed Name of Signee: Margaret H. Clark

Position and Agency/Organization: Principal Planner, City of Federal Way

Date Submitted: December 10, 2018

Reviewed and concurred with.

Signature: Brian Davis

Printed Name of Signee: Brian Davis

Position and Agency/Organization: Community Development Director, City of Federal Way

Date reviewed: 12/18/18

LIST OF EXHIBITS

- | | |
|-----------|--|
| Exhibit A | Map 3-111 of the City of Federal Way Comprehensive Plan |
| Exhibit B | Existing alignment of the South 324 th Street extension east of I-5 |
| Exhibit C | Proposed realignment of the South 324th Street extension east of I-5 |
| Exhibit D | Critical Areas Map |
| Exhibit E | Roadway Cross Section C |
| Exhibit F | Known Pipelines |

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 comprehensive plan amendment related to realigning the future extension will not in itself increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise. However construction of the future roadway extension will result in increased emissions to air due to increased vehicle traffic in the area.

Proposed measures to avoid or reduce such increases are:

None.

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

Construction of the future roadway extension permitted by this amendment would result in removal of vegetation and may act as a barrier to movement of wildlife between the north and south sides of the road.

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

None.

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

The proposal should not deplete energy or natural resources?

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

None.

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 City makes every attempt to construct roads outside of wetland, streams, and their respective buffers. However, if a road is constructed and encroachment into an environmentally sensitive area is

unavoidable, compliance with FWRC, Chapter 19.145, Environmentally Critical Areas and SEPA would be required.

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

See response above.

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?**

This area is not within the shoreline master program area.

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

None.

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

Future construction of a road along the proposed new alignment, allowed by this amendment, will not increase demands on transportation since the east-west link already exists within the Comprehensive Plan. The amendment is to move the road southward.

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

None.

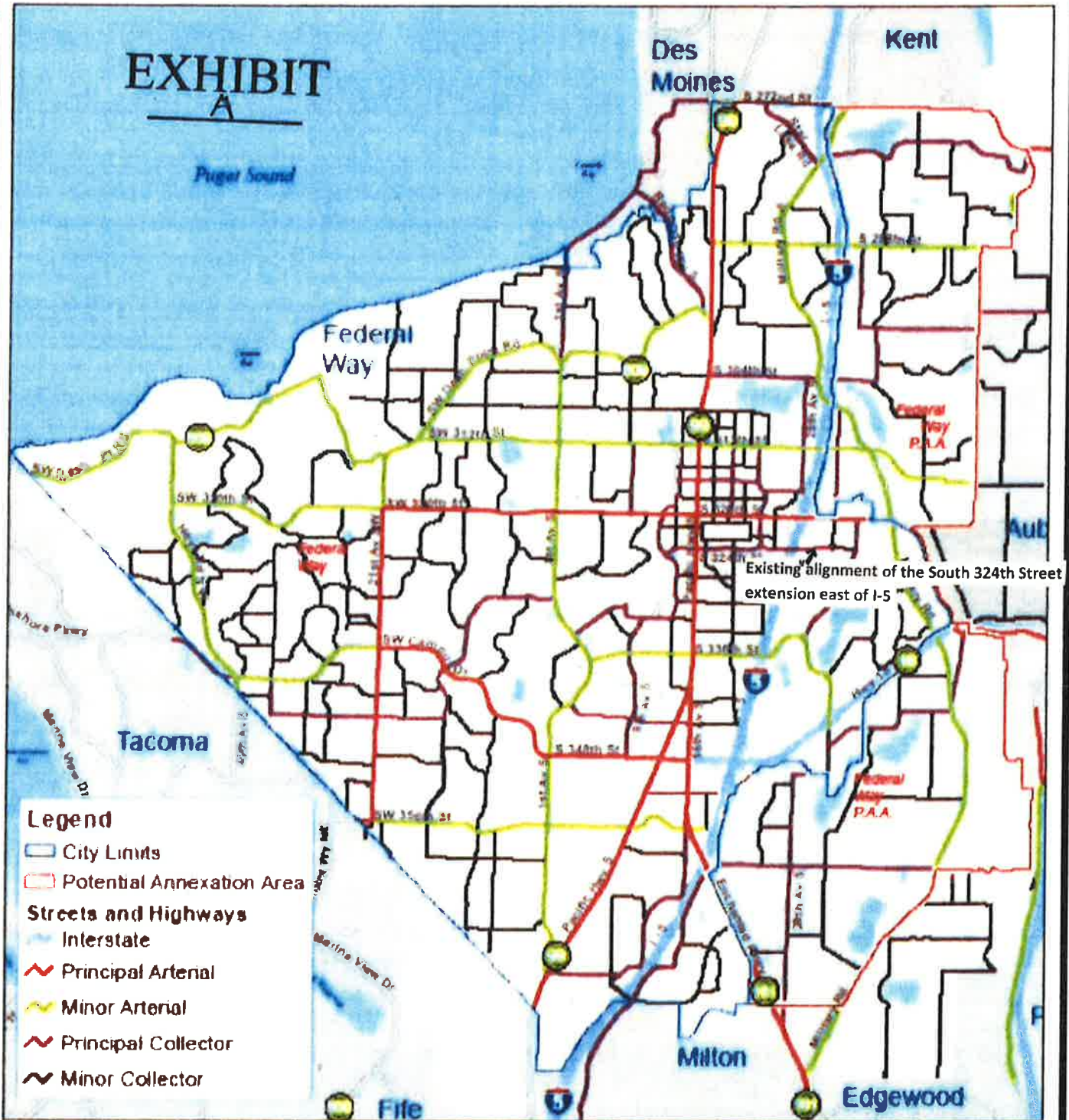
7. **Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

The proposed comprehensive plan amendment does not conflict with local, state, or federal laws or requirements for the protection of the environment.

K:\Comprehensive Plan\2018 Comprehensive Plan Amendments\SEPA\S 324th Extension
Realignment\Checklist.docx

Map III - 3 Functional Classification of Existing and Planned Streets and Highways

Map Date: April 2015
City of Federal Way
1000 E. Duane
33325 8th Ave S
Federal Way, WA 98003
253-835-7000
www.cityoffederalway.com



- Legend**
- City Limits
 - Potential Annexation Area
 - Streets and Highways**
 - Interstate
 - Principal Arterial
 - Minor Arterial
 - Principal Collector
 - Minor Collector



EXHIBIT A Transportation Element

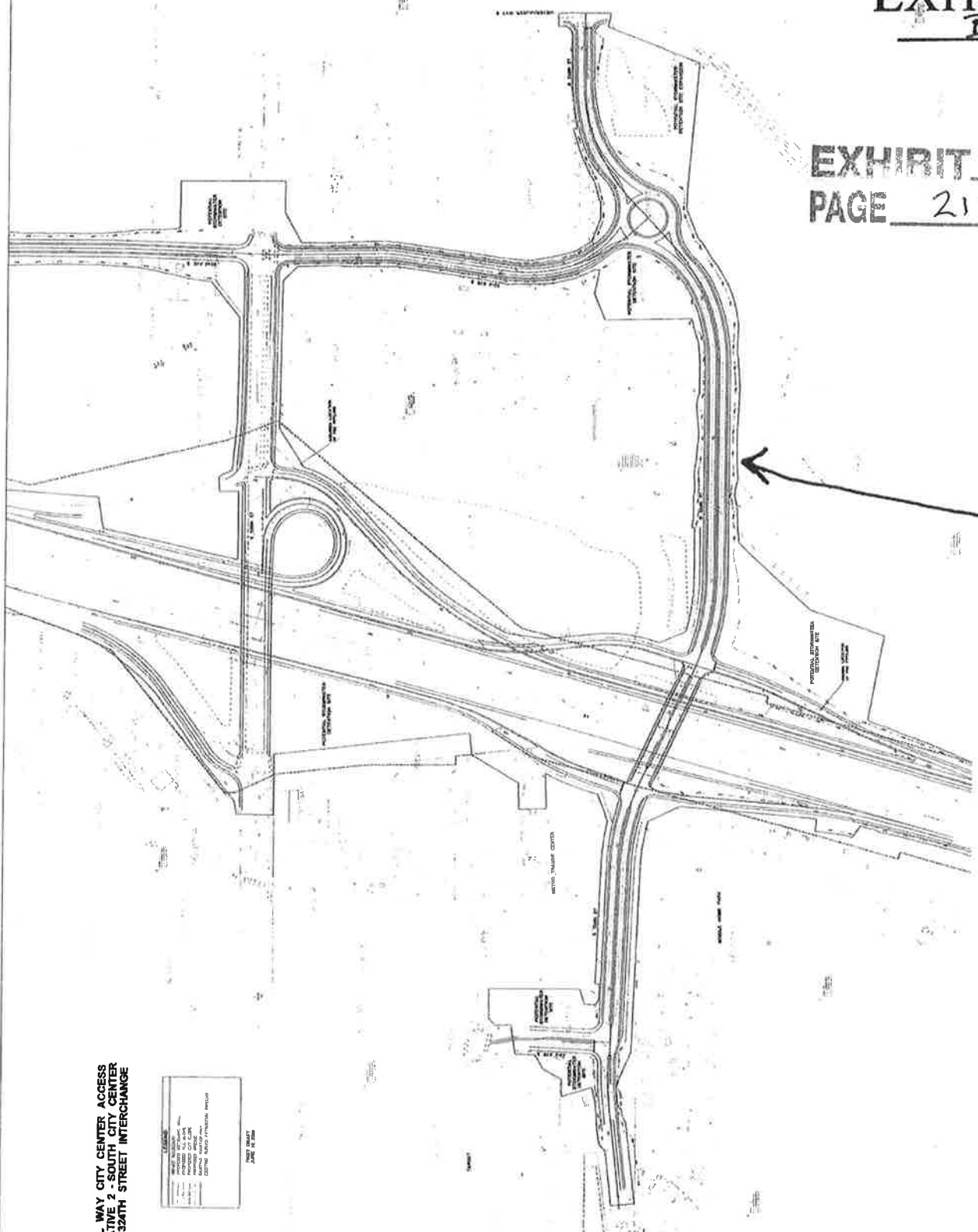
Scale: PAGE 20 OF 25



This map is intended for use as a graphical representation. The City of Federal Way makes no warranty as to its accuracy.

EXHIBIT B

EXHIBIT A
PAGE 21 OF 25



FEDERAL WAY CITY CENTER ACCESS
ALTERNATIVE 2 SOUTH CITY CENTER
SOUTH 324TH STREET INTERCHANGE

SYMBOL	DESCRIPTION	NOTES
[Symbol]	PROPOSED HIGHWAY	
[Symbol]	EXISTING HIGHWAY	
[Symbol]	PROPOSED RAMP	
[Symbol]	EXISTING RAMP	
[Symbol]	PROPOSED DRIVE	
[Symbol]	EXISTING DRIVE	
[Symbol]	PROPOSED SIDEWALK	
[Symbol]	EXISTING SIDEWALK	
[Symbol]	PROPOSED BIKEWAY	
[Symbol]	EXISTING BIKEWAY	
[Symbol]	PROPOSED FUTURE DEVELOPMENT	
[Symbol]	EXISTING FUTURE DEVELOPMENT	

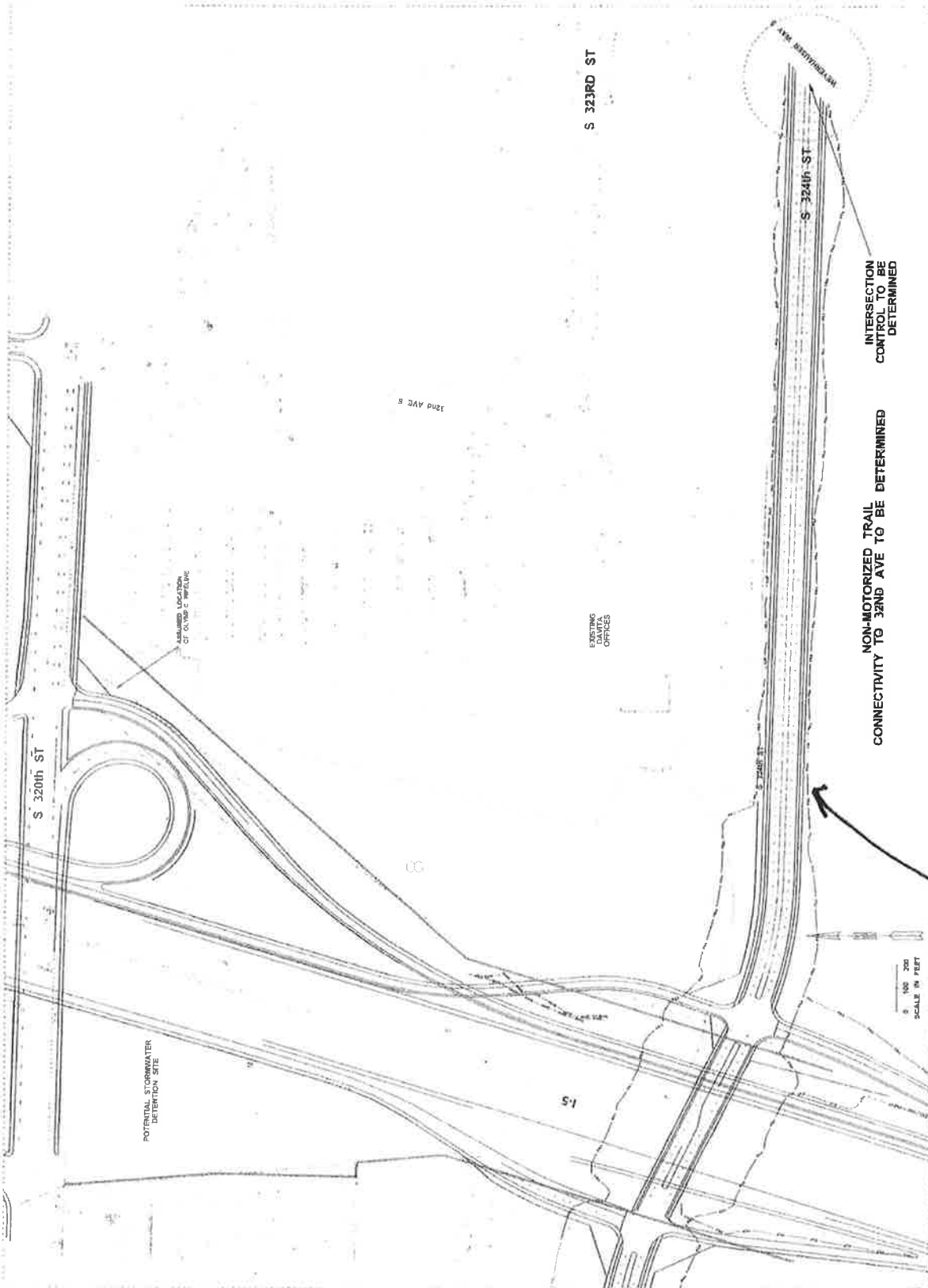
DATE PLOTTED
JUNE 17, 2008

SCALE
1" = 50'

Existing alignment of the South 324th Street extension east of I-5

EXHIBIT

C



INTERSECTION
CONTROL TO BE
DETERMINED

NON-MOTORIZED TRAIL
CONNECTIVITY TO 32ND AVE TO BE DETERMINED

CONCEPTUAL EXTENSION OF S 324TH STREET TO WEYERHAEUSER WAY
3/9/2017

Proposed realignment of the South 324th Street extension east of I-5

EXHIBIT

A

PAGE 22 OF 25

Critical Areas

EXHIBIT D

Legend

- Zoning Boundary*
- Buildings
- Streets
- Streams (City Survey)
- Wetlands (1998 City Survey)
- Landslide Hazard Areas
- Erosion Hazard Area
- GREEN RIVER BASIN
- HYLEBOS CREEK BASIN
- LOWER PUGET SOUND BASIN
- MILL CREEK BASIN
- Hylebos Creek
- Lower Green River
- Lower Puget Sound
- Mill Creek
- White River

Note: An asterisk (*) next to a zoning designation indicates the property is governed by a development agreement.



This map is accompanied by no warranties, and is simply a graphic representation.

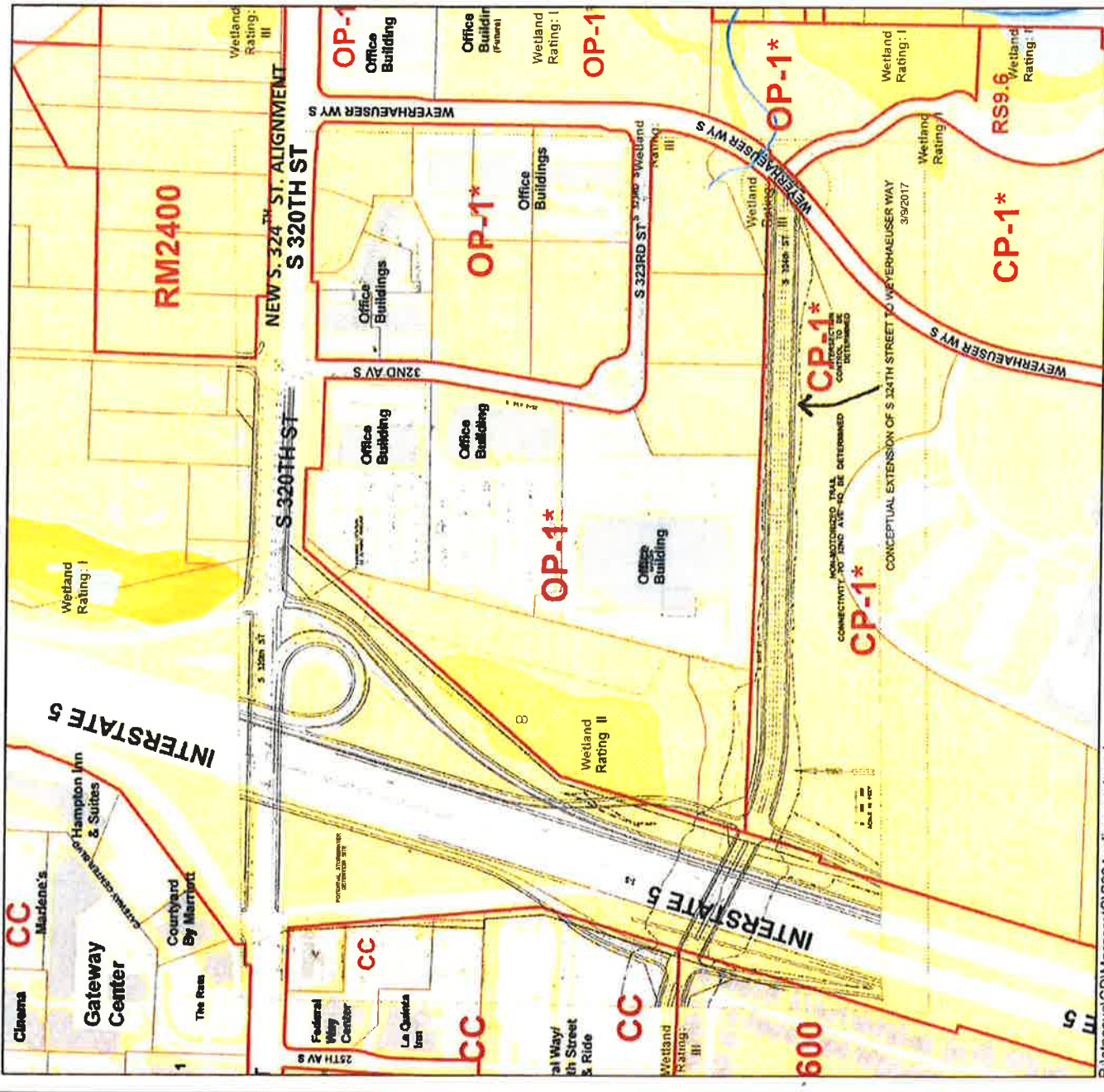


EXHIBIT E

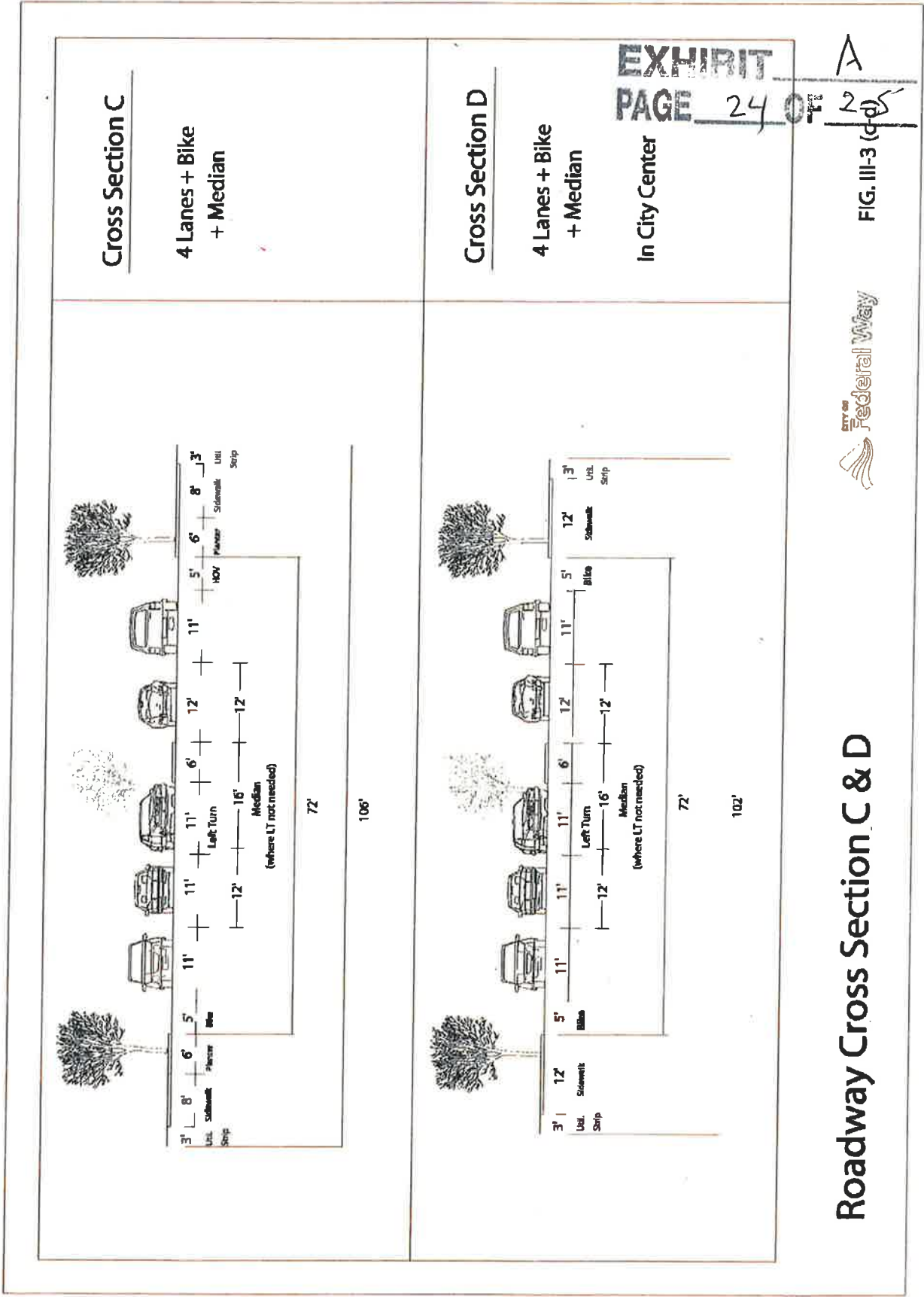


EXHIBIT PAGE 24 OF 25



FIG. III-3 (cont.)
Roadway Cross Section C & D

+

Weyerhaeuser Campus



EXHIBIT
F

EXHIBIT

B

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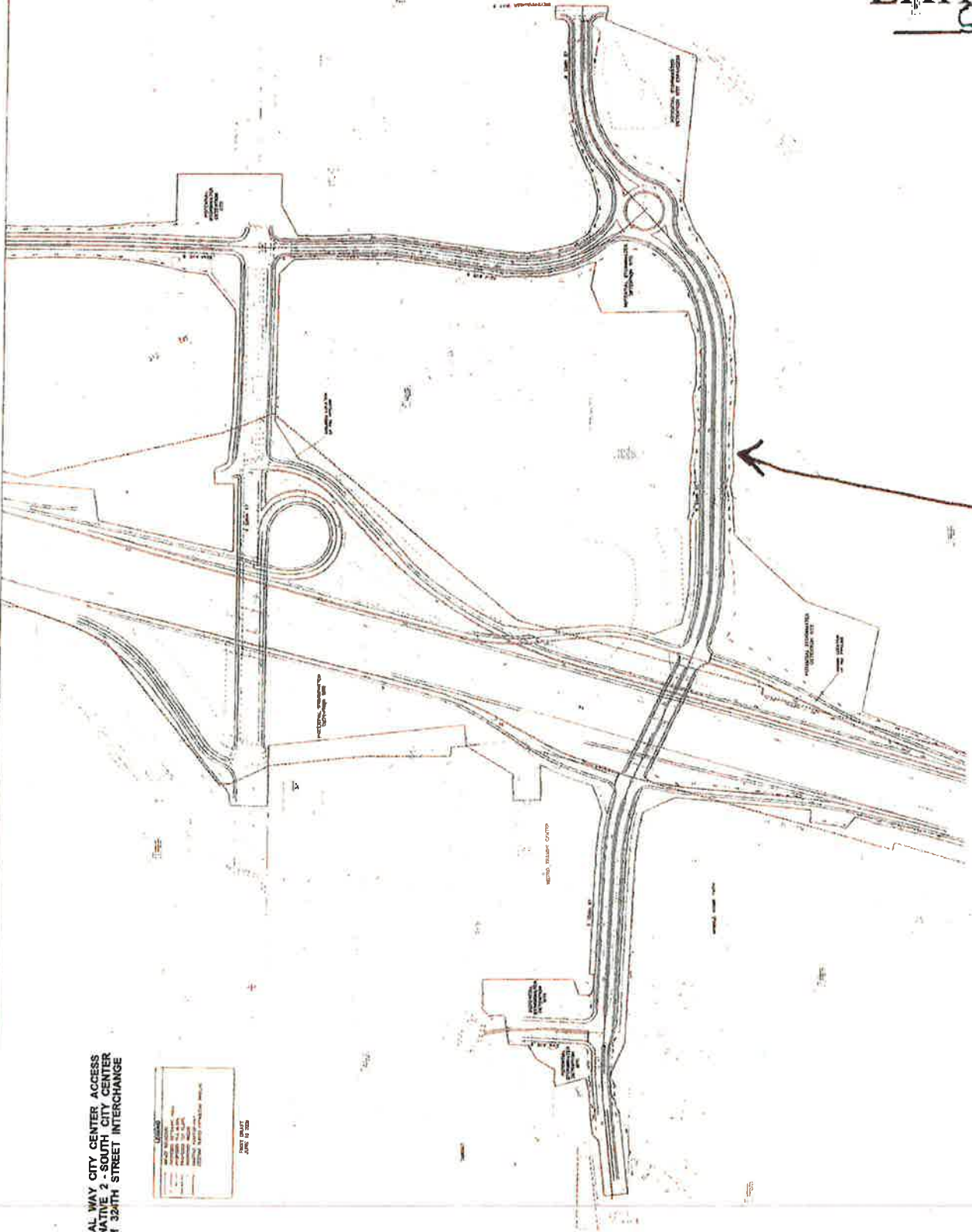
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EXHIBIT

C



FEDERAL WAY CITY CENTER ACCESS
ALTERNATIVE 2 - SOUTH CITY CENTER
SOUTH 324TH STREET INTERCHANGE

Legend	
EXISTING	(Symbol)
PROPOSED	(Symbol)
CONSTRUCTION	(Symbol)
UTILITY	(Symbol)
BOUNDARY	(Symbol)
PROPERTY	(Symbol)
ADJACENT	(Symbol)
OWNER	(Symbol)
DATE	(Symbol)
SCALE	(Symbol)
PROJECT	(Symbol)
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NO. 2	(Symbol)
NO. 3	(Symbol)
NO. 4	(Symbol)
NO. 5	(Symbol)
NO. 6	(Symbol)
NO. 7	(Symbol)
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NO. 9	(Symbol)
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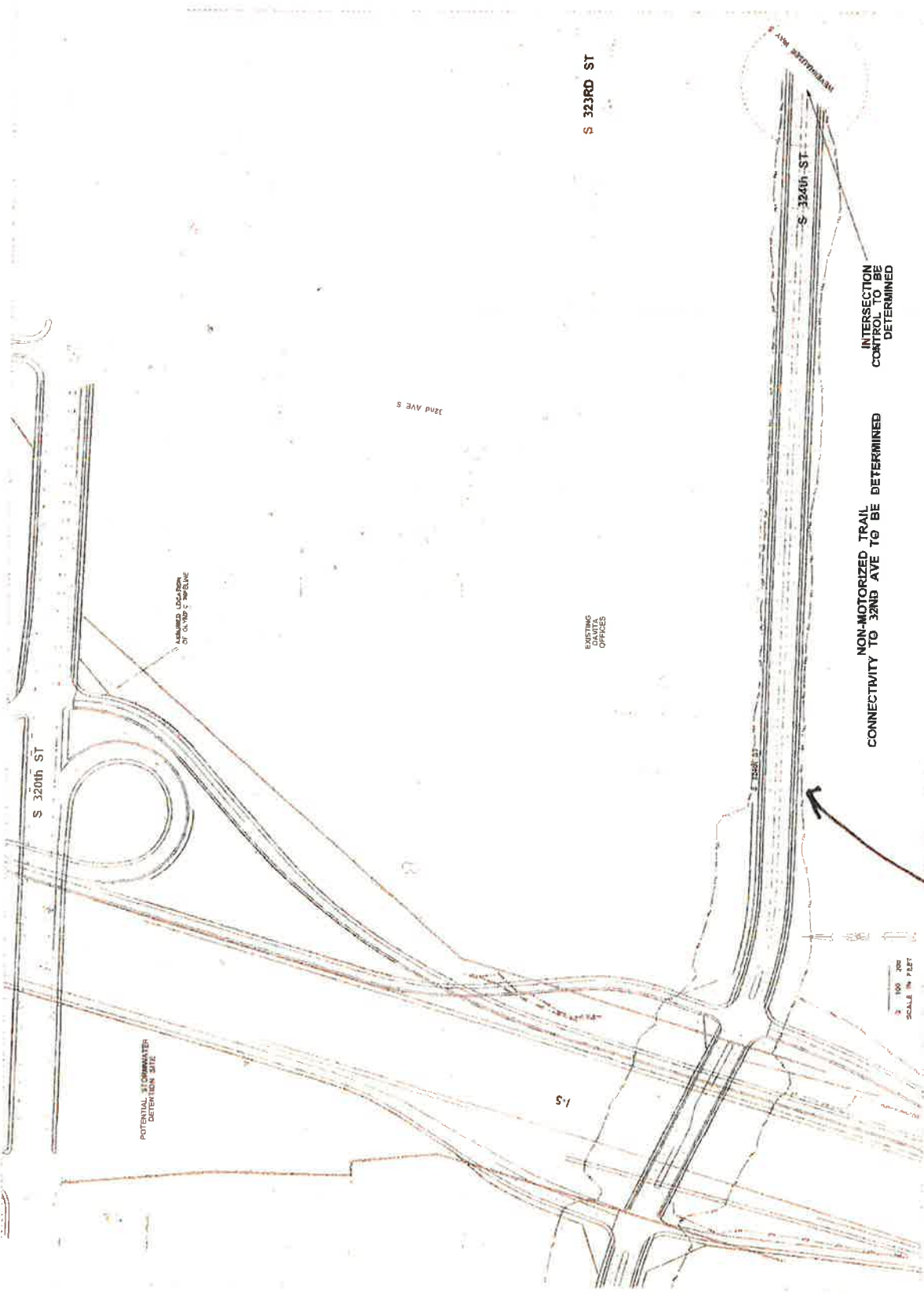
DATE: JUNE 10, 2008

SCALE: 1" = 100'

Existing alignment of the South 324th Street extension east of I-5

EXHIBIT

D

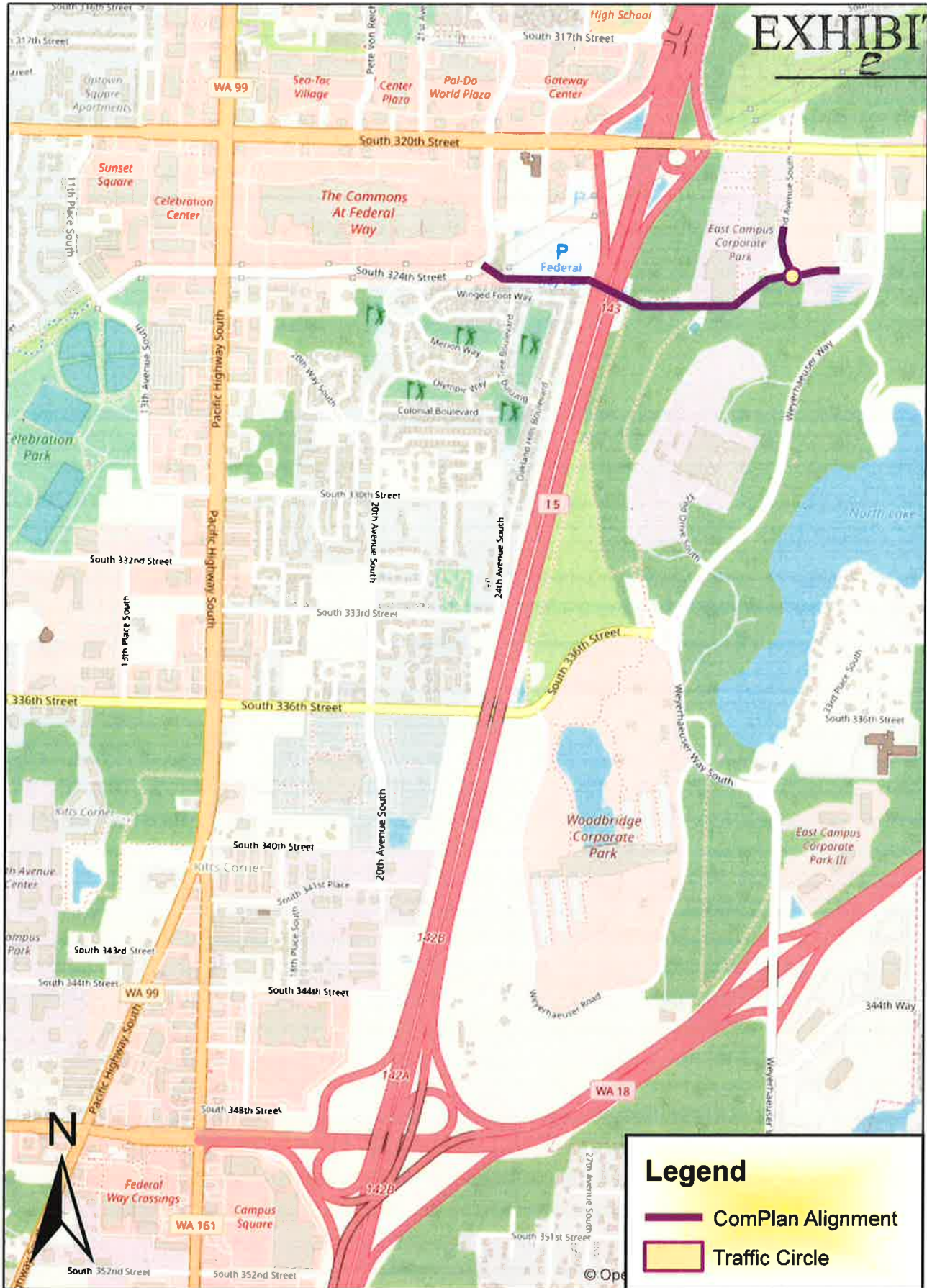


CONCEPTUAL EXTENSION OF S 324TH STREET TO WEYERHAEUSER WAY
3/9/2017

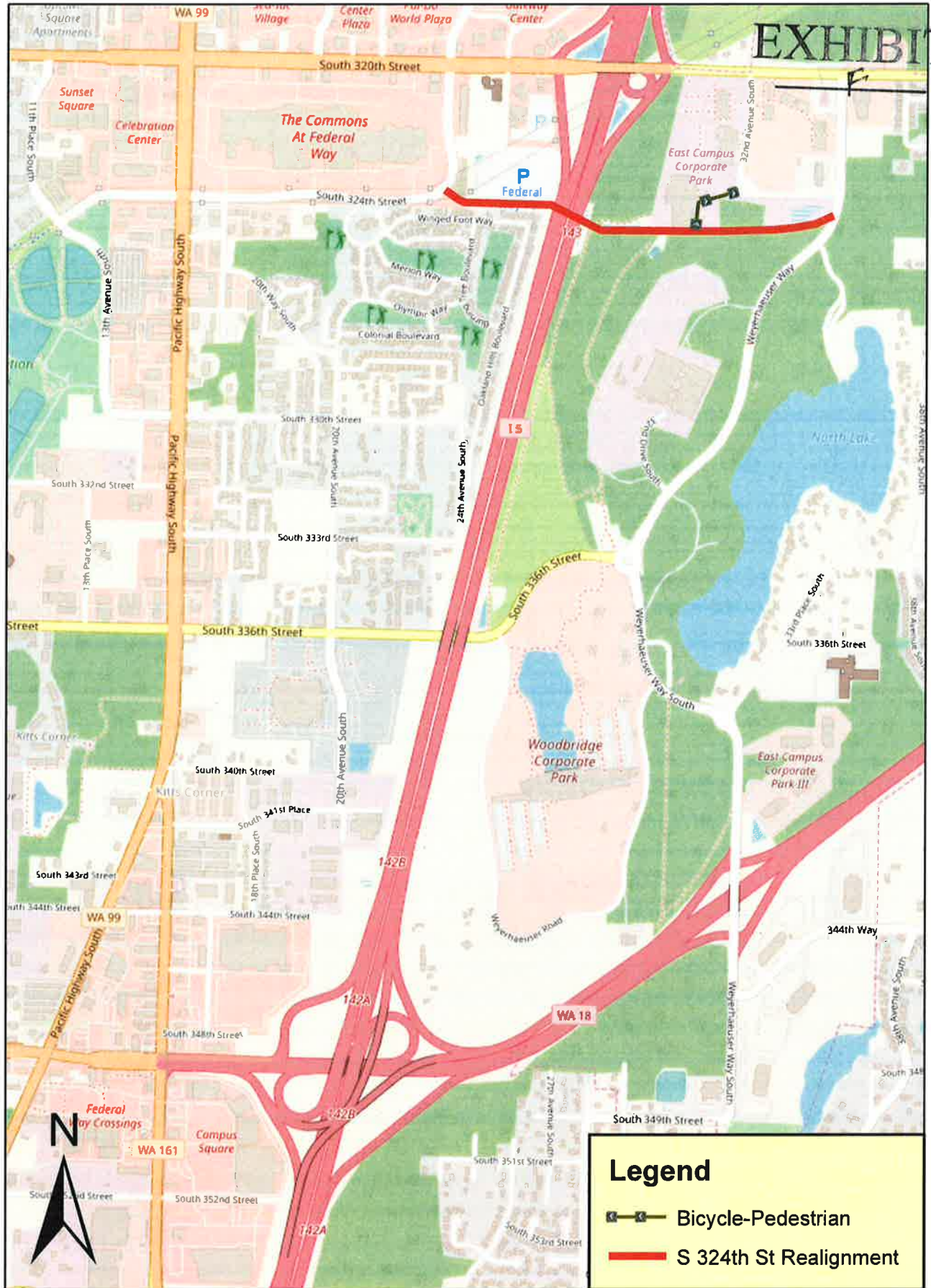
Proposed realignment of the South 324th Street extension east of I-5

Complan Alignment - S 324th Street Extension

EXHIBIT
2

















Future Realignment - S 324th Street Extension



Critical Areas

EXHIBIT

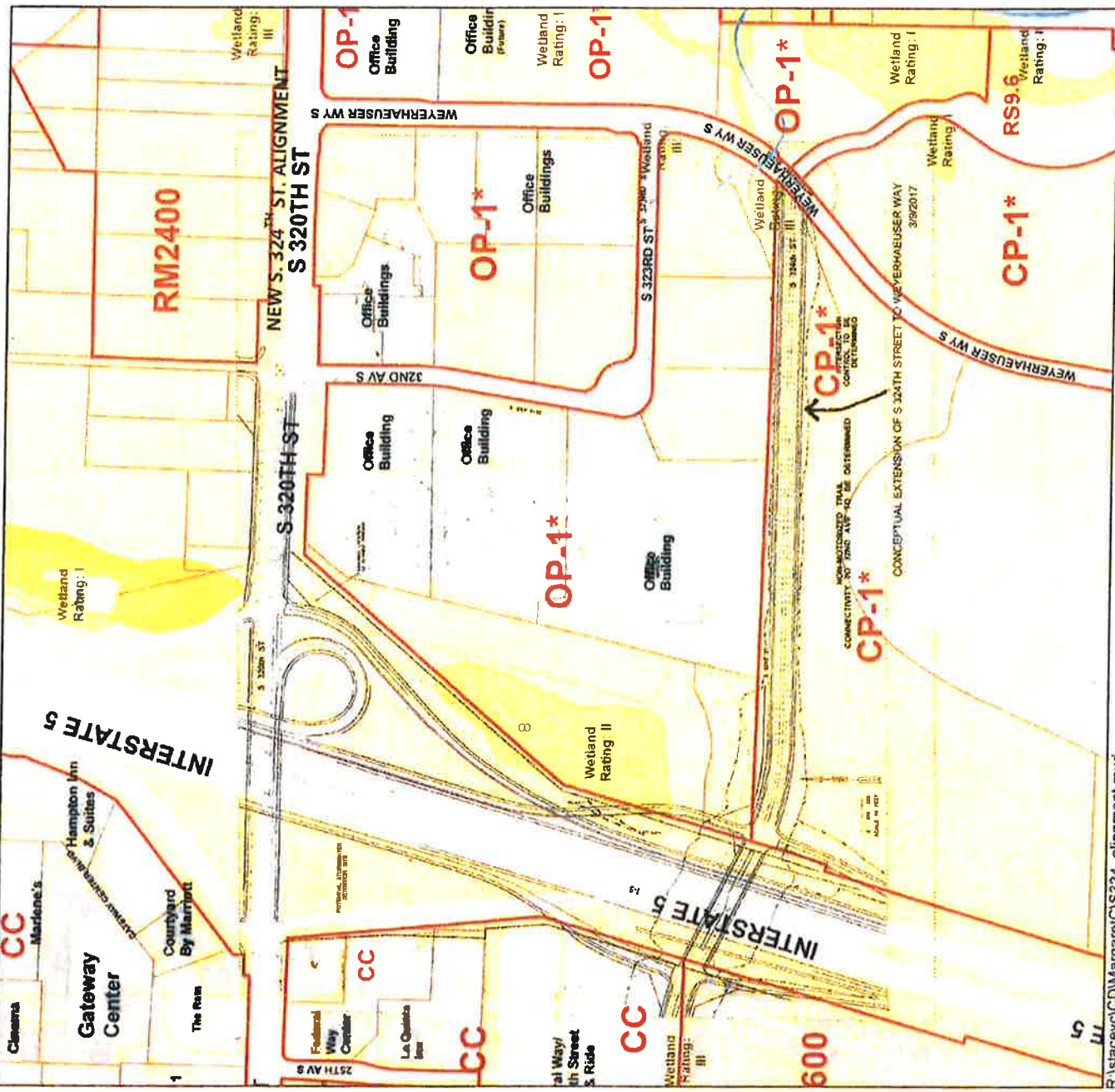
Legend

-  Zoning Boundary*
-  Buildings
-  Streets
-  Streams (City Survey)
-  Wetlands (1998 City Survey)
-  Landslide Hazard Areas
-  Erosion Hazard Area
-  GREEN RIVER BASIN
-  HYLEBOS CREEK BASIN
-  LOWER PUGET SOUND BASIN
-  MILL CREEK BASIN
-  Hylebos Creek
-  Lower Green River
-  Lower Puget Sound
-  Mill Creek
-  White River

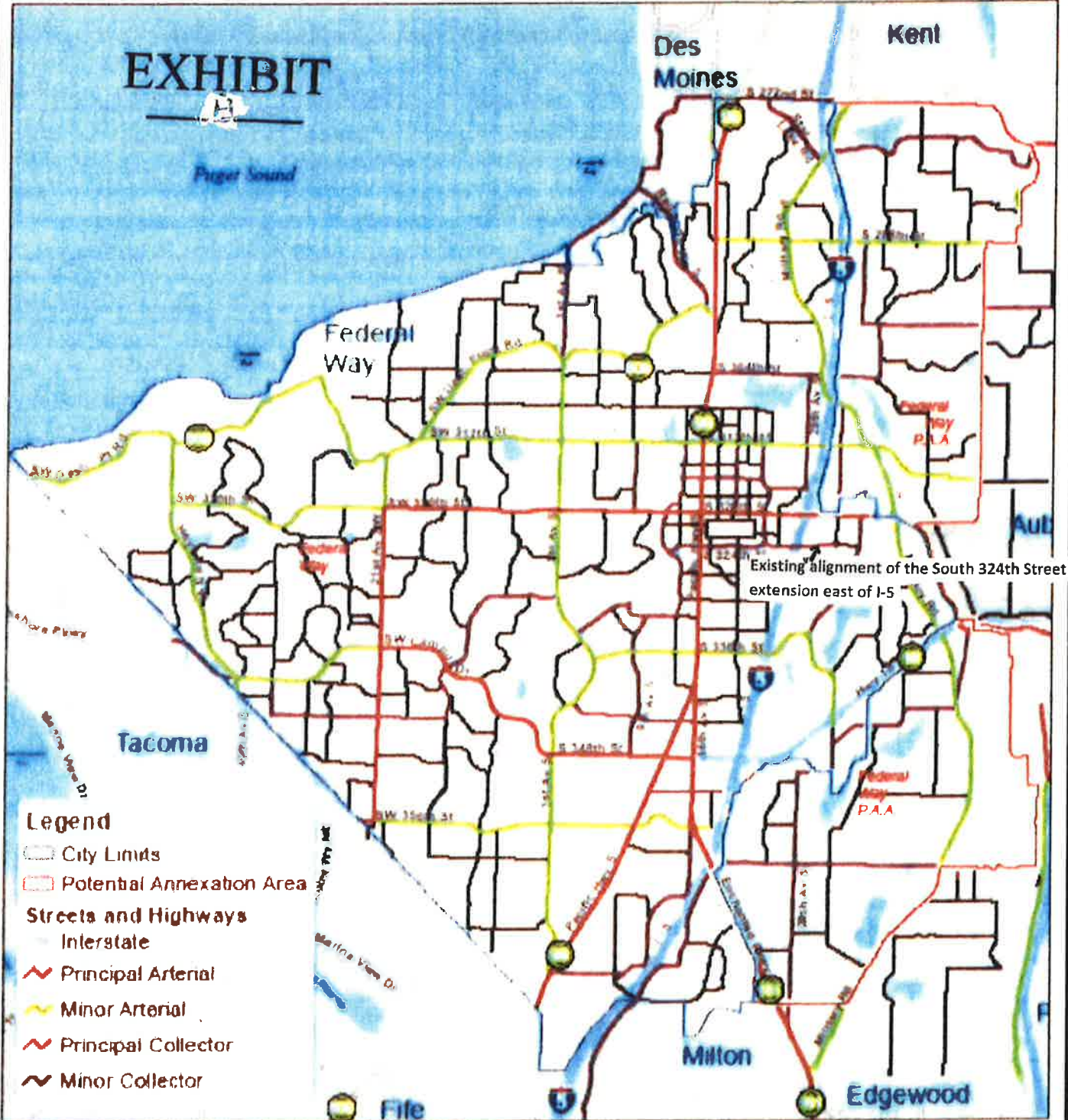
Note: An asterisk (*) next to a zoning designation indicates the property is governed by a development agreement.



This map is accompanied by no warranties, and is simply a graphic representation.



Map III - 3 Functional Classification of Existing and Planned Streets and Highways



Legend

- City Limits
- Potential Annexation Area
- Streets and Highways**
- Interstate
- Principal Arterial
- Minor Arterial
- Principal Collector
- Minor Collector

Transportation Element



This map is intended for use as a graphical representation. The City of Federal Way makes no warranty as to its accuracy.

Tina Piety

From: Margaret Clark
Sent: Friday, January 04, 2019 1:19 PM
To: Rick Perez; Brian Davis; Doc Hansen
Subject: FW: TPR 10978 New Road Connection from S 324th Street East of I-5
Attachments: TPR 10978 Mapping.pdf; TPE - BPPL OPL Design and Construction Standards 2018 (2).pdf

From: Wakefield, Chase (SALEM LAND) [<mailto:chase.wakefield@bp.com>]
Sent: Friday, January 04, 2019 10:06 AM
To: Margaret Clark
Cc: Fehr, Timothy (SALEM LAND); Boyle, Keith (SALEM LAND)
Subject: TPR 10978 New Road Connection from S 324th Street East of I-5

Good Morning Margaret,

We have received the Comprehensive Plan Amendment to realign the extension of South 324th Street East of I-5. After reviewing the project, it will impact our 14" High Pressure Pipe Line that needs to be protected in that area. I have attached a map showing the approximate location of the 14" Olympic Pipe Line and our General Design and Construction Standards (GDSCS). If you can meet our GDSCS it will expedite the approval process.

Please note: Our Third Party Request (TPR) number is in the subject line so we can readily reference the project when we are contacted.

Thank you,

Chase Wakefield

Chase Wakefield (Salem Land)

3rd Party Right of Way Agent

Representing:

BP Olympic Pipe Line

600 Southwest 39th Street

Renton, WA 98057

Email: chase.wakefield@bp.com

Lync: 360-526-3057

Office: 425-981-2575

Margaret Clark

From: Richard Pierson <EconoForester@msn.com>
Sent: Friday, January 04, 2019 3:48 PM
To: Margaret Clark
Subject: Comments, File No. 18-105898-00-SE

Brian Davis, Director of Community Development, City of Federal Way (e-mail [Margaret Clark@cityoffederalway.com](mailto:Margaret.Clark@cityoffederalway.com)):

I am aggrieved by the City of Federal Way determination of Nonsignificance (File No. 18-105898-00-SE) the extension of proposed South 324th Street to Weyerhaeuser Way South with the elimination of the connection to 32end Avenue South for the following reasons at this point:

1-Subjecting Weyerhaeuser Way South to approximately 5,000 vehicles per day (p.14) does not recognize the traffic dispersion incorporated into the 2015 Comprehensive Plan utilizing both 32end Ave. S. (to S.320th and North) and Weyerhaeuser Way S. (via S 323rd Street). Under the proposed determination all of the increased traffic volume of 5,000 vehicles will go onto Weyerhaeuser Way South instead of being dispersed both onto Weyerhaeuser Way South and 32end Ave. South and its extension north. In addition the 2015 Comprehensive Plan did not recognized the proposed developments of DaVita and Industrial Reality Group's permit estimates to be initially 7,000 additional vehicles and 800 trucks per day.

2-Relative to the SEPA Environmental Check List item 8. b., forest land use has been practiced on the proposed street extension consistent with 1994 Concomitant Agreement requiring a "Managed Forest Buffer" around the perimeter of the property.

3- Check list item 12. b. statement that the extension of S.324th street would "not displace any existing recreational use is challenged given the depiction of a trail in the City of Federal Way's "Weyerhaeuser Headquarters Site Conditions and Considerations" document, January 2015.

Richard Pierson, 3516 S. 336th St., Federal Way, WA 98001, 253-205-1951

January 4, 2019

Brian Davis
Director of Community Development/SEPA Official
City of Federal Way
33325 8th Avenue South, Federal Way, WA 98003

Re: Comments on Comprehensive Plan Amendment to Realign the Extension of South 324th Street East of I-5 (Non-Project Action) File No: 18-105898-00-SE

Dear Mr. Davis,

We generally favor the proposed realignment of the South 324th Street extension east of Interstate 5, although we have concerns about the increased traffic that will be funneled to Weyerhaeuser Way.

But city officials have told us that this proposed realignment will support DaVita's plan to create a campus with a new office building that will bring well-paying jobs to the city. This is the type of development that Save Weyerhaeuser Campus has been advocating as appropriate for the area east of Interstate 5 that includes the historic Weyerhaeuser campus.

However, in reviewing the SEPA checklist for this non-project action, we have these comments:

1. The proposed road should not eliminate the forested buffer that is required around the perimeter of the CP-1 property, under the terms of the 1994 concomitant zoning agreement. The CZA does not specify reduction of the buffer when a new road is constructed. The buffer should remain 50 feet on the north CP-1 zone boundary and 100 feet along I-5, including future ramps.
2. If the Interstate 5 off-ramps are constructed, the South 324th Street extension should be required to become the only access point for semi-trucks entering and exiting the CP-1 zoned property located north of South 336th Street (currently proposed as the Greenline Business Park).
3. Section 7, Environmental Health, should specify potential arsenic contamination in the soil. The property is within the plume zone of the now-defunct Asarco plant in Tacoma. Arsenic has been found in nearby North Lake, and the University of Washington is continuing studies to determine if arsenic is entering the lake from soil runoff.
4. Section 12, Recreational Use, should specify that the proposed street extension will eliminate portions of recreational trails in the CP-1 zone that have been used by the public for more than 40 years.
5. Section 13, Historic and Cultural Preservation, should state that the historic Weyerhaeuser headquarters building (and likely most of the landscape) **are eligible** for National Historic Register listing, as determined over a year ago by the state Department of Archaeology and Historic Preservation.

We may have additional comments in the future as the comprehensive plan amendment works its way through the review/approval process.

Respectfully submitted,

Lori Sechrist
President
Save Weyerhaeuser Campus

Public Hearing

**Rezone from RS-35 to RS-7.2 at
376th and Milton Road**

City of Federal Way Planning Commission

February 20, 2019



PLANNING COMMISSION STAFF REPORT

February 9, 2019

TO: Wayne Carlson, Federal Way Planning Commission Chair ✓

FROM: Brian Davis, Community Development Director *Brian Davis*
Robert "Doc" Hansen, Planning Manager *Doc Hansen*
Margaret H. Clark, AICP, Principal Planner *MHC*

SUBJECT: **Public Hearing – 2018 Comprehensive Plan Amendments, Milton Road Area
Legislative Comprehensive Plan Amendment and Rezone**

MEETING DATE: February 20, 2019

I. BACKGROUND

Pursuant to RCW 36.70A (2) (a), the City of Federal Way may update its comprehensive plan annually. Per *Federal Way Revised Code* (FWRC) 19.80.050, the city has elected to review citizen-initiated requests on an annual basis. As part of the annual review, the city may also make changes to chapters and maps of the comprehensive plan. The governing body shall consider all proposals concurrently so that the cumulative effect of the various proposals can be ascertained.

This proposal was initiated by the City Council to have the Planning Commission make a recommendation to amend the comprehensive plan and zoning for properties along Milton Road South and 376th Street from Single Family Medium Density (RS 35.0, one unit per 35,000 square feet) to Single Family High Density (RS 7.2, one unit per 7,200 square feet). The comprehensive plan amendment and rezone would permit the same residential density as the adjacent properties to the east of the proposed amendment area.

II. REASON FOR PLANNING COMMISSION ACTION

FWRC Chapter 19.80, "Council Rezones," establishes a process and criteria for comprehensive plan amendments. Consistent with Process VI review, the role of the Planning Commission is as follows:

1. To review and evaluate the requests for comprehensive plan amendments;
2. To determine whether the proposed comprehensive plan amendments meet the criteria provided by FWRC.80.140, 19.80.150, and 19.75.130(3); and

3. To forward a recommendation to the City Council regarding adoption of the proposed comprehensive plan amendments.

III. PROCEDURAL SUMMARY

Steps	Date
Issuance of Determination of Nonsignificance (DNS) pursuant to the State Environmental Policy Act (SEPA) (<i>Exhibit A</i>) ¹	January 4, 2019
End of SEPA Comment Period	January 18, 2019
Planning Commission Study Session	February 6, 2019
End of SEPA Appeal Period	February 8, 2019
Public Hearing before the Planning Commission	February 20, 2019
LUTC Meeting	March 4, 2019
City Council 1st Reading	March 19, 2019
City Council 2nd Reading	April 2, 2019

IV. Milton Road Comprehensive Plan Amendment and Rezone, Files 18-105523-SE and 18-104618-UP

Background

This is a legislative action initiated by the City Council for a comprehensive plan amendment and rezone for 26 parcels (56.06 acres) in the Milton Road area east of I-5 (*Exhibit C*) from Single Family Medium Density Residential (RS 35.0, one unit per 35,000 square feet) to Single Family High Density Residential (RS 7.2, one unit per 7,200 square feet). If the proposed comprehensive plan amendment is approved, appropriate zoning changes would be made concurrently.

Six owners of 13 lots (Numbers 1-13 in Table I) in this area originally applied for a comprehensive plan amendment for their individual properties in September 2016, requesting a change from “Medium Density Single Family Residential” to “High Density Single Family Residential” (*Exhibit D*). They requested rezones of either RS 7.2 or RS 5.0. They were selected by the City Council “to be considered further” on July 18, 2017. This action neither approved nor denied the requests, but only required them to be considered at a public hearing by the Planning Commission for recommendation to the Council. The Council also directed the staff to contact adjacent property owners in the area now being considered to determine if they wished to be added to the six original requests. Three of these owners indicated interest in being part of the proposal after the given deadline. A public hearing was held by the Federal Way Planning Commission on October 25, 2017, and they recommended denial of the separate proposals. At the Land Use and Transportation Committee meeting on December 4, 2017, the Committee agreed with the Planning Commission and moved the proposal to first reading by the Council. At first reading, the Council voted to table the six requests and send them back to the Planning Commission to consider a legislative amendment for the entire area presently zoned RS 35.0. Please refer to *Exhibit E* for a detailed timeline.

¹Refer to *Exhibit B* – Agencies that were sent a copy of the DNS and environmental checklist.

If the area is rezoned to RS 7.2, the owners would then be able to apply for subdivisions or other allowable development activity. Any of these actions would have to be reviewed and approved by the city.

The locations of the 26 lots that are included in the legislative comprehensive plan and rezone area are shown on *Exhibit F*, and are described below:

Table I

No.	Parcel #	Owner	Address	Location	Sq. ft.	Acres	Existing Land Use	Number of Houses
1	322104-9086	Mark Johnson	1424 S 372 nd St	North of Milton Rd S/S 372 nd St	19,331	0.44	Single family dwelling	1
2	322104-9157	Larry Neether	37222 Milton Rd S	East of Milton Rd S	47,760	1.1	Single family dwelling	1
3	322104-9045	Larry Neether			71,002	1.63	Single family dwelling	1
4	322104-9002	Pam Otteson			145,490	3.34	Single family dwelling	1
5	322104-9076	Pam Otteson	1408 S 372 nd St	North of Milton Rd S/S 372 nd St, west of Milton Rd S, and south of I-5	36,533	0.84	Vacant	0
6	322104-9114	Rick Beard	1331 S 372 nd St	South of Milton Rd S/S 372 nd St	87,120	2	Single family dwelling	1
7	322104-9053	Rick Beard	1311 S 372 nd St		77,972	1.79	Single family dwelling	1
8	322104-9129	Rick Beard	1321 S 372 nd St		31,785	0.73	Single family dwelling	1
9	322104-9036	Arnold Ellingson	1110 S 376 th St		East of Milton Rd S and north of S 376 th St	167,270	3.83	Single family dwelling
10	322104-9138	Arnold Ellingson	N/A	North of S 376 th St	98,881	2.27	Vacant	0
11	322104-9136	Arnold Ellingson	1224 S 376 th St		108,900	2.5	Single family dwelling	1
12	322104-9050	Arnold Ellingson	N/A		207,781	4.77	Vacant	0
13	322104-9064	Visnou Dararak	1423 S 372 nd St	South of Milton Rd S	104,544	2.4	Single family dwelling	1
14	322104-9003	Joe & Mary Greene	1312 S 372 nd St	North of Milton Rd S/S 372 nd St, and east of I-5	92,347	2.12	Single family dwelling	1
15	322104-9048	Joe Greene	N/A	North of Milton Rd S/S 372 nd St, and east of I-5	1,350	0.03	Vacant	0
16	322104-9126	Nick Semenyuk	1411 S 372 nd St	South of S 372 nd St	104,108	2.39	Single family dwelling	1
17	322104-9111	Lue Swenson	36924 Milton Rd S	South of S 369 th St and east of Milton Rd S	16,875	0.39	Single family dwelling	1
18	322104-9001	Kay Kaprosy	37128 Milton Rd S	East of Milton Rd S	133,729	3.07	Single family dwelling	1
19	322104-9011	Loren and Shannon Neighbors	1515 S 372 nd St	Southeast of S 372 nd St	217,800	5	Single family dwelling	1
20	322104-9063	Jayne vonDoenhoff	1414 S 376 th St	South of S 376 th St	440,661	10.12	Single family dwelling	1
21	721266-1040	Michael & Connie Czerwonka	1605 S 369 th St	South of S 369 th St	28,507	0.65	Single family dwelling	1
22	721266-1090	City	N/A	South of S 369 th St	54,561	1.25	Detention Pond	0

No.	Parcel #	Owner	Address	Location	Sq. ft.	Acres	Existing Land Use	Number of Houses
23	721266-1050	William Germann	37123 17 th Ave S	West of 17 th Ave S	42,395	0.97	Single family dwelling	1
24	721266-1060	Nguyen & Diem Ngoc	37321 17 th Ave S	West of 17 th Ave S	35,000	0.8	Single family dwelling	1
25	721266-1070	Igor & Liliya Stadnik	37323 17 th Ave S	West of 17 th Ave S	35,000	0.8	Single family dwelling	1
26	721266-1080	Curtis & Christina Call	1610 S 376 th St	North of S 376 th St	35,500	0.81	Single family dwelling	1
Totals					2,442,202	56.06		21

Parcels 21 through 26 are located within Brittany Lane (Regency Woods Division No. 2) and are already developed with single family homes.

Surrounding Zoning and Land Use (Exhibit G – Aerial Map)

	Zoning	Existing Land Use
North	Unzoned and OP- 4	Weigh Station and Rest area, Wild Waves Theme Park
South	Unknown	Retirement home in Milton
East	RS 7.2 (one unit per 7,200 square feet)	Single family dwellings in Brittany Lane
West	Milton Road South and I-5	RS 35.0 and unzoned

Availability of Utilities

Sanitary Sewer: Parcels 1-20 are presently on septic. Parcels 21-26 are served by the Lakehaven Water and Sewer District, which provides sewer service in this area. The nearest existing sewer system facilities intended to ultimately serve this area are approximately 1,100 feet southeast of parcel 322104-9050 (number. 12 on Table I, and *Exhibit H*). Sewer service connections would only be available if sewer system facilities were extended to this area. Regardless of the outcome of this request, future development of the parcel will require Lakehaven Certificates of Availability, Developer Extension Agreement(s), and water service connections.

Public Water: Lakehaven Water and Sewer District provides service in this area. There are existing water system facilities along Milton Road South (*Exhibit H*). Regardless of the outcome of this request, future development of the parcels will require Lakehaven Certificates of Availability, Developer Extension Agreement(s), and water service connections.

Solid Waste: Solid waste is provided by Waste Management

Availability of Public Services

Police: Police protection is provided by and will continue to be provided by the City of Federal Way Police Department, should increase development occur. The Police Department has indicated that if the area is rezoned to a higher density, there will be a need for one additional officer.

- Fire/Emergency/
Medical:** These services are provided by South King Fire and Rescue. Development in this area will increase demand for fire protection services. South King Fire and Rescue’s strategic plans address this need, and increased revenue from property taxes is expected to fund these services.
- Schools:** This parcel is located within the boundaries of the Federal Way School District, who had no comment since this is a non-project action.

Topography

The area has a flat to rolling terrain. The steepest slope on the site is approximately 42 percent located on the western portion of parcel 322104-9036 (number 9 on Table I), between Milton Road and the on-site wetland.

Critical Areas

The city’s Critical Area Map (*Exhibit F*) identifies three Category II wetlands in this area, one on parcels 322104-9136 (number 11 in Table II), 322104-9036 (number 9 in Table II), and 322104-9138 (number 10 in Table II, Ellingson). One on the southern portion of parcel 322104-9063 (number 20 in Table II, vonDoenhoff), and one on parcels 322104-9001 (number 18 in Table II, Kaprosky) and 721266-1090 (number 22 in Table II, City of Federal Way). These appear to be Category II wetlands with 105-foot wide buffers. There also appears to be another wetland on portions of parcels 322104-9050 (number 12 in Table I, Ellingson), 322104-9126 (number 16 in Table I, Semenyuk), and 322104-9063 (number 20 in Table II, vonDoenhoff). The city’s wetland consultant has identified this wetland as a Category III wetland with a 60-foot wide buffer.

Drainage

These parcels are located within the Hylebos Creek Basin and Conservation Flow Control Area. The city does not have a stormwater system in the area, only roadside ditches that connect to existing wetlands and drain into other low areas. Any water-related impacts associated with future development must be mitigated in compliance with the city-adopted *2016 King County Surface Water Manual* (KCSWM) and the City of Federal Way Addendum to the Manual.

Access

Milton Road South runs north to south and serves the majority of the parcels. South 376th Street runs east west and serves five parcels (*Exhibit C*).

Potential Traffic Impacts

This is a non-project action associated with changing the comprehensive plan designation and zoning from Single Family Medium Density Residential and Single Family (RS 35.0, one unit per 35,000 square feet) to Single Family High Density Residential and Single family (RS 7.2, one unit per 7,200 square feet). This non-project action by itself does not affect traffic.

Any proposals that may result from a decision on the legislative rezone and comprehensive plan amendments will be subject to future review for compliance with all codes. Specifically, any future development, regardless of zoning, would be required to construct street improvements consistent with the planned roadway cross-sections as shown in *Map III-4 (Cross Section Application by Street, Exhibit I)* and *Table III-10 (Capital Improvement Program [CIP] – 2016-2040)* of Chapter 3 of the *Federal Way Comprehensive Plan (FWCP)*, except single family development may apply to the Public Works Director to modify, defer, or waive the required improvements.

New streets or street connections are only required to be constructed if the adjacent property develops.

A Transportation Impact Analysis (TIA) was conducted to determine the required street improvements. The applicant would be expected to construct improvements on the following streets to the city's planned roadway cross-sections:

- Milton Road South is a Principal Collector planned as a Type "P" street. However, the proposed zone change would change that to a Type "O" street (*Exhibit J*), consisting of a 34-foot street with curb and gutter, 6-foot planter strips with street trees, 8-foot sidewalks, and street lights in a 68-foot right-of-way. Assuming a symmetrical cross section, 4 feet of right-of-way dedication and half street improvements are required on each side developed, as measured from the street centerline OR far side edge of travel way. Depending on the location of any local access streets, left-turn lanes may be required at site access points, adding 12 feet to the roadway cross-section. The easterly curve in the 37200 block does not meet current standards and should be realigned. Another alternative would be to construct a site access intersection at this location, controlled by a roundabout.
- South 376th Street is a Minor Collector planned as a Type "S" street (*Exhibit K*), consisting of a 36-foot street with curb and gutter, 4-foot planter strips with street trees, 5-foot sidewalks, and street lights in a 60-foot right-of-way. Assuming a symmetrical cross section, no right-of-way dedication will be necessary, but half street improvements are required as measured from the street centerline OR far side edge of travel way.
- Internal street(s) shall be Type "S" (*Exhibit K*), "U" (*Exhibit L*), or "W" (*Exhibit M*) local streets, consisting of a 36-, 32-, or 28-foot street, respectively, with curb and gutter, 4-foot planter strips with street trees, 5-foot sidewalks and street lights in a 60-, 56-, or 52-foot right-of-way, respectively, depending on the number of lots served. Future development shall meet block perimeter requirements of 1,320 feet for non-motorized access, and 2,640 feet for streets

V. COMPLIANCE WITH FWRC 19.80.140 AND 19.80.150

1. *FWRC 19.80.140, Factors to be Considered in a Comprehensive Plan Amendment* – The city may consider, but is not limited to, the following factors when considering a proposed amendment to the comprehensive plan.

(1) The effect upon the physical environment.

There should be no adverse impact on the physical environment related to development of this area, regardless of zoning as the city has adopted codes in place to protect the environment.

Aquifer Recharge Areas (Groundwater)

Federal Way is dependent on groundwater as a source of drinking water. Water from rainfall, snowmelt, lakes, streams, and wetlands seeps into the ground and collects in porous areas of rock, sand, and gravel called aquifers. Aquifers hold varying amounts of groundwater that can be extracted or pumped for use. Groundwater pumped from

Lakehaven Water and Sewer District wells originates from three aquifer systems that underlie the city: the Redondo-Milton Channel Aquifer, the Intermediate Aquifer System (Mirror Lake and Eastern Upland Aquifers), and the Deep Aquifer (Map IX-1, *Exhibit N*) The locations of wellhead capture zones in relationship to the aquifer systems are shown on Map IX-2 (*Exhibit O*). There are no Wellhead Protection Zones in this area, so there should be no impact on Lakehaven's wells.

Map IX-3 (*Exhibit P*) shows Areas Susceptible to Groundwater Contamination associated with development. This map shows that the majority of the city, including this area, has a medium susceptibility to groundwater contamination.

Wetlands

The city's Critical Area Map (*Exhibit F*) identifies three Category II wetlands in this area, one on parcels 322104-9136 (number 11 in Table II), 322104-9036 (number 9 in Table II), and 322104-9138 (number 10 in Table II, Ellingson). One on the southern portion of parcel 322104-9063 (number 20 in Table II, vonDoenhoff), and one on parcels 322104-9001 (number 18 in Table II, Kaprosky) and 721266-1090 (number 22 in Table II, City of Federal Way). These appear to be Category II wetlands with 105-foot wide buffers. There also appears to be another wetland on portions of parcels 322104-9050 (number 12 in Table I, Ellingson), 322104-9126 (number 16 in Table II, Semenyuk), and 322104-9063 (number 20 in Table II, vonDoenhoff). The city's wetland consultant has identified this wetland as a Category III wetland with a 60-foot wide buffer. Any future development within 225 feet of these wetlands will require a critical area study to be approved by the city. This must include a wetland classification and buffer determination under the city's current wetland rating system.

The site is located within the Hylebos Creek Basin and Conservation Flow Control Area. Any water-related or erosion-related impacts associated with future development must be mitigated in compliance with the city-adopted 2016 KCSWM and the City of Federal Way Addendum. This requires any erosion-related impacts created during clearing and construction activities, to be addressed according to a Temporary Erosion Sedimentation Control Plan (TESC), which is a standard part of engineering review and approval.

(2) *The effect on open space, streams, and lakes.*

Please refer to responses under Section V.1 (1) above.

(3) *The compatibility with and impact on adjacent land uses and surrounding neighborhoods.*

There are 26 parcels, totaling approximately 56.06 acres, with 18 different property owners designated Single Family Medium Density Residential and Single Family (RS 35.0, one unit per 35,000 square feet) in this area. There should be no impact to surrounding land uses as to the north is the SeaTac Rest Area; Enchanted Park/Wild Waves Amusement Park is located to the northeast; a retirement home, The Meridian at Stone Creek, and vacant land is located to the south; Brittany Lane/Regency Woods, Division II is located to the east; and Milton Road South and I-5 are located to the west. Any higher density development to the north of South 376th Street would require upgrading South 376th Street and Milton Road South to urban road standards, including the construction of sidewalks, making for a safer walking environment.

(4) *The adequacy of and impact on community facilities including utilities, roads, public transportation, parks, recreation, and schools.*

All public utilities, except sewer and stormwater facilities, are available to these parcels. The parcels are presently on septic, and the nearest existing sewer system facilities intended to ultimately serve this area are approximately 1,100 feet southeast of parcel 322104-9050 (number 12 on Table I, *Exhibit F*). The parcels are accessed by Milton Road South, South 372nd Street, and South 376th Street. If a comprehensive plan amendment and rezone from Single Family Medium Density Residential and Single Family (RS 35.0, one unit per 35,000 square feet) to Single Family High Density Residential and Single family (RS 7.2, one unit per 7,200 square feet) is approved, Milton Road South, currently a rural road, will have to be improved to urban standards. The easterly curve of Milton Road South in the 37200 block does not meet current standards. It would either have to be realigned or a roundabout constructed.

There are a wide variety of recreational opportunities in the city (*Exhibit Q*). These opportunities include Dash Point State Park (a 398-acre state park on the west side of the city, operated and maintained by Washington State Parks); Celebration Park (an 84-acre city-owned community park located approximately in the middle of the city with ballfields and walking trails); Town Square Park (a four acre city-owned community park located in the City Center); and recreation trails in the Bonneville Power Administration right-of-way. As shown on Map VI-4, there are also a number of other parks and open space areas scattered throughout the city; however, there are no existing recreational facilities east of I-5 in this immediate vicinity, except for the Enchanted Park/Wild Waves Amusement Park, located to the northeast.

City codes require provision of on-site open space, or a fee-in-lieu of open space, when land is subdivided for single-family uses. If the parcels are developed with single-family homes in the future, impacts on schools should be mitigated by the payment of a school impact fee. The 2019 school impact fee is \$7,221 per single family dwelling unit.

(5) *The benefit to the neighborhood, city, and region.*

There are 26 parcels, totaling approximately 56.06 acres, with 18 different property owners designated Single Family Medium Density Residential and Single Family (RS 35.0, one unit per 35,000 square feet) in this area. According to an August 23, 2017, article in the Seattle Times, for the first time ever, the median King County home price has grown more than \$100,000 in just a year. The new median price was \$658,000 or \$103,000 more than the previous July, according to monthly data released by the Northwest Multiple Listing Service. In southwest King County, the median price for a single family house was \$385,250 at that time, up 11.7 percent from the previous year. Prices have since levelled off. However, a major reason for high housing prices is the lack of supply of housing; therefore, providing more opportunities for single family housing would also benefit the city and region

(6) *The quantity and location of land planned for the proposed land use type and density and the demand for such land.*

Approval of this request could result in 160 additional single-family units. Federal Way

has a housing target of 8,100 new residential units over a 25 year period (2006-2031). At the time that the last capacity analysis was completed (December 2012), the city had capacity for 8,443 new residential units made up of 2,412 detached single-family homes and 6,030 multi-family units. The capacity for 4,880 of those 6,030 multi-family units was located in mixed-use development zones, and 1,151 units were located in multi-family zones. Based on this data, there appears to be a need for additional capacity for single-family homes.

(7) *The current and projected population density in the area.*

There are 21 single family units on approximately 56.06 acres, which results in a density of approximately 0.4 units per acre. If a request for a change in comprehensive plan and zoning designation to Single Family High Density Residential and Single Family (RS 7.2, one unit per 7,200 square feet) is granted, this would result in a density of approximately four units per acre. However, due to the presence of wetlands, and the need for future streets to meet block perimeter requirements, future density is estimated to be approximately three units per acre.

(8) *The effect upon other aspects of the comprehensive plan.*

Approval of RS 7.2 zoning should not affect other aspects of the comprehensive plan.

2. *FWRC 19.80.150, Criteria for Amending the Comprehensive Plan* – The city may amend the comprehensive plan only if it finds that:

(1) *The proposed amendment bears a substantial relationship to public health, safety, or welfare;*

Changing the designation from Single Family Medium Density Residential and Single Family (RS 35.0, one unit per 35,000 square feet) to Single Family High Density Residential and Single-Family (RS 7.2, one unit per 7,200 square feet) does have a substantial relationship to public health, or safety in that smaller lots may result in more housing at less cost, which bears a substantial relationship to the welfare of that segment of the population that may be struggling to find affordable housing.

(2) *The proposed amendment is in the best interest of the residents of the city.*

Please see responses under Sections V (1) (5) and V (2) (1).

(3) *The proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the city's adopted plan not affected by the amendments.*

The comprehensive plan amendment and rezone under consideration is consistent with the following goals of RCW Chapter 36.70A.020 (2) of the *Growth Management Act* (GMA):

“(i) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

“(ii) Reduce sprawl. Reduce the inappropriate conversion of undeveloped

land into sprawling, low-density development.

- “(iii) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.”

The proposal is also consistent with the following policies of the comprehensive plan:

“LUP 8 Designate and zone land to provide for Federal Way’s share of regionally adopted demand forecasts for residential, commercial, and industrial uses for the next 20 years.

“HP15 As appropriate, reduce minimum lot sizes to allow construction of smaller, detached single-family houses on smaller lots.

“HP16 Increase capacity and encourage greater diversity of housing types and costs for both infill and new development through various methods, such as inclusionary zoning, density bonuses, and transfer of development rights, cluster housing, cottage housing, garden housing, duplexes, and low to moderate density housing types.

VI. COMPLIANCE WITH FWRC 19.75.130(3)

Site-specific requests are also required to be evaluated for compliance with this section.

1) The city may approve the application only if it finds that:

a. *The proposed request is in the best interests of the residents of the city.*

There is a need for more housing supply and smaller lots provide for housing affordable to families seeking single family homes. Please see responses under Sections V (1) (5) and V (2) (1).

b. *The proposed request is appropriate because either:*

(i) *Conditions in the immediate vicinity of the subject property have so significantly changed since the property was given its present zoning that, under those changed conditions, a change in designation is within the public interest; or*

(ii) *The rezone will correct a zone classification or zone boundary that was inappropriate when established.*

This area was annexed to the city in January 2005 (Parkway Annexation) with a pre-annexation comprehensive plan designation of Single Family Medium Density and zoning of RS 35.0 (one unit per 35,000 square feet). At the time of annexation, the adopted RS 35.0 zoning of approximately one unit per acre was intended to protect the wetlands in this area.

In June 2015, pursuant to the periodic major update policies of the GMA, the city updated its environmentally critical area regulations to meet Best Available Science (BAS) requirements. BAS requirements are intended to protect critical areas such as wetlands, by requiring an applicant to submit a critical areas report that adequately evaluates the proposal and probable impacts on a critical area, or its associated buffer and/or setback. Given the now adequate protection of critical areas, such as wetlands, a comprehensive plan amendment to the higher density of RS 7.2 is consistent with the GMA goal to reduce sprawl by the inappropriate conversion of undeveloped land into sprawling low-density development. Also, providing for smaller lots available for single-family housing would be consistent with comprehensive plan policy LUP 8, "Designate and zone land to provide for Federal Way's share of regionally adopted demand forecasts for residential, commercial, and industrial uses for the next 20 years." The requests are also consistent with Policy HP 15, "As appropriate, reduce minimum lot sizes to allow construction of smaller, detached single-family houses on smaller lots."

c. It is consistent with the comprehensive plan.

There are 26 parcels, totaling approximately 56.06 acres, with 18 different property owners designated Single Family Medium Density Residential and Single Family (RS 35.0, one unit per 35,000 square feet) in this area. If the comprehensive plan amendment and rezone to RS 7.2 is approved, it will result in higher density for parcels in this area, which will comply with the GMA goal of reducing sprawl and would also be consistent with the overall vision of the comprehensive plan, which states that the demand for and development of single-family housing is expected to continue for the foreseeable future. Single-family development will occur as in-fill development of vacant lots scattered throughout existing neighborhoods and as subdivisions on vacant tracts of land. Increasing density would also be consistent with Housing Policy (HP)-15 of the comprehensive plan, which states "As appropriate, reduce minimum lot sizes to allow construction of smaller, detached single-family houses on smaller lots" and HP-16, which states "Increase capacity and encourage greater diversity of housing types and costs for both infill and new development through various methods, such as inclusionary zoning, density bonuses, and transfer of development rights, cluster housing, cottage housing, garden housing, duplexes, and low to moderate density housing types."

d. It is consistent with all applicable provisions of the title, including those adopted by reference from the comprehensive plan.

If these requests are granted, any future development will be required to comply with all city regulations, including those adopted by reference from the comprehensive plan.

e. It is consistent with the public health, safety, and welfare.

Refer to responses under Section V (2) (1).

VIII. PUBLIC COMMENTS RECEIVED

Citizens in Opposition or Asking Questions

Thirty-seven written comments in opposition to the comprehensive plan amendment and rezone, or asking questions, were received from 33 citizens (*Exhibit R*). Two citizens were in favor of the change (*Exhibit S*). The numbers in Table II correspond to the written citizen comments.

Although, no written comments were received from the original six applicants, it is assumed that they would be in favor of the change.

Table II

No.	Summary of Comments	Names
1	Is curious about the impact on the public schools and what the city intends to do to manage the increased traffic, citing the already problematic traffic from Wild Waves.	Genipher Owens
2	Extension of South 376 th Street to 19 th Way South will increase traffic, including dump trucks, which will tear up the roads. If the road is punched through, he would like to see speed bumps installed. The city will need to increase police patrol to reduce speeding. The community park will become less safe for children and there will be an increase in vandalism and drug use at the park.	Travis Geving
3	Concerned about increased traffic on Milton Road between Porter Way and Milton Road. Also concerned about the safety of children and the elderly walking in the area and bicyclists.	Brett and Pam Thomas
4	Concerned about the increase in crime if multi-family development occurs. The rezone will make traffic worse, increase gridlock, and exhaust fumes. The local tot lot is where South 376 th Street would be extended, so concerned about the safety of children. Also concerned about Lloyd's gravel trucks passing through the neighborhood.	Mike and Connie Czerwonka
5	If the area is rezoned, a new I-5 exit at South 375 th Street should be part of the traffic mitigation.	Chris Givens
6	Opposed to extension of South 376 th Street to 19 th Way South due to safety concerns.	David Blake
7	Asked for clarification on what is being proposed.	Kym Moses
8	Stated that the traffic analysis assumes that 19 th Way South will be extended through South 376 th Street to Milton Road South and this is unacceptable for several reasons. There will be an increase in traffic; there is a community park at the end of 19 th Way South and speeding cars will create a safety risk for children playing in the park; the extension would have to cross the vonDoenhoff property and the road easement no longer exists; the road would also have to cross a wetland; traffic at the intersection of Milton Road is already intolerable when Wild Waves is open.	Mark Spaur
9	Made two suggested changes to the environmental checklist relating to the need for additional future environmental studies related to the impacts on surface water.	Mark Spaur
10	The comprehensive plan and the amendment process should not allow "high density" everywhere; Spring Valley should remain relatively low	Roger and Jayne

No.	Summary of Comments	Names
	density to protect the ecologically sensitive areas, including the Hylebos. Concerned about increased traffic and backups. Stated that the traffic analysis assumes that South 376 th Street can be punched through the middle of their 20-acre parcel. However, there are a number of reasons why this is not feasible: the road through their property has been vacated; punching the road through would make the southern portion of their property unusable; the road would be within 20 feet of their house and would run through a wetland; the road would increase traffic in Brittany Lane and Regency Woods next to a children's playground and also increase traffic in front of an assisted living facility. If the area is rezoned, they would request RS 15.0 and not RS 7.2 or RS 5.0 zoning.	vonDoenhoff
11	In the planning of new developments in the Milton Road area, the city must mandate Low Impact Development (LID) and Green Stormwater Infrastructure (GSI) methods, such as permeable pavement for roads and driveways, bio retention ponds and roof rainwater collection and dispersion systems.	Mark Spaur
12	He does not believe that the statement in the environmental checklist, that the restrictive covenants of Regency Woods Division would prohibit further division of lots, is correct.	Mark Spaur
13	Additional housing and new road infrastructure will be an additional source of pollution collecting in stormwater. The increase in stormwater pollution levels discharging to the Hylebos and Puget Sound will have a negative impact on salmon and orca populations and other wildlife residing in the area. Extension of South 376 th Street to 19 th Way South will put the residents of Brittany Lane and Regency Woods at increased risk of crime, will increase traffic through Brittany Lane and Regency Woods, and cause a safety hazard to children playing in the park and walking to school. In addition, additional housing would put an added strain on the schools, negatively impacting children's education.	Sarita Breivik
14	Objects to the punching through South 376 th Street to 19 th Way South because it would make traffic worse in the neighborhood. Traffic from Milton Road, including Lloyd's and Port of Tacoma truck traffic and commuter and casino will speed through the neighborhood. In addition, there is a park at the southern terminus of South 19 th Way South, where the road would be punched through.	Bob Coleman
15	Object to construction of apartments or condos, but do not object to single family houses.	Kim and Scott Moses
16	Objects to the punching through South 376 th Street to 19 th Way South because it would make traffic worse in the neighborhood. Traffic from Milton Road, including Lloyd's and Port of Tacoma truck traffic and commuter and casino will speed through the neighborhood. In addition, there is a community park and bus stop at the southern terminus of South 19 th Way South, where the road would be punched through. In addition, the value of homes will suffer.	Lily Stadnik
17	Objects to the punching through South 376 th Street to 19 th Way South as it will open up the neighborhood to more crime. In addition, roads and schools are already overcrowded. It will also cause a hazard to residents, who use the sidewalk for walking.	Sylvia Molzahn
18	Increased traffic and speeds of traffic in the neighborhood would create a safety hazard and detract from the character of the neighborhood.	Monica Hirano

No.	Summary of Comments	Names
19	Have concerns about increased exhaust from increased traffic. Also connecting South 376 th Street and 19 th Way South would increase traffic, making it unsafe for children to ride their bike, neighbors who walk for exercise, and children who play in the park.	Betty Latham
20	Concerns about traffic impacts on the roadways and intersections adjacent to the proposed rezone area, which are already at and above capacity. The backups affect state highways and increase response time for emergency vehicles and personnel.	Sarita Breivik
21	States that the schools are already overcrowded; has concerns about increased traffic; and the assumption that South 376 th Street would be extended to Milton Road South as there is a park there and the extension will create a safety hazard. In addition, increased traffic would detract from the character of the neighborhood and increased building will result in the cutting down of trees in the beautiful forest that helps mitigate noise pollution from I-5.	Kathy Walton
22	Concerns about increased traffic, overcrowding of schools, and the type of housing, whether apartments or houses, will be built	Maksim Tomilov
23	Requests that the transportation impact analysis be changed to not include the connection of South 376 th Street and 19 th Way South due to increased traffic and the presence of children playing in the park. Also has concerns that representatives from the fire, police, and public schools have not commented on the impact to their services. She would like to know their plans for absorbing the growth in this area.	Lesley Roth
24	Connecting South 376 th Street and 19 th Way South will destroy their way of life, will drastically lower house prices, will be extremely dangerous to children and elderly people in the neighborhood, and turn the quiet neighborhood surrounded by beautiful trees into a smog-filled area. It will also increase traffic, including semi-trucks going to the Port of Tacoma and bring potentially dangerous people going to gamble at the casino into their neighborhood.	Alex Costine
25	Same comments as #24	Elina Costine
26	Same comments as #24.	Yuri Zaharchuk
27	Same comments as #24.	Tatyana Omelchenko
28	Same comments as #24.	Tatyana Lukomskaya
29	Opposes connecting South 376 th Street and 19 th Way South to build more houses.	Washington Pro Roofing LC
30	Concern for wildlife that may be displaced by construction of new houses. Also concerned about connecting South 376 th Street and 19 th Way South due to increased traffic and impact to children, families, and dogs playing in the park. In addition, children need to cross the street and walk to the bus stop and increased traffic poses a safety hazard.	Chris and Christina Call
31	Connecting South 376 th Street and 19 th Way South will make the neighborhood less safe, increase noise, increase traffic, and impact people walking with their families and kids riding their bikes.	Daniel Zaharchuk
32	Concerns about increased traffic and safety.	Yonas Ocubazghi
33	Opposes the extension of 19 th Way South to Milton Road because it will have a negative impact on the livability of Brittany Lane and Regency	Sheri Stanton

No.	Summary of Comments	Names
	Woods and it would cut through an identified wetland. A reasonable compromise would be to rezone the parcels but require the developer to leave a natural green buffer between the redeveloped lots and Brittany lane to mitigate pollution and noise.	
34	States that the wetland on the Ellingson property needs to be restored; questions whether portions of the site has Everett Gravelly Sandy Loam (EvC) soil; states that the zoning must remain low density due to the soil make up; concerned about impacts on wetlands and their buffers if single family homes are built, which are exempt from review under the State Environmental Policy Act (SEPA); concerned about removal of trees due to their buffering effect for air and noise from I-5; requests a full study of birds and mammals in a three-mile radius of the proposed rezone area; requests that it be investigated whether this area is a key resting spot for migrating birds; concerned about the impacts on wildlife; states that this area is affected by the Tacoma Smelter Plume; concerned about the impacts of construction equipment on the aging Olympic Pipeline, which runs parallel to I-5 on the east, west of Milton Road South; the city needs to develop an emergency plan to address these issues; and concerned that the removal of trees will increase the noise impacts from jets.	Suzanne Vargo
35	The 1995 Environmental Impact Statement (EIS) did not analyze impacts in this area as it had not yet been annexed by the city. He believes that it is time for the city to do another EIS that includes the areas annexed by the city since 1995, includes the Hylebos Watershed, includes the city's new vision for transit and development, and use the EIS process as intended to weigh the cumulative impacts of proposed development on the environment.	Mark Spaur
36	Concerns about whether the 376th bridge and 19th Way South/South 376th Streets were built for heavy traffic and commercial trucks. Also concerned about potential future traffic impacting the Brittany Lane park and the senior living facility south of South 376th Street.	Matthew and AnnDU Do
37	States that even though a legislative comprehensive plan amendment and rezone are non-project actions, guidance from the Department of Ecology is that when a non-project action involves a comprehensive plan or similar proposal governing future project development, the probable environmental impacts associated with future development need to be considered. He also states that additional stormwater analysis should be done to evaluate impacts on the Hylebos Watershed and that future development should utilize Low Impact Development (LID)/Green Stormwater Infrastructure (GSI) methods. He is also requesting that the South 376th Extension to 20th Way South be removed from the Comprehensive Plan as part of this process.	Mark Spaur

Citizens in Favor of the Change

Loren and Shannon Neighbors, who live in the area under study, are in favor of the comprehensive plan amendment and rezone to RS 5.0 (single family, one unit per 5,000 square feet) because there is a need for middle class housing near to good mass transit.

IX. MAYOR'S RECOMMENDATION

The Mayor recommends that the legislative action to change the comprehensive plan designation and zoning of all 26 parcels from Single Family Medium Density Residential (RS 35.0, one unit per 35,000 square feet) to Single Family High Density Residential (RS 7.2, one unit per 7,200 square feet) be approved.

X. PLANNING COMMISSION ACTION

Consistent with the provisions of FWRC 19.80.240, the Planning Commission may take the following actions regarding each proposed comprehensive plan amendment and rezone request:

1. Recommend to City Council adoption of the proposed comprehensive plan amendment as proposed;
2. Recommend to City Council that the proposed comprehensive plan amendment not be adopted;
3. Forward the proposed comprehensive plan amendment to City Council without a recommendation; or
4. Modify the proposed comprehensive plan amendment and recommend to City Council adoption of the amendment as modified.

LIST OF EXHIBITS

- Exhibit A Determination of Nonsignificance and Checklist
- Exhibit B Agencies That Were Sent a Copy of the DNS and Environmental Checklist
- Exhibit C Vicinity Map of Milton Road Area
- Exhibit D Map – Original Six Applicants
- Exhibit E Timeline for the Milton Road Area Comprehensive Plan Amendment and Rezone
- Exhibit F Vicinity Map of Milton Road Area with Numbered Parcels Corresponding to Table I
- Exhibit G Aerial Map Showing Surrounding Zoning and Uses
- Exhibit H Lakehaven Water and Sewer Map
- Exhibit I Map III-4 Cross Section Application by Street
- Exhibit J Road Cross Section O
- Exhibit K Road Cross Section S
- Exhibit L Road Cross Section U
- Exhibit M Road Cross Section W
- Exhibit N Map IX-1 Aquifers
- Exhibit O Map IX-2 Aquifers & Wellhead Capture Zones
- Exhibit P Map IX-3 Areas Susceptible to Groundwater Contamination
- Exhibit Q Major Parks and Open Space Map
- Exhibit R Written Comments Opposing or Asking Questions About the Comprehensive Plan Amendment and Rezone
- Exhibit S Written Comments in Favor of the Comprehensive Plan Amendment and Rezone



EXHIBIT A

DETERMINATION OF NONSIGNIFICANCE (DNS)

**2018 City of Federal Way Comprehensive Plan Amendments
Milton Road Legislative Comprehensive Plan Amendment and Rezone
(Non-Project Action)
Files: 18-105523-SE & 18-104618-UP**

Description: This is a legislative action initiated by the City Council for a comprehensive plan amendment and rezone for 26 parcels (56.06 acres) in the Milton Road area east of I-5 from Single Family Medium Density Residential (RS 35.0, one unit per 35,000 square feet) to Single-Family High Density Residential (either to RS 7.2, one unit per 7,200 square feet, or RS 5.0, one unit per 5,000 square feet). If the proposed comprehensive plan amendment is approved, appropriate zoning changes would be made concurrently. The owners would then be able to apply for subdivisions or other allowable development activity. Any of these actions would have to be reviewed and approved by the city.

Applicant: Community Development Department – Planning Division

Lead Agency: City of Federal Way

Staff Contact: Principal Planner Margaret Clark – 253-835-2646, margaret.clark@cityoffederalway.com

The city’s Responsible Official has determined that the proposal does not have a probable significant adverse impact on the environment, and 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 city.

A completed environmental checklist and supporting documents are available for review at the City of Federal Way Community Development Department (Federal Way City Hall, 33325 8th Avenue South, Federal Way, WA 98003, 253-835-7000), from 8 a.m. to 5 p.m., Monday through Friday.

This DNS 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. Comments must be submitted by 5:00 p.m. on **January 18, 2019**. Unless modified by the city, this determination will become final following the comment deadline. Any person aggrieved by the city’s determination may file an appeal with the city within 21 days of the above comment deadline. You may appeal this determination to the Federal Way City Clerk (address above), no later than 5:00 p.m. on **February 8, 2019**, by a written letter stating the reason for the appeal of the determination. You should be prepared to make specific factual objections.

Responsible Official: Brian Davis
Title: Director of Community Development/SEPA Official
Address: 33325 8th Avenue South, Federal Way, WA 98003

EXHIBIT A
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Date Issued: January 4, 2019 **Signature:** 



Department of Community Development
33325 8th Avenue South
Federal Way, WA 98003-6325
253-835-2607; Fax 253-835-2609
www.cityoffederalway.com

SEPA 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 and/or 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:

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 nonprojects) 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:

2018 City of Federal Way Comprehensive Plan Amendments –Milton Road Legislative Comprehensive Plan Amendment and Rezone

2. Name of applicant:

Federal Way Community Development Department – Margaret H. Clark, Principal Planner

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

33325 8th Avenue South, Federal Way, WA 98003. (253) 835-2646

4. Date checklist prepared:

November 19, 2018

5. Agency requesting checklist:

City of Federal Way

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

Planning Commission Public Hearing – February 20, 2019
Land Use/Transportation Committee Public Meeting –March 4, 2019
City Council Public Meeting with 1st Reading of Ordinance –March 19, 2019
City Council Public Meeting with 2nd Reading of Ordinance – April 2, 2019

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

This is a legislative action initiated by the City Council for a comprehensive plan amendment and rezone for 26 parcels (56.06 acres) in the Milton Road area east of I-5 (Exhibit A) from Single Family Medium Density Residential (RS 35.0, one unit per 35,000 square feet) to Single Family High Density Residential (Either to RS 7.2, one unit per 7,200 sq. ft. or RS 5.0, one unit per 5,000 sq. ft.) If the proposed comprehensive plan amendment is approved, appropriate zoning changes would be made concurrently. The owners would then be able to apply for subdivisions or other allowable development activity. Any of these actions would have to be reviewed and approved by the City.

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

No environmental documents were prepared in connection to this comprehensive plan amendment and rezone. However, there were two wetland reports prepared for the following specific parcels:

1. Wetland & Mitigation Report prepared by Environmental Design, LLC for Arnie Ellingson, site

address 1224 South 376th Street located on Parcel No's. 322104-9136, 322104-9036, and 322104-9138.

2. Wetland and Fish and Wildlife Habitat Assessment Report for Arnie Ellingson, no site address, Parcel No. 322104-9050.

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.

There is a pending violation on portions of Parcel No's. 322104-9136, 322104-9036, and 322104-9138 for clearing and grading without a permit. The owner had misinterpreted information provided by the Department of Ecology and began constructing a stormwater feature/berm within the wetland buffer without approval from the City. The owner entered into a Voluntary Correction Agreement (VOA) with the City. As part of the VOA, a full assessment of the impacts to the wetland and wetland buffer and a wetland report with recommended mitigation was required. A Wetland & Mitigation Report was prepared by Environmental Design, LLC. The City is in the process of working with the owner on resolving the violation.

There are no other pending applications for government approvals or other proposals directly affecting the remainder of the parcels. If the legislative comprehensive plan amendment and rezone are approved, specific development proposals related to individual parcels will require future environmental review and approval of development and building permits.

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

The Federal Way City Council must adopt the final amendments to the *FWCP* pursuant to *FWRC Chapter 19.80, "Council Rezones."* Specific development proposals related to individual parcels will require future environmental review and approval of development and building permits.

11. 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.)

The locations of the 26 lots that are included in the legislative comprehensive plan and rezone area are shown on *Exhibits A and B*, and are described below:

	Parcel #	Owner	Address	Location	Sq. ft.	Acres	Existing Land Use	# Houses
1	322104-9086	Mark Johnson	1424 S 372nd St	North of Milton Rd S/S 372nd St	19,331	0.44	Single family dwelling	1
2	322104-9157	Larry Neether	37222 Milton Rd S	East of Milton Rd S	47,760	1.1	Single family dwelling	1
3	322104-9045	Larry Neether			71,002	1.63	Single family dwelling	1
4	322104-9002	Pam Otteson	1408 S 372nd St	North of Milton Rd S/S 372nd St, west of Milton Rd S, and south of I-5	145,490	3.34	Single family dwelling	1
5	322104-9076	Pam Otteson			36,533	0.84	Vacant	0

	Parcel #	Owner	Address	Location	Sq. ft.	Acres	Existing Land Use	# Houses
6	322104-9114	Rick Beard	1331 S 372nd St	South of Milton Rd S/S 372nd St	87,120	2	Single family dwelling	1
7	322104-9053	Rick Beard	1311 S 372nd St		77,972	1.79	Single family dwelling	1
8	322104-9129	Rick Beard	1321 S 372nd St		31,785	0.73	Single family dwelling	1
9	322104-9036	Arnold Ellingson	1110 S 376th St	East of Milton Rd S and north of S 376th St	167,270	3.83	Single family dwelling	1
10	322104-9138	Arnold Ellingson	N/A	North of S 376th St	98,881	2.27	Vacant	0
11	322104-9136	Arnold Ellingson	1224 S 376th St		108,900	2.5	Single family dwelling	1
12	322104-9050	Arnold Ellingson	N/A		207,781	4.77	Vacant	0
13	322104-9064	Visnou Dararak	1423 S 372nd St	South of Milton Rd S	104,544	2.4	Single family dwelling	1
14	322104-9003	Joe & Mary Greene	1312 S 372nd St	North of Milton Rd S/S 372nd St, and east of I-5	92,347	2.12	Single family dwelling	1
15	322104-9048	Joe Greene	N/A	North of Milton Rd S/S 372nd St, and east of I-5	1,350	0.03	Vacant	0
16	322104-9126	Nick Semenyuk	1411 S 372nd St	South of S 372nd St	104,108	2.39	Single family dwelling	1
17	322104-9111	Lue Swenson	36924 Milton Rd S	South of S369th St and east of Milton Rd S	16,875	0.39	Single family dwelling	1
18	322104-9001	Kay Kaprosy	37128 Milton Rd S	East of Milton Rd S	133,729	3.07	Single family dwelling	1
19	322104-9011	Loren and Shannon Neighbors	1515 S 372nd St	Southeast of S 372nd St	217,800	5	Single family dwelling	1
20	322104-9063	Jayne Vondoenhoff	1414 S 376th St	South of S 376th St	440,661	10.12	Single family dwelling	1
21	721266-1040	Michael & Connie Czerwonka	1605 S 369th St	South of S 369th St	28,507	0.65	Single family dwelling	1
22	721266-1090	City	N/A	South of S 369th St	54,561	1.25	Detention Pond	0
23	721266-1050	William Germann	37123 17th Ave S	West of 17th Ave S	42,395	0.97	Single family dwelling	1
24	721266-1060	Nguyen & Diem Ngoc	37321 17th Ave S	West of 17th Ave	35,000	0.8	Single family dwelling	1

	Parcel #	Owner	Address	Location	Sq. ft.	Acres	Existing Land Use	# Houses
				S				
25	721266-1070	Igor & Liliya Stadnik	37323 17th Ave S	West of 17th Ave S	35,000	0.8	Single family dwelling	1
26	721266-1080	Curtis & Christina Call	1610 S 376th St	North of S 376th St	35,500	0.81	Single family dwelling	1
Total					2,442,202	56.06		21

No's 21 and 23-26 are located within Regency Woods Division No. 2 and they are already developed with single family homes.

12. **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.**

Refer to *Exhibit A* for location of the parcels. Street addresses are found under Section A.11 of this Checklist. No's 1-20 above are located within NE 32-21-4 and No's 21- 26 are located within NW 33-21-04.

Staff concurs with the checklist.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site

(Underline/circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

The site is approximately 56 acres with a flat to rolling terrain.

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

The steepest slope on the site is approximately 42 percent located on the western portion of Parcel No. 322104-9036 between Milton Road and the on-site wetland.

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 majority of the soils in this area are Alderwood Gravelly Sandy Loam (AgC) with a slope of 6-15 percent. Everett Gravelly Sandy Loam (EvC) with a slope of 5-15 percent can be found roughly in the middle of the area with an area of Kitsap Silt Loam (KpB), 2-8 percent slope, to

the south east of the EvC. There is also a small area of Bellingham Silt Loam (Bh) located in the south eastern portion of the area (Exhibit C).

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

Based on the city's Critical Areas Map (Exhibit D), there are no surface indications or history of unstable soils in the immediate vicinity.

- 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.**

The proposal is a non-project action. However, if any of the parcels are further subdivided via a preliminary plat (10 or more lots created), said subdivision would be subject to their own review pursuant to the *State Environmental Policy Act (SEPA)* and at that time, any proposed filling, excavation, and grading, including source of fill would be addressed. The construction of single family homes does not trigger SEPA review.

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

It is possible that erosion could occur as a result of clearing, construction, or use. Please refer to response under Section B (1) (h).

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

There are approximately 56.06 acres in the subject area, of which 50.76 acres may be redevelopable. As stated in Section A (11), No's 21 and 23-26 are located within Regency Woods Division No. 2 (Exhibits A and B) and they are already developed with single family homes. Furthermore, it appears that the Regency Woods Division 2 Declaration of Protective Covenants, Conditions and Restrictions (CC&Rs) prohibit further division of these lots. Of the remaining 50.76 acres, approximately 0.92 acres will needed for future road expansions and approximately 13.22 acres would be set aside as wetlands and wetland buffers, leaving 36.62 acres as developable or redevelopable land. If the parcels were subdivided, it is assumed that 7.5 percent would be set aside as open space with the remaining 7.5 percent being satisfied by a fee-in-lieu of open space with 20 percent being developed as internal streets, leaving approximately 52.3 percent that could be developed as lots. In both the RS 7.2 and RS 5.0 zones, maximum lot coverage is 60 percent which would result in approximately 31.4 percent of impervious surface.

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

These are non-project actions. Future project specific actions will be subject to environmental review as required by the *SEPA Rules*, and will be evaluated in accordance with all plans, policies, rules, and regulations adopted as a basis for the exercise of substantive authority under *SEPA* to approve, condition or deny proposed actions. In addition, when future projects are submitted, any erosion-related impacts created during clearing and construction activities will be mitigated in compliance with the 2016 *King County Surface Water Manual (KCSWM)*, as amended by the city. This requires any erosion-related impacts created during clearing and construction activities to be addressed according to a Temporary Erosion Sedimentation Control Plan (TESC), which is a standard part of engineering review and approval.

Staff concurs with the checklist.

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.**

Potential construction of an additional 160 to 231 houses would result in increased emissions to the air both during construction and after construction by increased vehicle traffic in the area. Approximate quantities of the increased emissions are unknown.

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

Not applicable. These are non-project actions.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any.**

These are non-project actions. However, the amount of wetland vegetation and buffer vegetation to be retained should help to filter pollutants and absorb carbon dioxide. Trees also release oxygen into the atmosphere and help cool our homes.

Staff concurs with the checklist.

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's Critical Area Map (Exhibit D) identifies three Category II Wetlands in this area, one on Parcels 322104-9136, 322104-9036, and 322104-9138 (Ellingson), one on the southern portion of Parcel 322104-9063 (Vondoenhoff), and one on Parcels 322104-9001 (Kaprotsky), and 721266-1090 (City of Federal Way). These appear to be Category II wetlands with 105 foot wide buffers. There also appears to be another wetland on portions of Parcels 322104-9050 (Ellingson), 322104-9126 (Semenyuk) and 322104-9063 (Vondoenhoff). The City's wetland consultant has identified this wetland as a Category III wetland with a 60 foot wide buffer.

- 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.**

These are non-project actions. However, if the wetlands are indeed Category II with buffers of 105 feet and 60 feet, it is likely that work would occur within 200 feet of the wetlands. There have been two wetland studies prepared for the Ellingson parcels. However, if future

associated properties would require extension of Lakehaven water and sewer system facilities as necessary to serve such future developing properties.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including stormwater) 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.**

The existing storm system in the area consists of roadside ditches which connect to existing wetlands in the area.

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

Refer to response to question above. However, any new development would be required to construct a stormwater system with a discharge to an approved stormwater treatment and detention system.

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

The storm system and the existing roadways are not adequate to support a rezone from RS 35.0 to either RS 5.0 or RS7.2

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

As the area is developed, any water-related impacts will be mitigated in compliance with the City-adopted *2016 KCSWM*, as amended by the City.

Staff concurs with the checklist.

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

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

When a specific application is submitted, the kind and amount of vegetation to be removed or altered will depend on City requirements, which would be reflected in an approved tree retention plan.

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

There are no known threatened or endangered species in the vicinity of the proposal.

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

Landscaping would be addressed at the time of subdivision or other development of the area.

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

There are no known noxious weeds or invasive species on or near the site.

Staff concurs with the checklist.

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: x
mammals: deer, bear, elk, beaver, other: x
fish: bass, salmon, trout, herring, shellfish, other

A variety of birds, mammals, and fish native to the Pacific Northwest are found within the City of Federal Way. Species vary depending on whether the area is in a natural versus developed state.

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

There are no known threatened or endangered species known to be on or near these sites.

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

Federal Way is located within the Pacific Flyway migration route utilized by waterfowl migrating north into Alaska and northern Canada. It is unknown whether there are key rest stops in this area.

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

There are no proposed measures at this time to preserve or enhance wildlife.

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

None known.

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Staff concurs with the checklist.

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.**

As new internal roads are constructed, new street lights would be installed. Energy for the lights would be provided by Puget Sound Energy (PSE).

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

The maximum height of single family dwelling units in any of the RS zones is 30 feet, and, therefore use of solar energy by adjacent properties should not be affected.

- 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.**

There are no plans proposed at this time, and any proposed measures to reduce or control energy impacts can only be determined once a proposal is made.

Staff concurs with the checklist.

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.**

There are none.

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

There is no known contamination in this area.

- 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.**

The Olympic Pipeline runs parallel to I-5 on the east, west of Milton Road South.

- 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.**

No toxic or hazardous chemicals will be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

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

No special emergency services will be required.

5) **Proposed measures to reduce or control environmental health hazards, if any.**

No measures are proposed to reduce or control environmental health hazards.

b. **Noise**

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

Noise associated with traffic on I-5 is audible along the western portion of the subject site.

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)? For internal roads and home construction Indicate what hours noise would come from the site.**

There will be short-term noise associate with construction equipment and long-term noise associated with traffic associated with new homes in the area.

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

Per FWRC 19.105.040, the City of Federal Way regulates work hours as follows: Development activities and heavy equipment operations are permitted between the hours of 7:00 a.m. and 8:00 p.m. Monday through Friday, and between 9:00 a.m. and 8:00 p.m. Saturday, and are not permitted on Sundays or holidays observed by the city, unless permission is requested and granted by the Director of Community Development.

Staff concurs with the checklist.

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.**

There are presently 21 houses on 26 parcels (Exhibit E). The SeaTac Rest Area is located to the north; Enchanted Park/Wild Waves Amusement Park is located to the northeast; a retirement home, The Meridian at Stone Creek, and vacant land is located to the south; Regency Woods, Division II is located to the east; and Milton Road South and I-5 are located to the west. Intensification of development in this area should not affect land uses on nearby or adjacent properties.

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?**

It is unknown if any of the sites have been used for agriculture or as forest land in the past.

- 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.**

There are no surrounding working farms or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting.

- c. Describe any structures on the site.**

Refer to responses under Section B.8 (a) of this Checklist.

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

It is unknown if any structures will be demolished to make way for new construction.

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

The current zoning of the area is RS 35.0 (Single family Residential, one unit per 35,000 square feet).

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

The current comprehensive plan designation is Single Family Medium Density Residential.

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

The site is not located in a designated shoreline master program area.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.**

There are four Class II wetlands in this area. Please refer to Section B.3.a.1. for a description of the wetlands and Exhibit D for their locations.

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

If the area was built out at RS 7.2 zoning with approximately 160 single family houses, with a household size of 2.7 persons, approximately 432 people would live in the area. With RS 5.0 zoning and 231 single family houses, approximately 624 people would reside in the area

- j. Approximately how many people would the completed project displace?**

Buildout of the area should not displace people who currently reside there..

- k. Proposed measures to avoid or reduce displacement impacts, if any.**

Not applicable.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.**

At either RS 5.0 or RS 7.2 zoning, future uses should be compatible with the Regency Woods Division II Development to the east and, the retirement home to the south, and Wild Waves/Enchanted Park Theme Park to the northeast.

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any.**

There are no agricultural and forest lands of long-term commercial significance within the city.

Staff concurs with the checklist.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

At RS 7.2 zoning, there may be approximately 160 housing units and at RS 5.0 zoning, there may be 231. It is expected that this would be middle-income housing.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

It is not anticipated that any housing units will be eliminated.

- c. Proposed measures to reduce or control housing impacts, if any.**

Not applicable.

Staff concurs with the checklist.

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?**

Thirty (30) feet above average building elevation.

- b. What views in the immediate vicinity would be altered or obstructed?**

No views in the immediate vicinity should be altered or obstructed

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

Not applicable.

Staff concurs with the checklist.

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11. Light and Glare

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

Development of housing would provide additional household lighting and light emitted from street lighting poles after dark.

- 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. **Proposed measures to reduce or control light and glare impacts, if any.**

Federal Way Revised Code (FWRC) 19.105.030, Lighting regulation, prohibits light sources both directable and nondirectable from extending to adjacent properties.

Staff concurs with the checklist.

12. Recreation

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

Enchanted Park/Wild Waves Theme Park is located to the northeast. In addition, there are a wide variety of recreational opportunities in the Federal Way area. These opportunities include Dash Point State Park, a 398-acre state park on the west side of the city, operated and maintained by Washington State Parks; Celebration Park, an 84-acre city-owned community park located approximately in the middle of the City with ballfields and walking trails; Town Square Park, a four acre city-owned community park located in the City Center; and recreation trails in the Bonneville Power Administration right-of-way.

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

There are no existing recreational uses on the subject parcels.

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

Not applicable.

Staff concurs with the checklist.

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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.**

It is unknown if there are any historic structures over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site.

- 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.**

It is unknown whether there are any landmarks or evidence of Indian or historic use or occupation in the area.

- 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.**

Not applicable.

- 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.**

Not applicable.

Staff concurs with the checklist.

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.**

Milton Road South runs north to south and serves the majority of the parcels. South 276th Street runs east west and serves five parcels (Exhibits A and B).

- 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?**

Sound Transit, King County Metro, and Pierce Transit provide service to the city. There is also a dial-a-ride-transit (DART) service, as well as two park and ride facilities (Twin Lakes and Redondo Heights) and the Federal Way Transit Center. It is unknown which specific routes serve the site-specific requests. This area is not served by either existing or planned routes by King County METRO or Pierce Transit. The closest transit service is Pierce Transit Route 402, located at SR 161 (Enchanted Parkway S) at 19th Way S.

- c. **How many additional parking spaces would the completed project or non-project proposal**

have? How many would the project or proposal eliminate?

City code requires a minimum of two parking spaces per dwelling unit. No parking spaces should be eliminated.

- 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).**

Any proposals that may result from a decision on the legislative rezone and comprehensive plan amendments will be subject to future review for compliance with all codes. Specifically, any future development, regardless of zoning, would be required to construct street improvements consistent with the planned roadway cross-sections as shown in *Map III-4 (Cross Section Application by Street)* (Exhibit E) and *Table III-10 [Capital Improvement Program (CIP) – 2016-2040]* of Chapter 3 of the *FWCP*, except single family development may apply to the Public Works Director to modify, defer, or waive the required improvements.

A Transportation Impact Analysis was conducted to determine the required street improvements. The applicant would be expected to construct improvements on the following streets to the City's planned roadway cross-sections:

- Milton Road S is a Principal Collector planned as a Type "P" street. However, the proposed zone change would change that to a Type "O" street (Exhibit F), consisting of a 34-foot street with curb and gutter, six-foot planter strips with street trees, 8-foot sidewalks, and street lights in a 68-foot right-of-way (ROW). Assuming a symmetrical cross section, 4 feet of ROW dedication and half street improvements are required on each side developed as measured from the street centerline OR far side edge of travel way. Depending on the location of any local access streets, left-turn lanes may be required at site access points, adding 12 feet to the roadway cross-section. The easterly curve in the 37200 block does not meet current standards, and should be realigned. Another alternative would be to construct a site access intersection at this location, controlled by a roundabout.
- S 376th Street is a Minor Collector planned as a Type "S" street (Exhibit G), consisting of a 36-foot street with curb and gutter, four-foot planter strips with street trees, 5-foot sidewalks, and street lights in a 60-foot right-of-way (ROW). Assuming a symmetrical cross section, no ROW dedication would be necessary, but half street improvements are required as measured from the street centerline OR far side edge of travel way.
- Internal street(s) shall be Type "S" (Exhibit G), "U" (Exhibit H), or "W" (Exhibit I) local streets, consisting of a 36-, 32-, or 28-foot street, respectively, with curb and gutter, four-foot planter strips with street trees, five-foot sidewalks and street lights in a 60-, 56-, or 52-foot right-of-way (ROW), respectively, depending on the number of lots served. Future development shall meet block perimeter requirements of 1,320 feet for non-motorized access, and 2,640 feet for streets

- e. **Will the project or proposal 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 or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?**

Trip generation is estimated based on ITE's Trip Generation 20th Edition. The net increase in traffic volumes would be 160 or 215 trips during the evening peak hour and approximately 1,600 or 2,150 daily trips. Truck percentage of volume would be two percent, consisting mostly of school buses, garbage trucks and the occasional moving van or fire truck.

- 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.**

Federal Way is considered an urban area, and there is little agricultural or forestry activity.

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

Future development of the area will be subject to development review as required by City regulations. At the time that an application for a development permit is submitted, the Traffic Division will conduct a Concurrency Analysis, which will analyze peak hour impacts of the project to assure that there is adequate capacity to accommodate the proposed development. Supplemental mitigation may be required if the proposed project creates an impact not anticipated in the Transportation Improvement Plan (TIP). The applicants have the option to have an independent traffic engineer licensed in the State of Washington prepare the concurrency analysis consistent with City procedures. Development proposals will also be subject to a traffic impact fee to address system impacts. Site-specific analysis may also be required to address impacts outside of the evening peak hour or safety issues.

Staff concurs with the checklist.

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.**

Based on increased density and additional single family homes, it is likely that there will be a need for increased public services, such as fire protection, police protection, public transit, health care, and schools. The proposed legislative comprehensive plan amendment and rezone were presented to the members of the City's Development Review Committee (DRC), which includes the Public Works Development Service and Traffic Divisions, the Building Division, South King Fire, Lakehaven Water and Sewer District, and the Police Department. No comments were received from the Police Department, Fire Department, or the School District.

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

No measures to reduce or control direct impacts on public services have been identified at this time.

Staff concurs with the checklist.

16. Utilities

- a. **Underline/circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.**

All services should be available once the area starts to build out. The Lakehaven Water and Sewer District has stated that future development of the area would require extension of Lakehaven water and sewer system facilities as necessary to serve such future developing properties.

- 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.**

It is expected that utilities will be provided as follows:

Electricity and natural gas - PSE
Water and sewer - Lakehaven Water and Sewer District
Refuse Service - Waste Management
Telephone – There is a variety of providers including land line providers such as AT&T, and voice over internet providers such as Vonage
Cellular – T-Mobile, AT&T, Verizon, Sprint
Television – Xfinity, DIRECTV, Dish
Internet – Xfinity Internet from Comcast, Century Link

Staff concurs with the checklist.

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: Margaret H. Clark

Printed Name of Signee: Margaret H. Clark

Position and Agency/Organization: Principal Planner, City of Federal Way

Date Submitted: October 4, 2017

Reviewed and concurred with.

Signature: Brian Davis

Printed Name of Signee: Brian Davis

Position and Agency/Organization: Community Development Director, City of Federal Way

Date reviewed: 1/3/19

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LIST OF EXHIBITS

- Exhibit A Vicinity Map
- Exhibit B Critical Areas Map
- Exhibit C Soils Map
- Exhibit D Aerial Map
- Exhibit E Map III-4 Cross Section Application by Street
- Exhibit F Road Cross Section O
- Exhibit G Road Cross Section S
- Exhibit H Road Cross Section U
- Exhibit I Road Cross Section W

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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?

Development of the area with housing is not likely to increase discharge to water; or production, storage, or release of toxic or hazardous substances as any future development will be subject to City of Federal Way requirements for drainage and FWRC, Title 19, Division 5, which regulates the use of hazardous materials in Critical Aquifer Recharge Areas. In addition, individual zones within the FWRC regulate storage and treatment of hazardous substances. FWRC Title 7, Public Nuisances provides specific regulations related to air quality and noise. However expansion of existing roads and construction of new internal roads will result in increased emissions to air due to increased vehicle traffic in the area and increased noise associated with traffic.

Proposed measures to avoid or reduce such increases are:

Require compliance with City codes and regulations.

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

As development occurs, trees and other vegetation will be removed, and animals may be displaced.

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

Per FWRC 19.120.130 Tree and Vegetation Standards, existing trees and vegetation in good health, and not considered to be invasive species, shall be retained on the subject property to the maximum extent possible in all developments. Twenty five tree units per acre are required on all developed sites in any single family zone. The tree density requirements will be met primarily through the conservation of existing trees. However, in order to provide for continued flexibility in the design of new development, in those situations where a development's design would preclude the retention of the required number of trees, the use of replacement or supplemental tree planting is authorized to meet the required tree unit density.

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

The proposal should not deplete energy or natural resources?

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

None.

EXHIBIT A
PAGE 22 OF 32

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 only environmentally sensitive areas are wetlands. The City permits intrusions into wetland buffers on a case-by-case basis only if enforcing the critical area regulations would eliminate all reasonable use of the property. If the city grants a reasonable use request, it shall grant the minimum necessary to provide the applicant with some reasonable use of the subject property. The city may also impose limitations, mitigation under an approved mitigation plan, conditions and/or restrictions it considers appropriate to reduce or eliminate any undesirable effects or adverse impacts of granting a request under this section.

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

See response under No. 4 above.

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?**

This area is not within the shoreline master program area.

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

None.

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

Increased density would likely increase traffic in these areas and require the expansion and improvement of existing roads and the construction of new internal roads to meet block perimeter standards. It would also increase the demand for public services such as police, fire, and schools. The Lakehaven Water and Sewer District has stated that future development of the area would require extension of Lakehaven water and sewer system facilities as necessary to serve such future developing properties.

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

The City would work with public service providers to come up with a solution.

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

This proposal does not conflict with any local, state, or federal laws or requirements for the protection of the environment.

Staff concurs with the checklist.

K:\Comprehensive Plan\2018 Comprehensive Plan Amendments\SEPA\Milton Rd\Annotated Milton Area Checklist.docx

City of Federal Way






2018

Site Specific Requests for Comprehensive Plan and Zoning Designation Changes

EXHIBIT A

City Initiated Site Specific Request #1

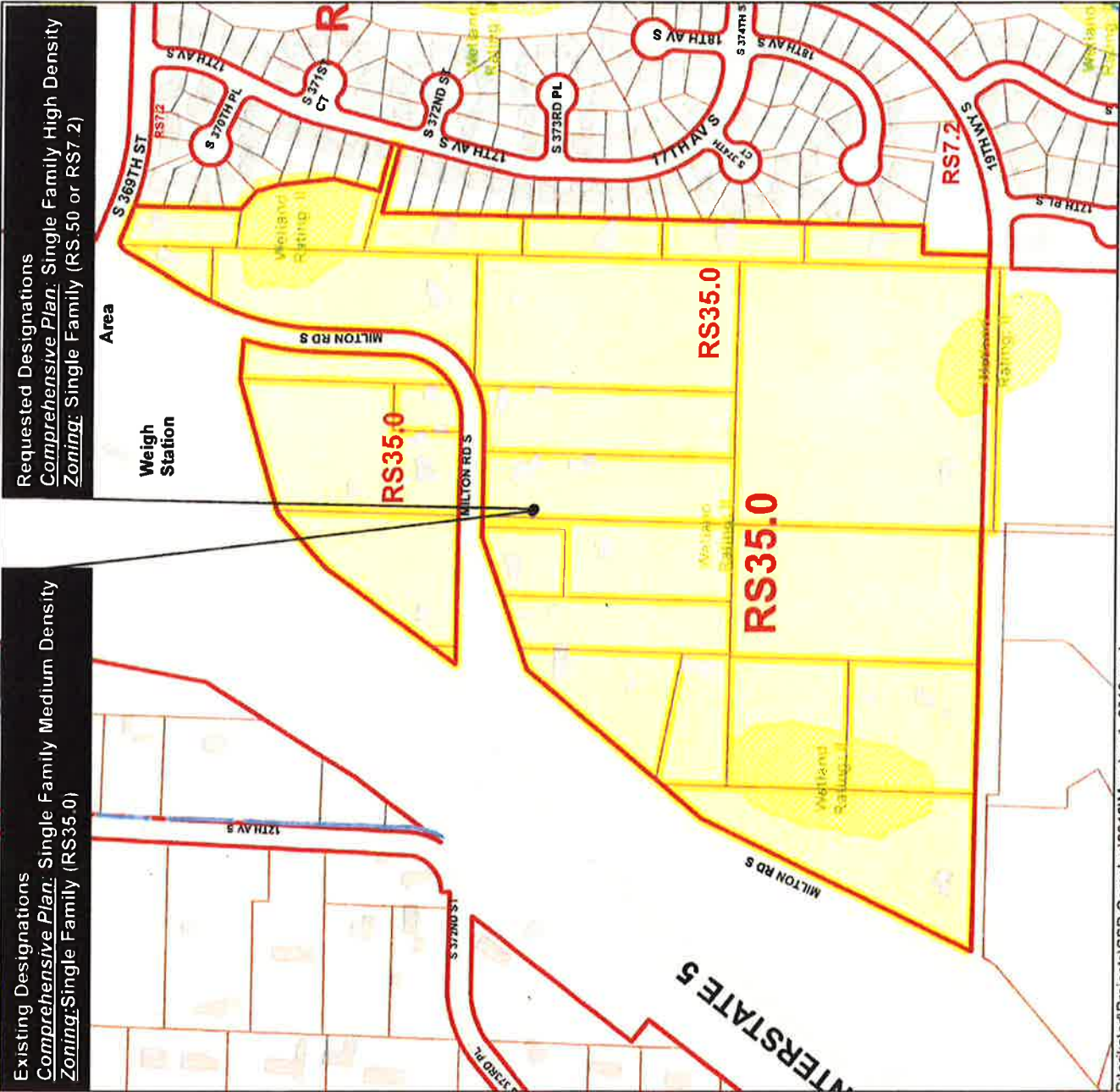
Legend

-  Site Specific Request
-  Buildings
-  Streets
-  Streams (City Survey)
-  Wetlands (1998 City Survey)
-  Zoning Boundary*

Note: An asterisk (*) next to a zoning designation indicates the property is governed by a development agreement.



This map is accompanied by no warranties and is simply a graphic representation.



Critical Areas

EXHIBIT B

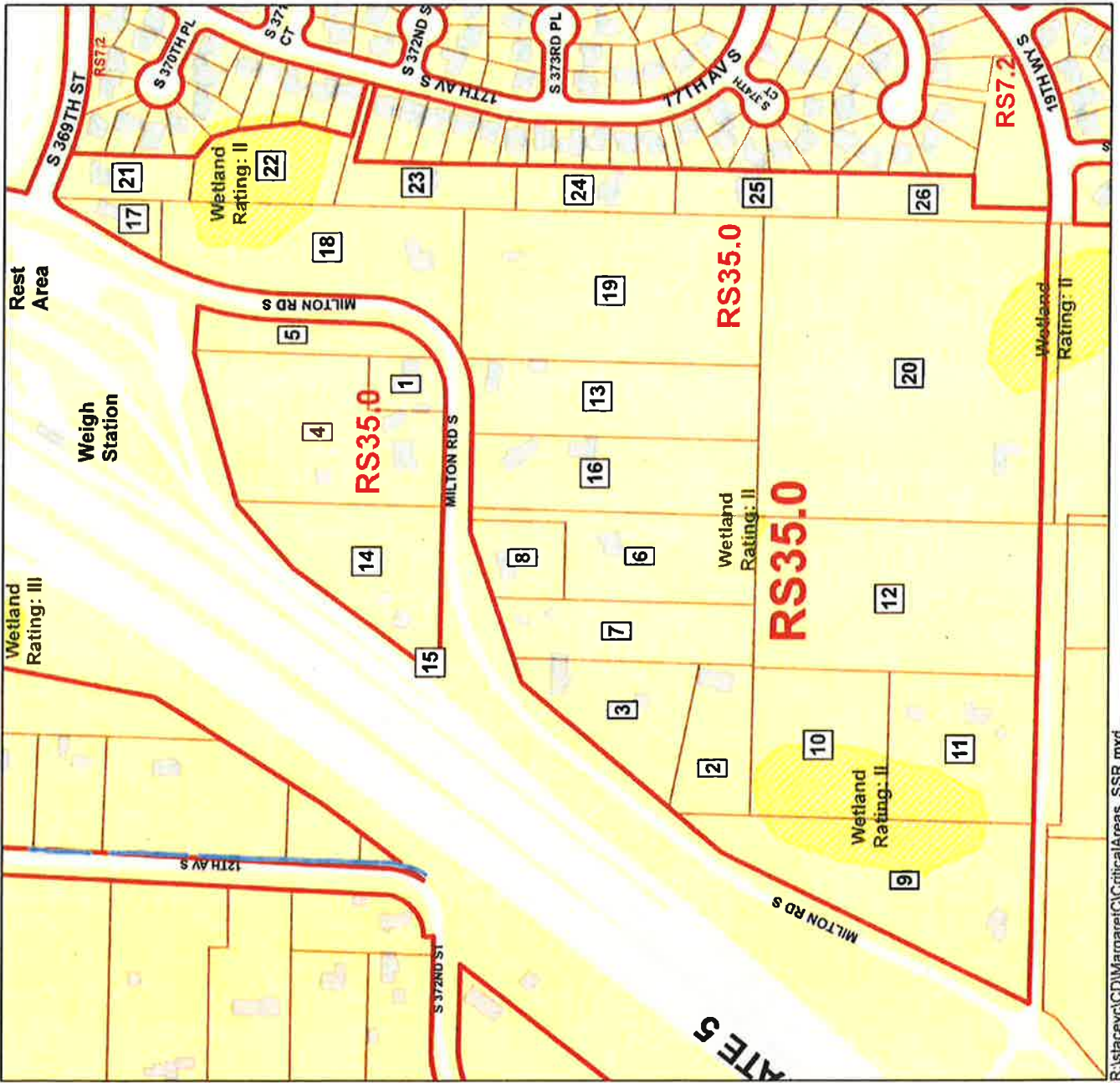
Legend

-  Zoning Boundary
-  Buildings
-  Streets
-  Streams (City Survey)
-  Wetlands (1998 City Survey)
-  Landslide Hazard Areas
-  Erosion Hazard Area
-  GREEN RIVER BASIN
-  HYLEBOS CREEK BASIN
-  LOWER PUGET SOUND BASIN
-  MILL CREEK BASIN
-  Hylebos Creek
-  Lower Green River
-  Lower Puget Sound
-  Mill Creek
-  White River

Note: An asterisk (*) next to a zoning designation indicates the property is governed by a development agreement.



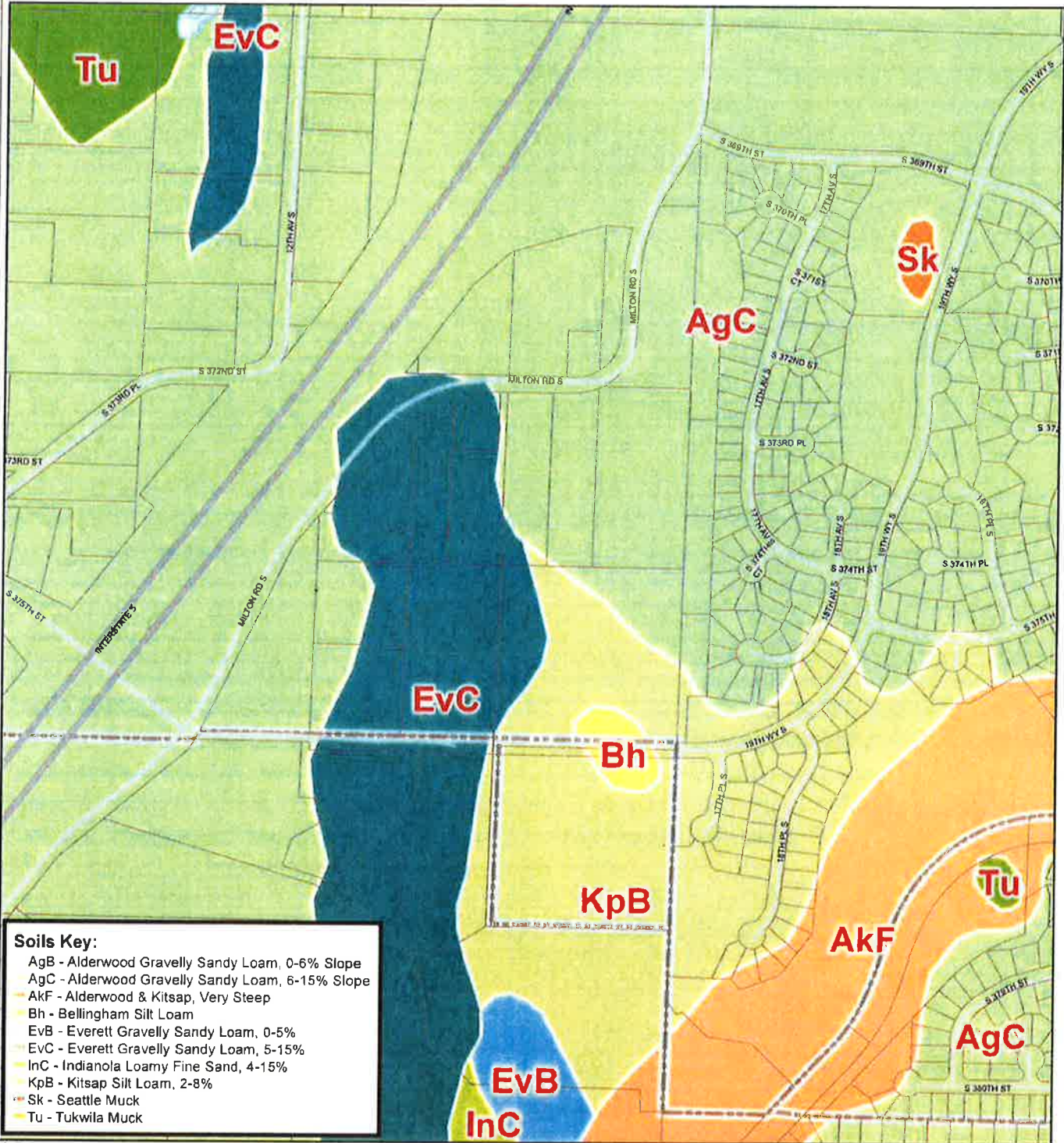
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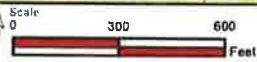
City of Federal Way Regional Soils Map

Map Date: June 2008
 City of Federal Way
 GIS Director
 33325 4th Ave S
 Federal Way, WA 98003-0218
 (206) 835-7000
 www.cityoffederalway.com



Soils Key:

- AgB - Alderwood Gravelly Sandy Loam, 0-6% Slope
- AgC - Alderwood Gravelly Sandy Loam, 6-15% Slope
- AkF - Alderwood & Kitsap, Very Steep
- Bh - Bellingham Silt Loam
- EvB - Everett Gravelly Sandy Loam, 0-5%
- EvC - Everett Gravelly Sandy Loam, 5-15%
- InC - Indianola Loamy Fine Sand, 4-15%
- KpB - Kitsap Silt Loam, 2-8%
- Sk - Seattle Muck
- Tu - Tukwila Muck



This map is a representation of the data as of the date shown. The City of Federal Way is not responsible for any errors or omissions. The map is not intended to be used for any purpose other than the one for which it was prepared. The City of Federal Way does not warrant the accuracy or completeness of the information shown on this map. The map is not intended to be used for any purpose other than the one for which it was prepared.



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City of Federal Way

2018





Site Specific Requests
for Comprehensive Plan and
Zoning Designation Changes

EXHIBIT

City Initiated

Site Specific Request #1

Legend

-  Site Specific Request
-  Streams (City Survey)
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R:\enke\cpi\Projects\SSR Complan\2018\Mapssr1A_2018.mxd

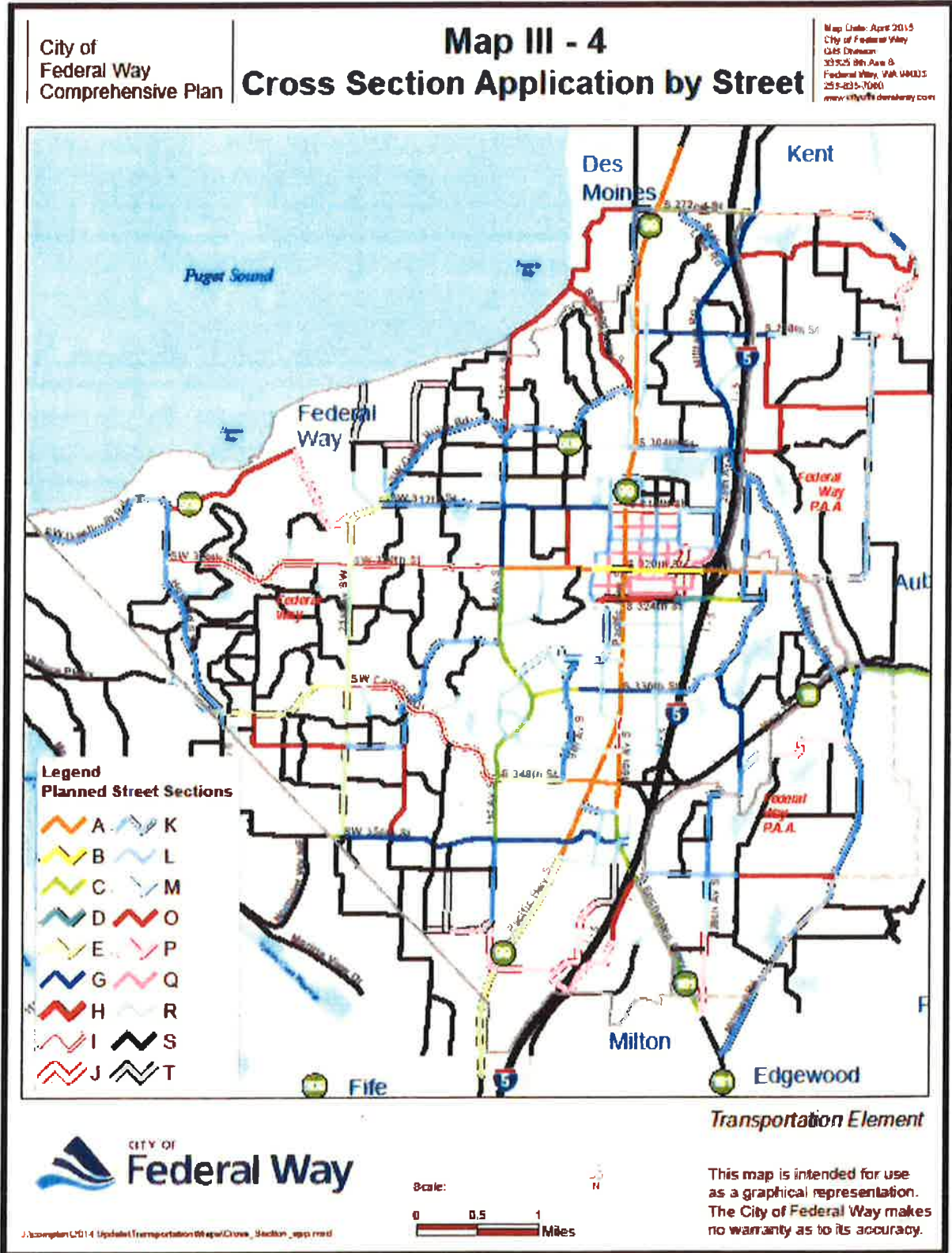


EXHIBIT F

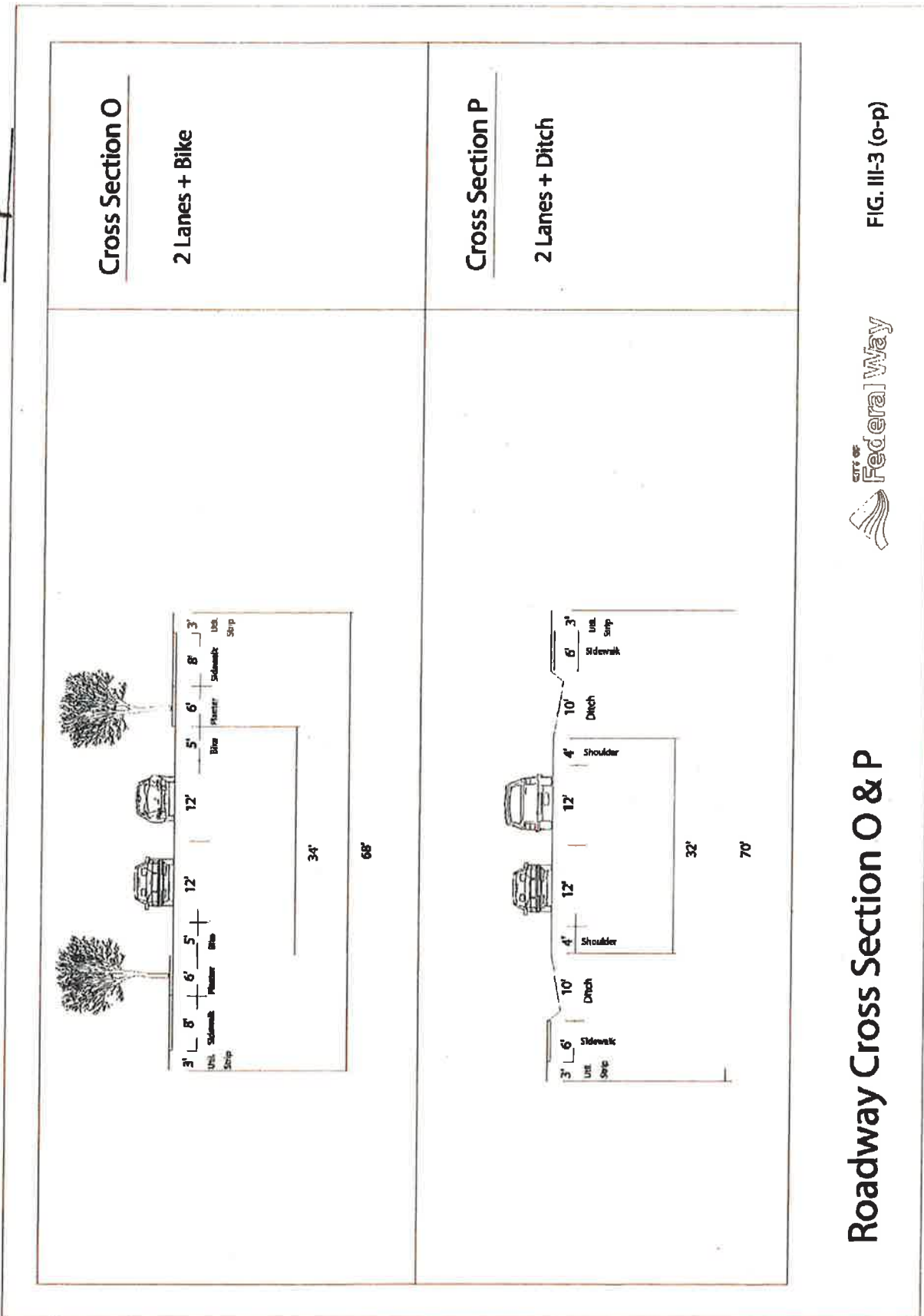


EXHIBIT A
PAGE 29 OF 32

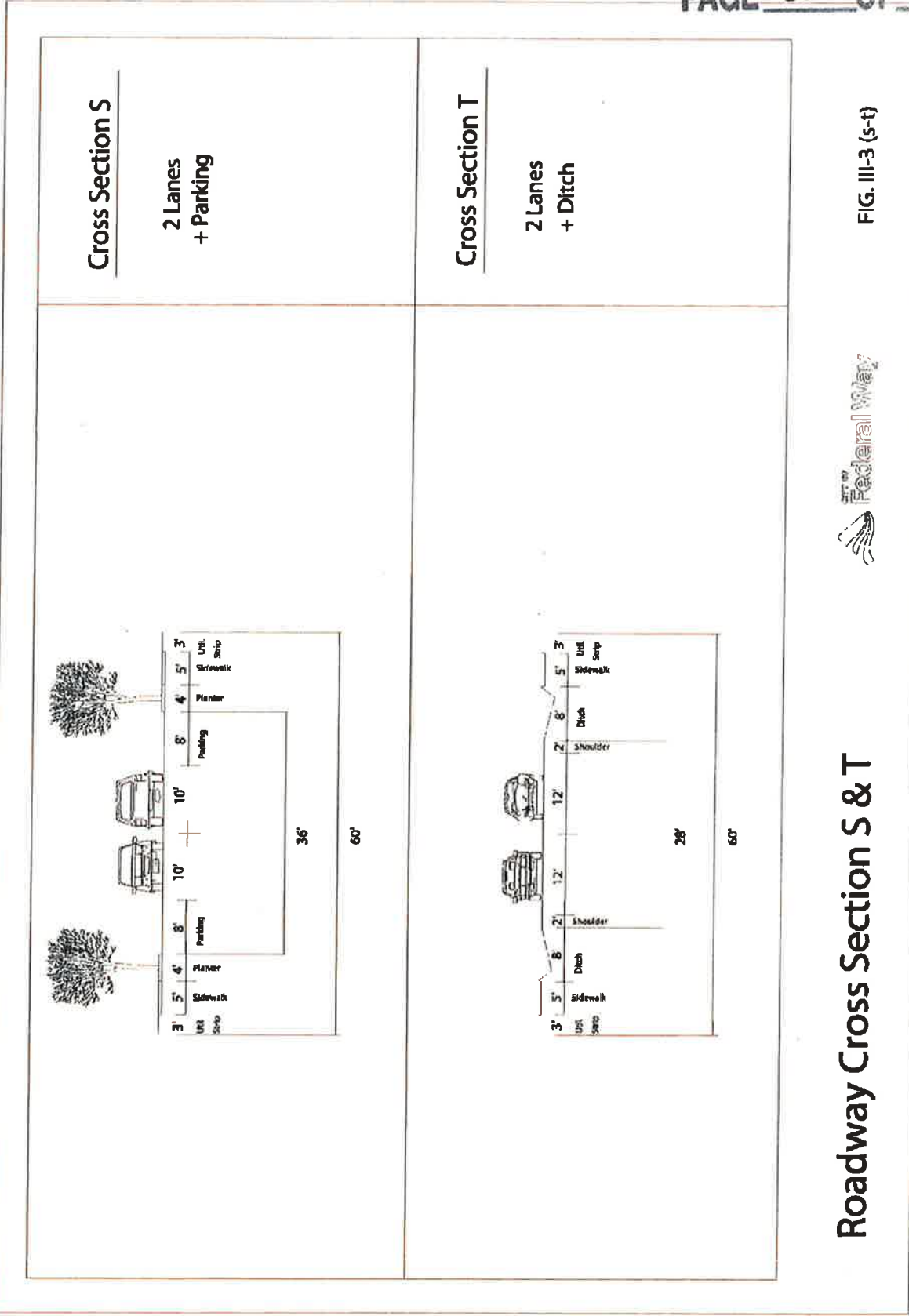
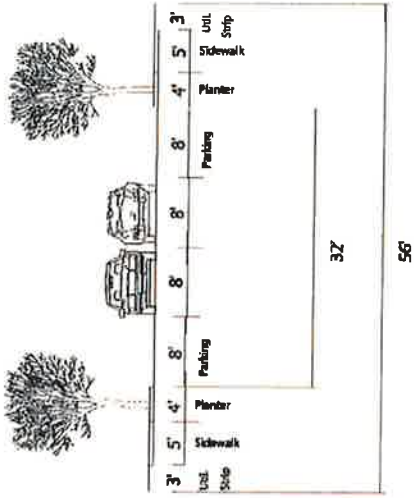


EXHIBIT A

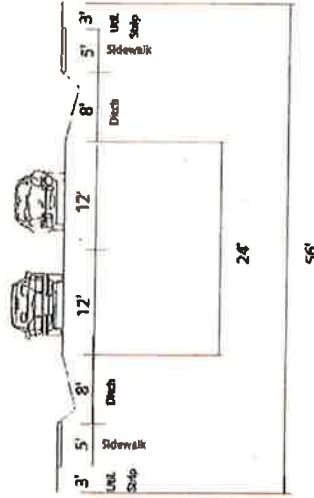
Cross Section U

2 Lanes
+ Parking



Cross Section V

2 Lanes
+ Ditch

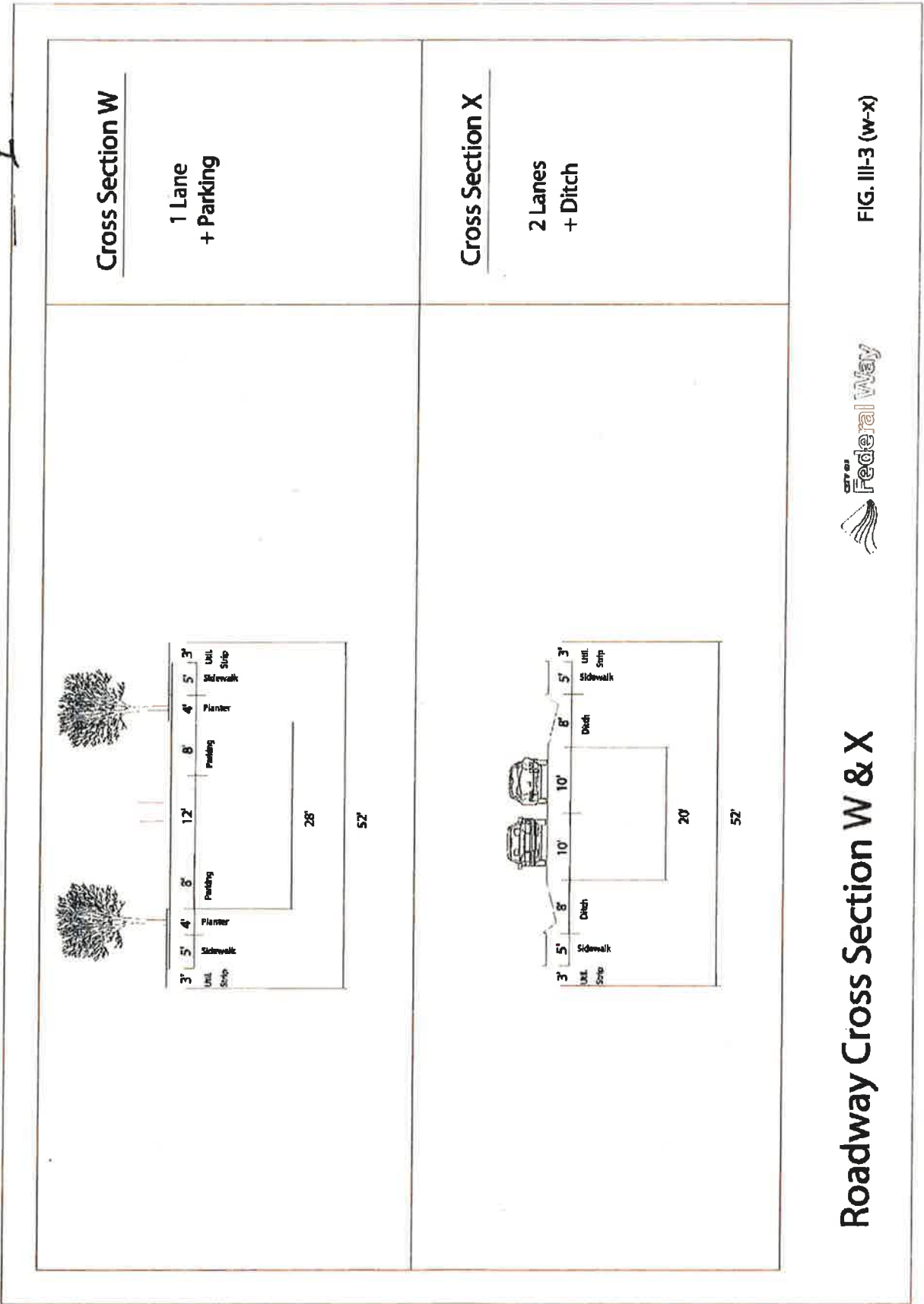


Roadway Cross Section U & V



FIG. III-3 (u-v)

EXHIBIT



Roadway Cross Section W & X



FIG. III-3 (w-x)

EXHIBIT A
 PAGE 32 OF 32

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MILTON WA 98354
stimm@cityofmilton.net
bport@cityofmilton.net

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BURIEN WA 98166-1957
chipd@burienwa.gov
SusanC@burienwa.gov

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cityhall@cityofedgewood.org
darren@cityofedgewood.org

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5411 23RD ST E
FIFE WA 98424
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MIKE BULZOMI
SOUND TRANSIT
mike.bulzomi@soundtransit.org

NE TAC NEIGHBORHOOD COUNCIL
747 MARKET ST RM 900
TACOMA WA 98402-3793

CENTURY LINK COMMUNICATIONS
23315 66TH AVE S
KENT WA 98032

JERRY STEELE
COMCAST CABLE COMM
4020 AUBURN WAY N
AUBURN WA 98002-1315

BPA TER 3
28401 COVINGTON WAY SE
KENT WA 98042

WA DEPT OF NATURAL RESOURCE
PO BOX 47015
OLYMPIA WA 98504

OSP ENGINEERING WA/OR/N. ID
AT&T CABLE MAINTENANCE
11241 WILLOWS RD NE STE 130
REDMOND WA 98052-1009

LAND USE SVC KCDDDES
35030 SE DOUGLAS ST # 210
SNOQUALMIE WA 98065-9266

KRISTI KYLE
PSE REGIONAL STRUCTURE
PO BOX 97034
BELLEVUE WA 98009-9734

City of Federal Way

2018

Site Specific Requests for Comprehensive Plan and Zoning Designation Changes

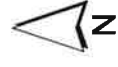
City Initiated Site Specific Request #1

EXHIBIT

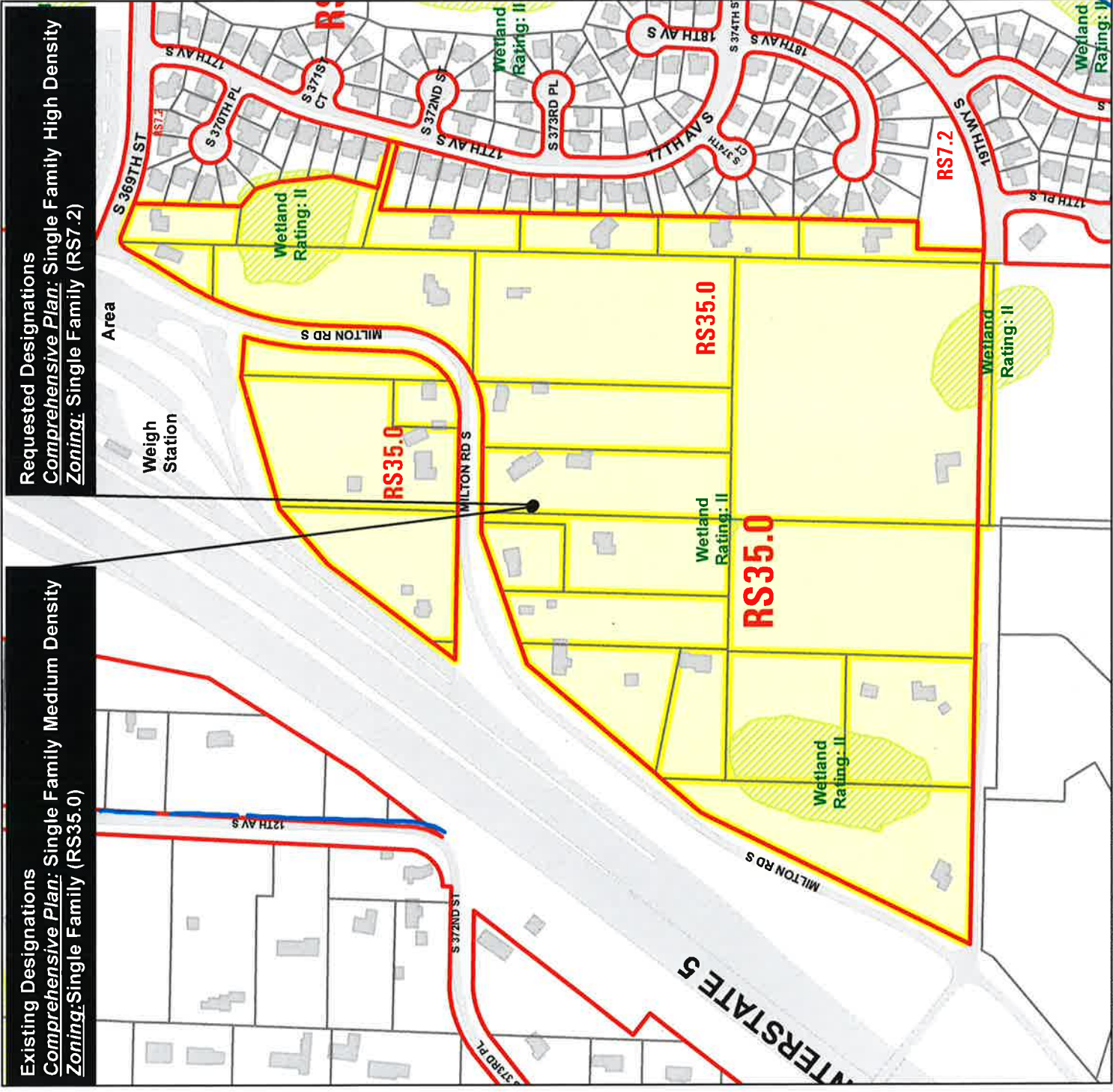
Legend

-  Site Specific Request
-  Buildings
-  Streets
-  Streams (City Survey)
-  Wetlands (1998 City Survey)
-  Zoning Boundary*

Note: An asterisk (*) next to a zoning designation indicates the property is governed by a development agreement.



This map is accompanied by no warranties, and is simply a graphic representation.



City of Federal Way

2017

Comprehensive
Plan Amendments

Composite Map

Site Specific Requests

Request Key

1. Johnson
2. Neether
3. Otteson
4. Beard
5. Ellingson
6. Dararak

EXHIBIT

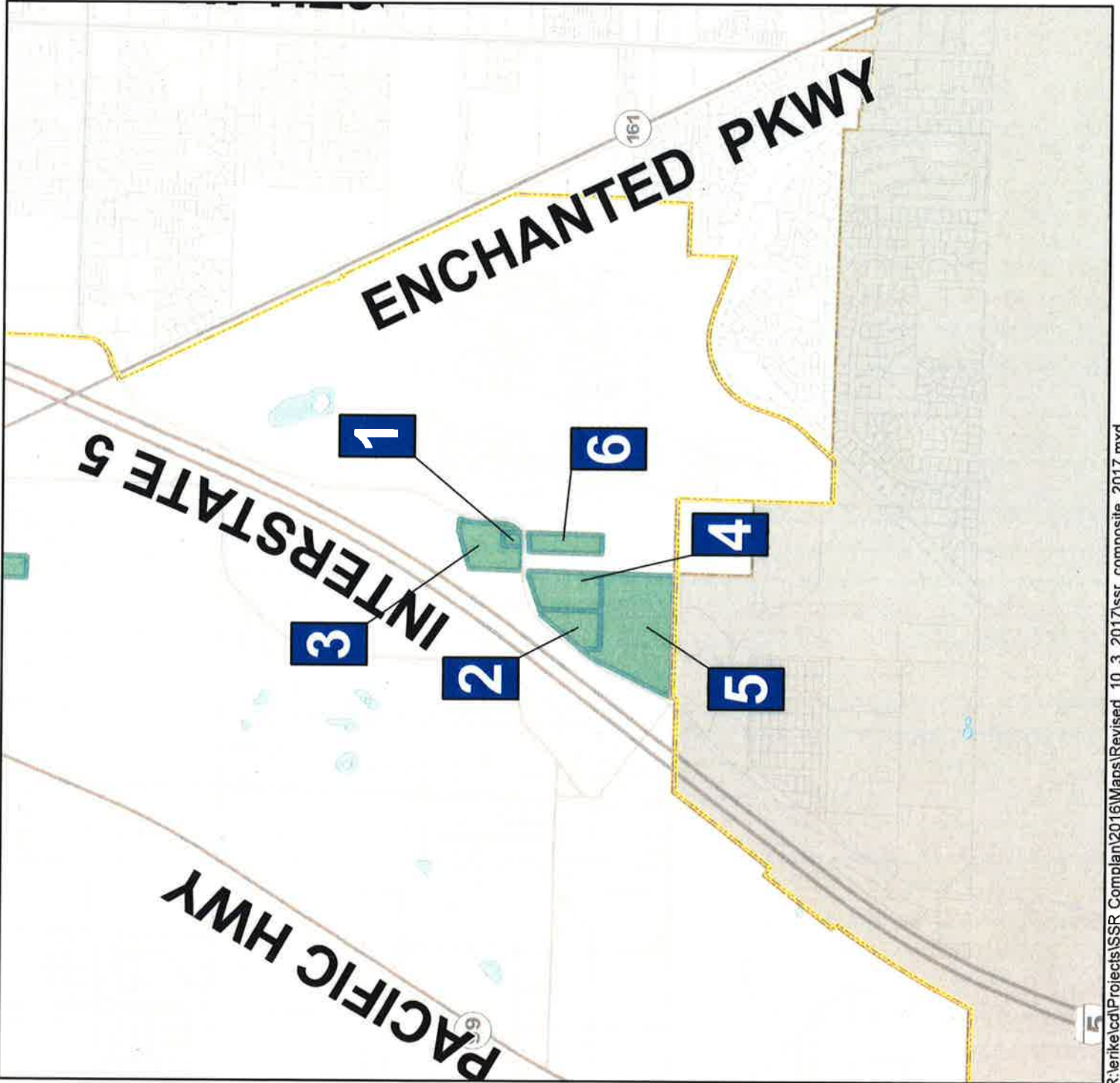
D

Legend

-  Federal Way City Limits
-  Request Sites



This map is accompanied by no warranties,
and is simply a graphic representation.



MILTON ROAD AREA LEGISLATIVE COMPREHENSIVE PLAN AMENDMENT AND REZONE

EXHIBIT
 E

Date **Event**

2017 COMPREHENSIVE PLAN AMENDMENTS SELECTION PROCESS

- | | |
|-------------------|---|
| June 21, 2017 | <p>Planning Commission Briefing</p> <ul style="list-style-type: none"> • Six citizens in the Milton Road area submitted applications for comprehensive plan amendments for the 2017 Comprehensive Plan Amendment Cycle. • Mark Johnson, Pam Otteson, Rick Beard, and Visnou Dararak requested a change from Single Family Medium Density Residential, RS 35.0 (one unit per 35,000 square feet) to Single Family High Density Residential RS 7.2, (one unit per 7,200 square feet). Larry Neether and Arnie Ellingson requested a change from Single Family Medium Density Residential, RS 35.0 (one unit per 35,000 square feet) to Single Family High Density Residential RS 5.0, (one unit per 5,000 square feet). |
| July 10, 2017 | Selection Process to LUTC. |
| July 18, 2017 | Selection Process to City Council. At the end of the public hearing, the City Council gave staff direction to contact the other property owners with RS 35.0 zoning to find out whether they would like to join in with the six requests. |
| September 8, 2017 | Staff notified the other 11 property owners in writing and gave them until September 29, 2017, to respond. No one responded by the deadline. |

2017 COMPREHENSIVE PLAN AMENDMENTS FORMAL REVIEW PROCESS

- | | |
|----------------------------|--|
| September 28, 2017 | The six requests were presented to the Development Review Committee (DRC). |
| October 4, 2017 | Public Notice sent to the paper for SEPA and Planning Commission Public Hearing. |
| October 5, 2017 | Sites posted for SEPA and Planning Commission Public Hearing. |
| October 5, 2017 | Public notice boards posted for SEPA and Planning Commission Public Hearing. |
| October 6, 2017 | The 300 foot notification for SEPA and Planning Commission Public Hearing. |
| October 6, 2017 | Notice for SEPA and Notice of Planning Commission Public Hearing published in the Mirror. |
| Week of
October 8, 2017 | Three property owners indicated an interest in joining in with the requests. |
| October 20, 2017 | The 14-day comment period ends. |
| October 25, 2017 | Planning Commission Public Hearing. The Planning Commission concurred with the Mayor's recommendation of denial of all six requests on the basis that approval could be construed as spot zoning and would not be consistent with housing-related goals and policies in the comprehensive plan. However, if all of the parcels designated Single Family Medium Density Residential and Single Family (RS 35.0, one unit per 35,000 square feet) were to apply in the future, or if the city were to initiate a legislative rezone for all properties in this area, the Mayor would likely recommend approval of a request for higher density to be determined upon further analysis. |
| November 3, 2017 | The 21-day appeal period ends. |
| December 4, 2017 | LUTC Meeting. The LUTC concurred with the Planning Commission's recommendation. |
| January 2, 2018 | City Council 1 st Reading. The Council voted to table the request and send it back to the Planning Commission as a legislative comprehensive plan amendment and rezone for all of the RS 35.0 zoned parcels in this area. |

















Date **Event**

2018 COMPREHENSIVE PLAN AMENDMENTS FORMAL REVIEW PROCESS -- CONTINUED

January 4, 2019	Issuance of Determination of Nonsignificance (DNS) pursuant to the State Environmental Policy Act (SEPA).
January 18, 2019	End of SEPA comment period.
February 6, 2019	Planning Commission Study Session.
February 8, 2019	End of SEPA appeal period.
February 20, 2019	Planning Commission Public Hearing.

Critical Areas

Legend

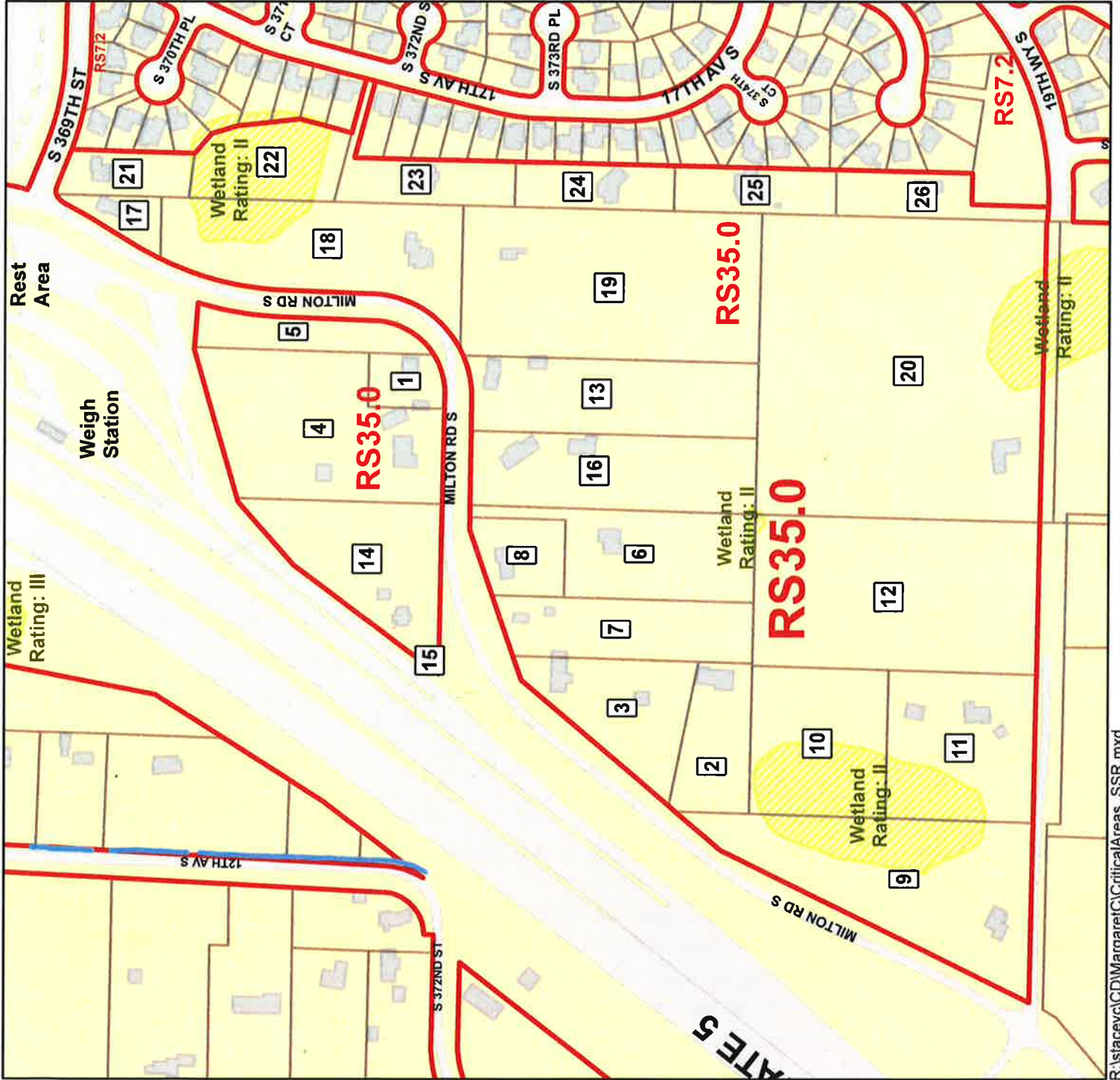
-  Zoning Boundary*
-  Buildings
-  Streets
-  Streams (City Survey)
-  Wetlands (1998 City Survey)
-  Landslide Hazard Areas
-  Erosion Hazard Area
-  GREEN RIVER BASIN
-  HYLEBOS CREEK BASIN
-  LOWER PUGET SOUND BASIN
-  MILL CREEK BASIN
-  Hylebos Creek
-  Lower Green River
-  Lower Puget Sound
-  Mill Creek
-  White River

Note: An asterisk (*) next to a zoning designation indicates the property is governed by a development agreement.

EXHIBIT F



This map is accompanied by no warranties, and is simply a graphic representation.



City of Federal Way

2018

Site Specific Requests for Comprehensive Plan and Zoning Designation Changes

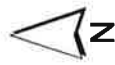
City Initiated Site Specific Request #1

EXHIBIT G

Legend

- [Yellow outline] Site Specific Request
- [Blue line] Streams (City Survey)
- [Green hatched box] Wetlands (1998 City Survey)
- [Red outline] Zoning Boundary*

Note: An asterisk (*) next to a zoning designation indicates the property is governed by a development agreement.



This map is accompanied by no warranties,
and is simply a graphic representation.



City of Federal Way 2018

Site Specific Requests for Comprehensive Plan and Zoning Designation Changes

City Initiated Site Specific Request #1

EXHIBIT

Legend

 Zoning Boundary*

Note: An asterisk (*) next to a zoning designation indicates the property is governed by a development agreement.



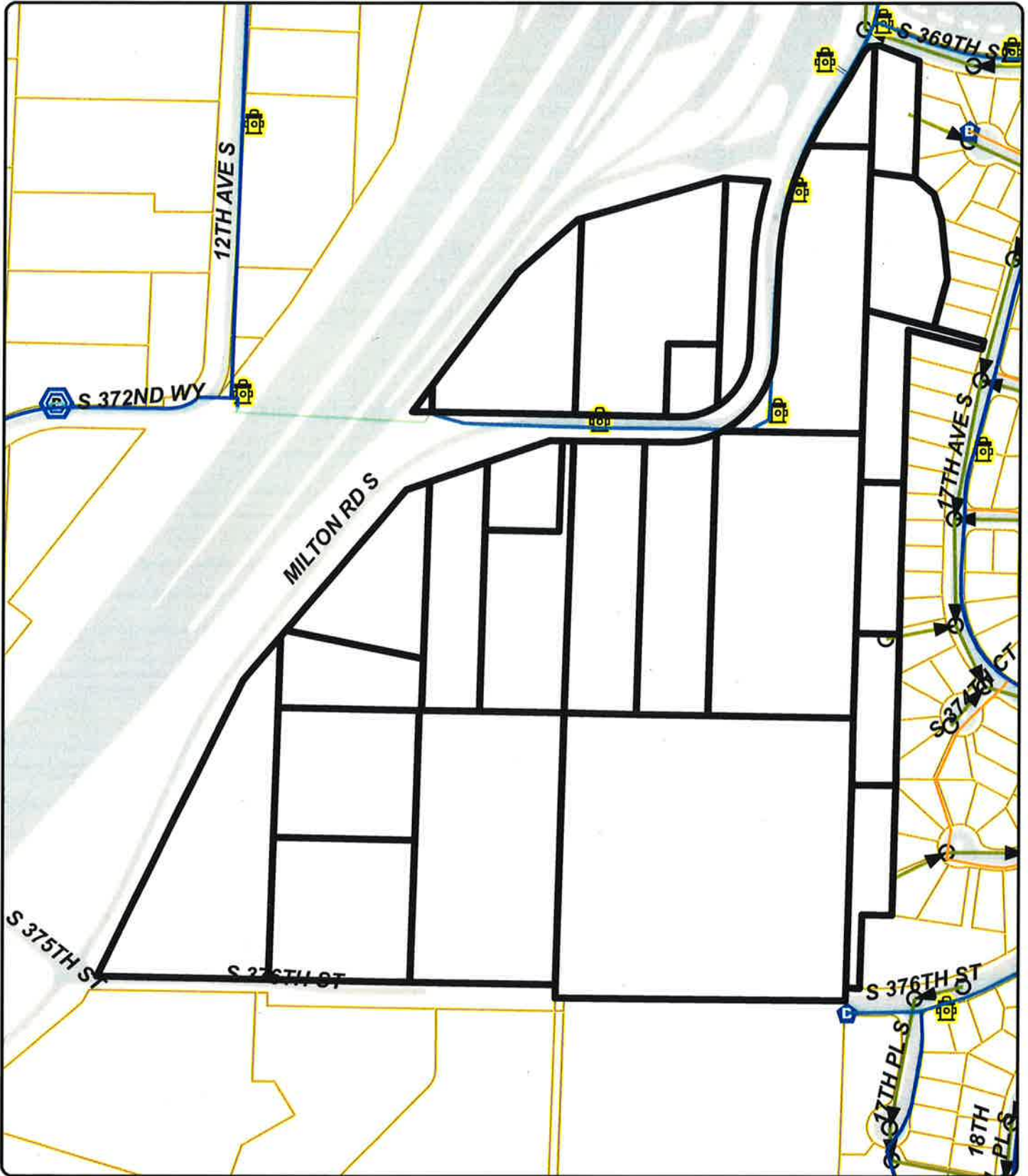
This map is accompanied by no warranties, and is simply a graphic representation.

Requested Designations
Comprehensive Plan: Single Family High Density
Zoning: Single Family (RS7.2)

Existing Designations
Comprehensive Plan: Single Family Medium Density
Zoning: Single Family (RS35.0)







NOTE: Lakehaven Water and Sewer District neither warrants nor guarantees the accuracy of any facility information provided. Facility locations and conditions are subject to field verification.

**Milton Area Legislative Rezone
18-104618 -UP**

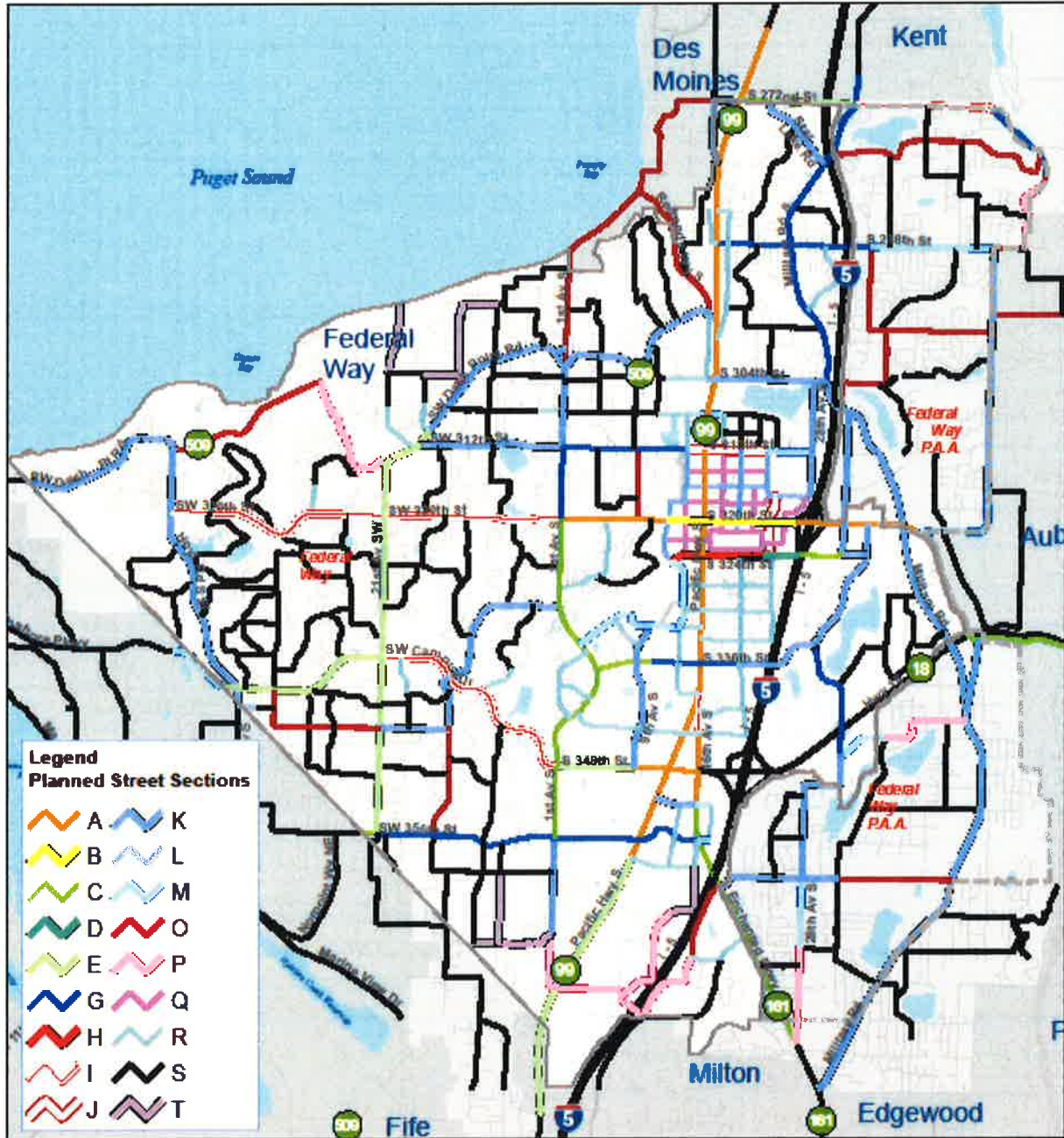


10/11/2018 BIA

City of
Federal Way
Comprehensive Plan

Map III - 4 Cross Section Application by Street

Map Date: April 2015
City of Federal Way
GIS Division
33325 8th Ave S
Federal Way, WA 98003
253-835-7000
www.cityoffederalway.com



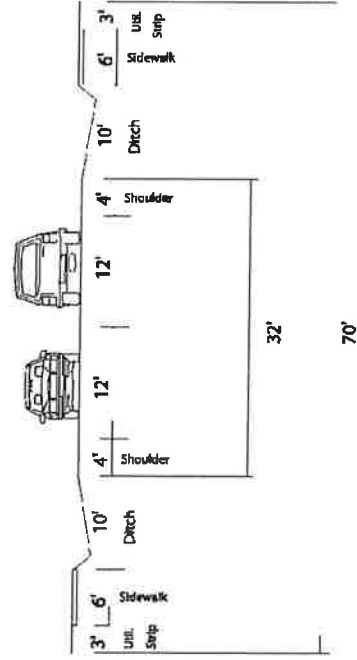
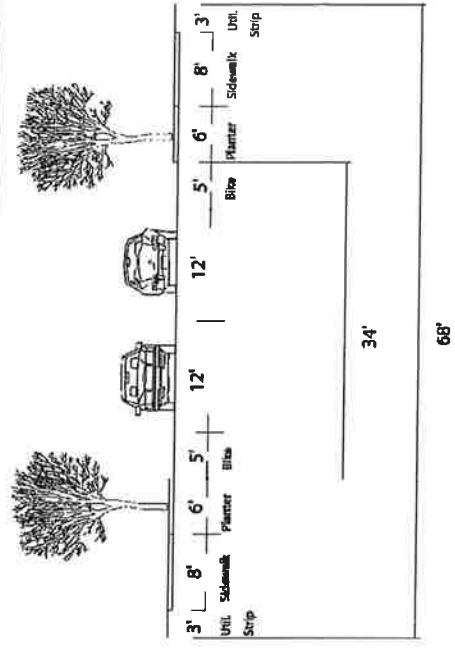
Transportation Element



This map is intended for use as a graphical representation. The City of Federal Way makes no warranty as to its accuracy.

J:\complan\2014 Update\Transportation\Map\III-Cross_Section_app.mxd

EXHIBIT

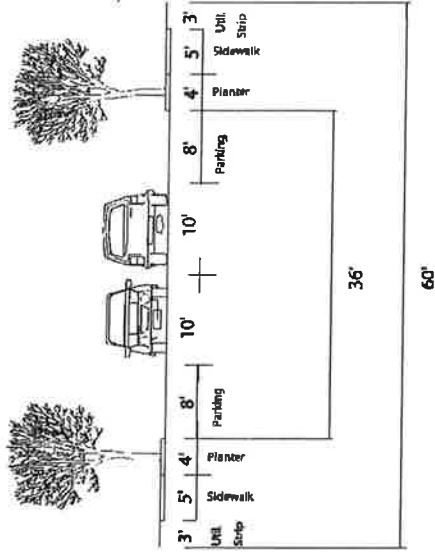


Roadway Cross Section O & P



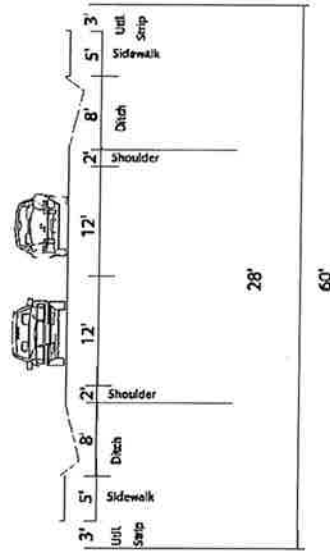
FIG. III-3 (o-p)

8



Cross Section S

2 Lanes
+ Parking



Cross Section T

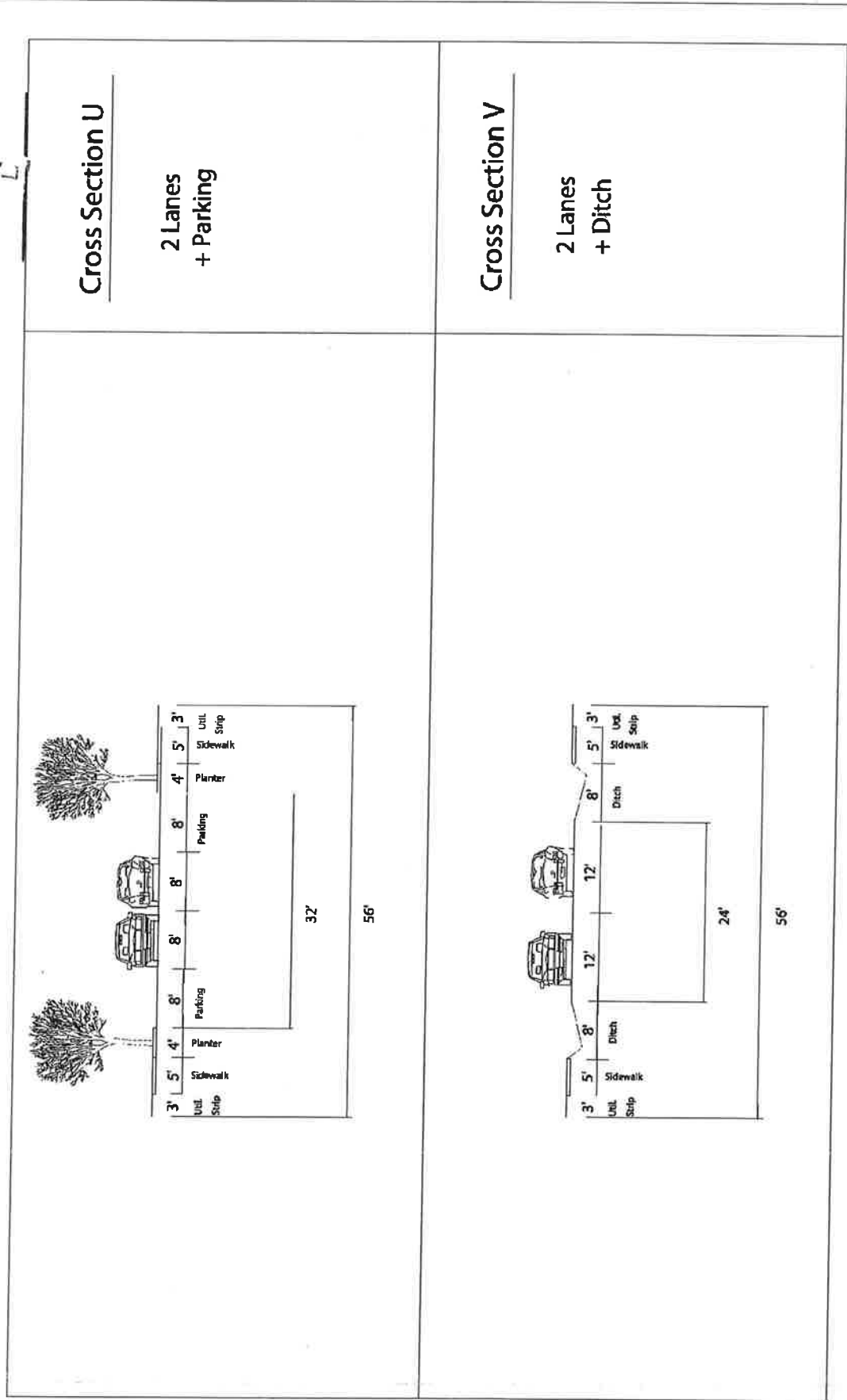
2 Lanes
+ Ditch

Roadway Cross Section S & T



FIG. III-3 (s-t)

EXHIBIT



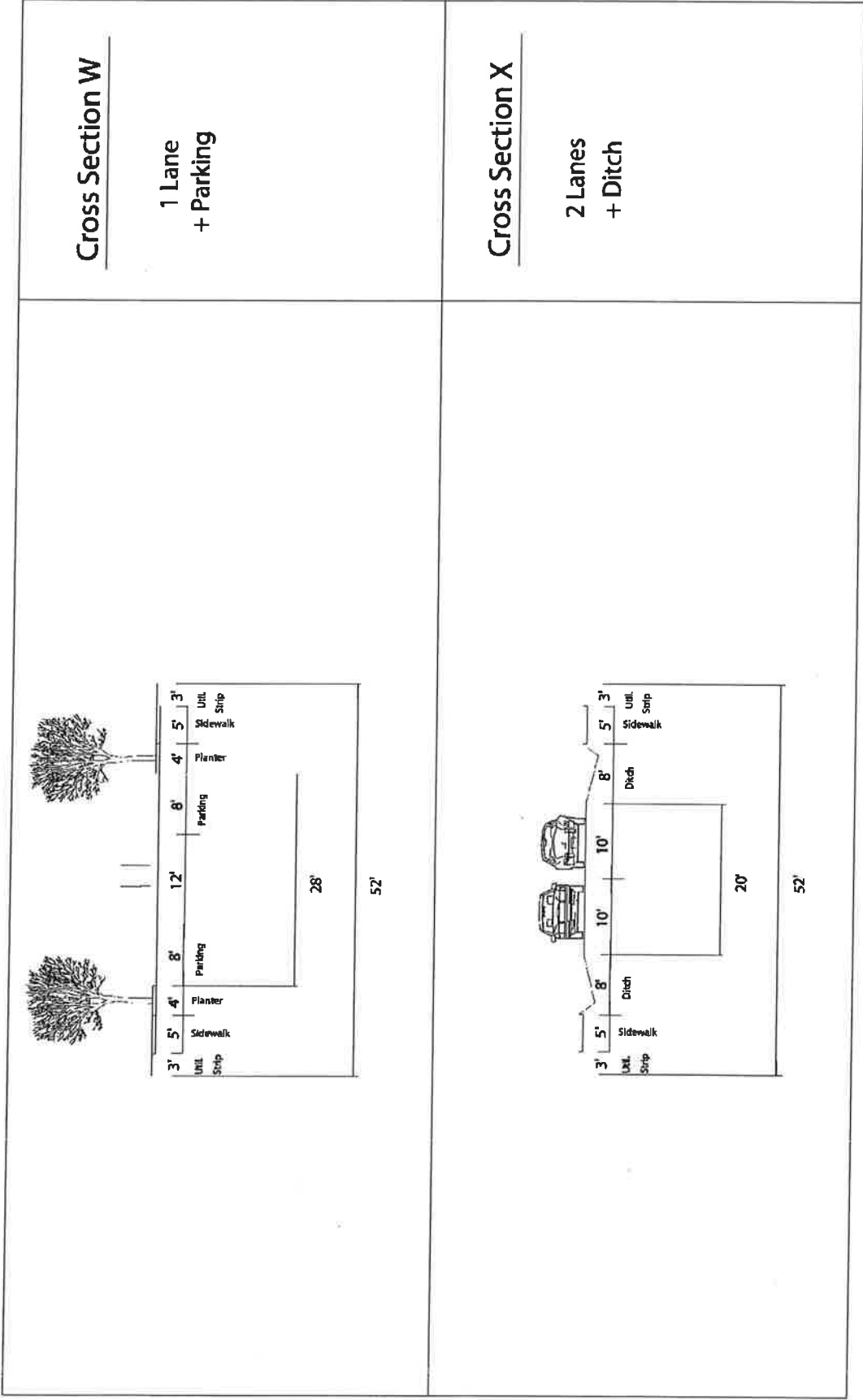
Roadway Cross Section U & V



FIG. III-3 (u-v)

EXHIBIT

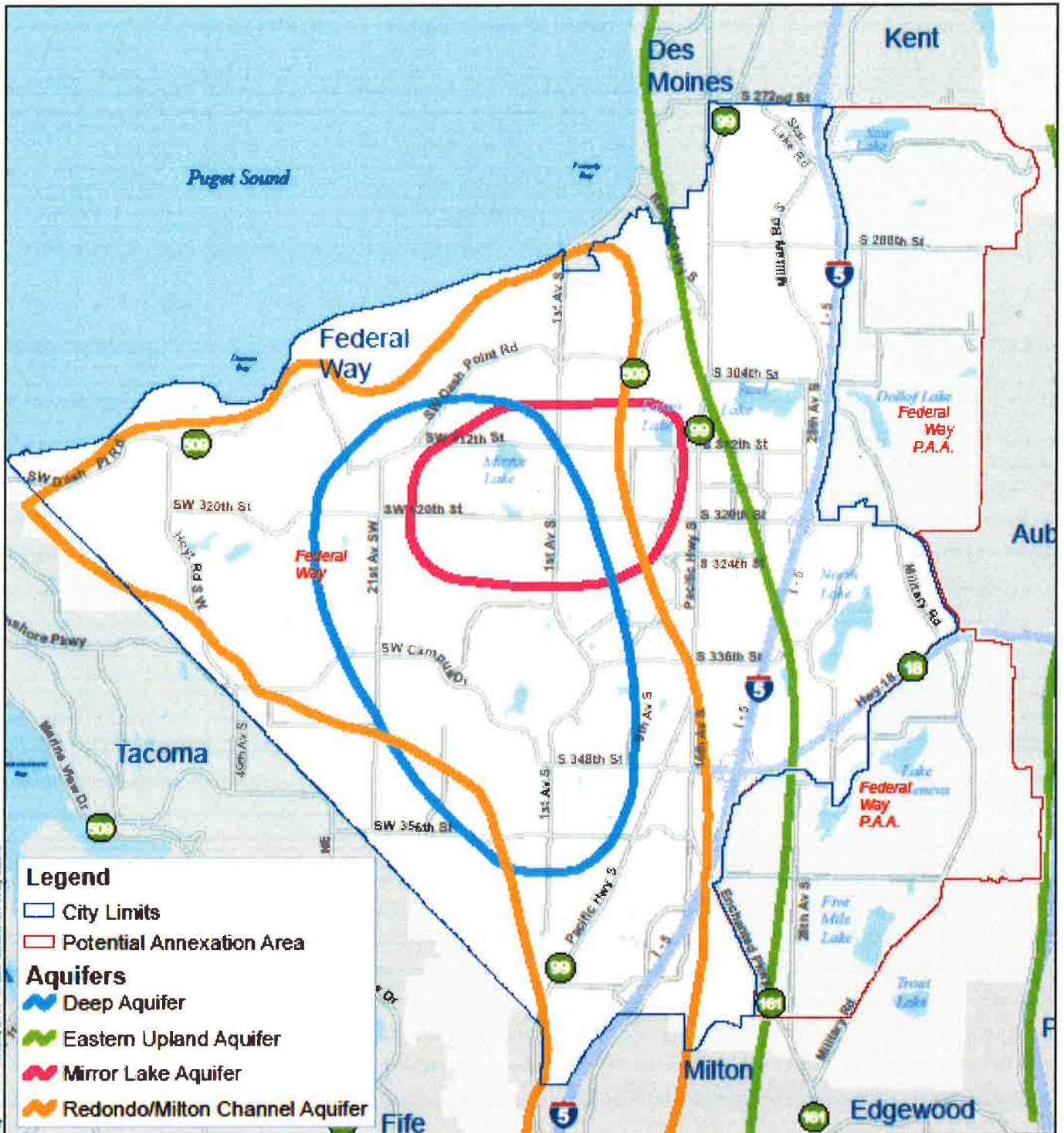
M



Roadway Cross Section W & X



FIG. III-3 (w-x)



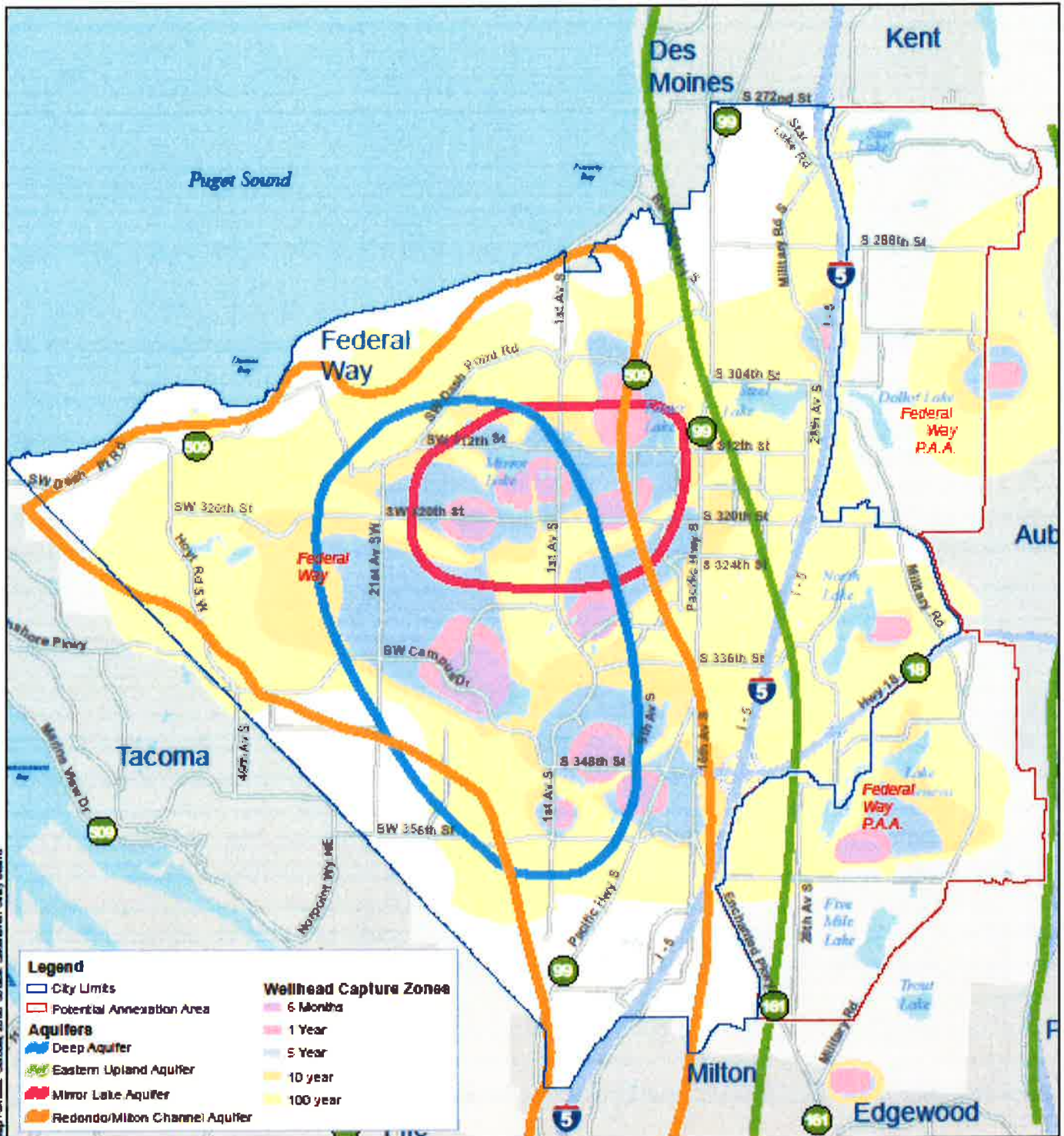
**Natural Environment
Element**

This map is intended for use as a graphical representation. The City of Federal Way makes no warranty as to its accuracy.

City of
Federal Way
Comprehensive Plan

Map IX - 2 Aquifers & Wellhead Capture Zones

Map Date: September 2015
City of Federal Way
GIS Division
33325 10th Ave S
Federal Way, WA 98003
253-835-7000
www.cityoffederalway.com



Map Prepared: October 2008. Source: Lakshmin URB, District



Natural Environment Element

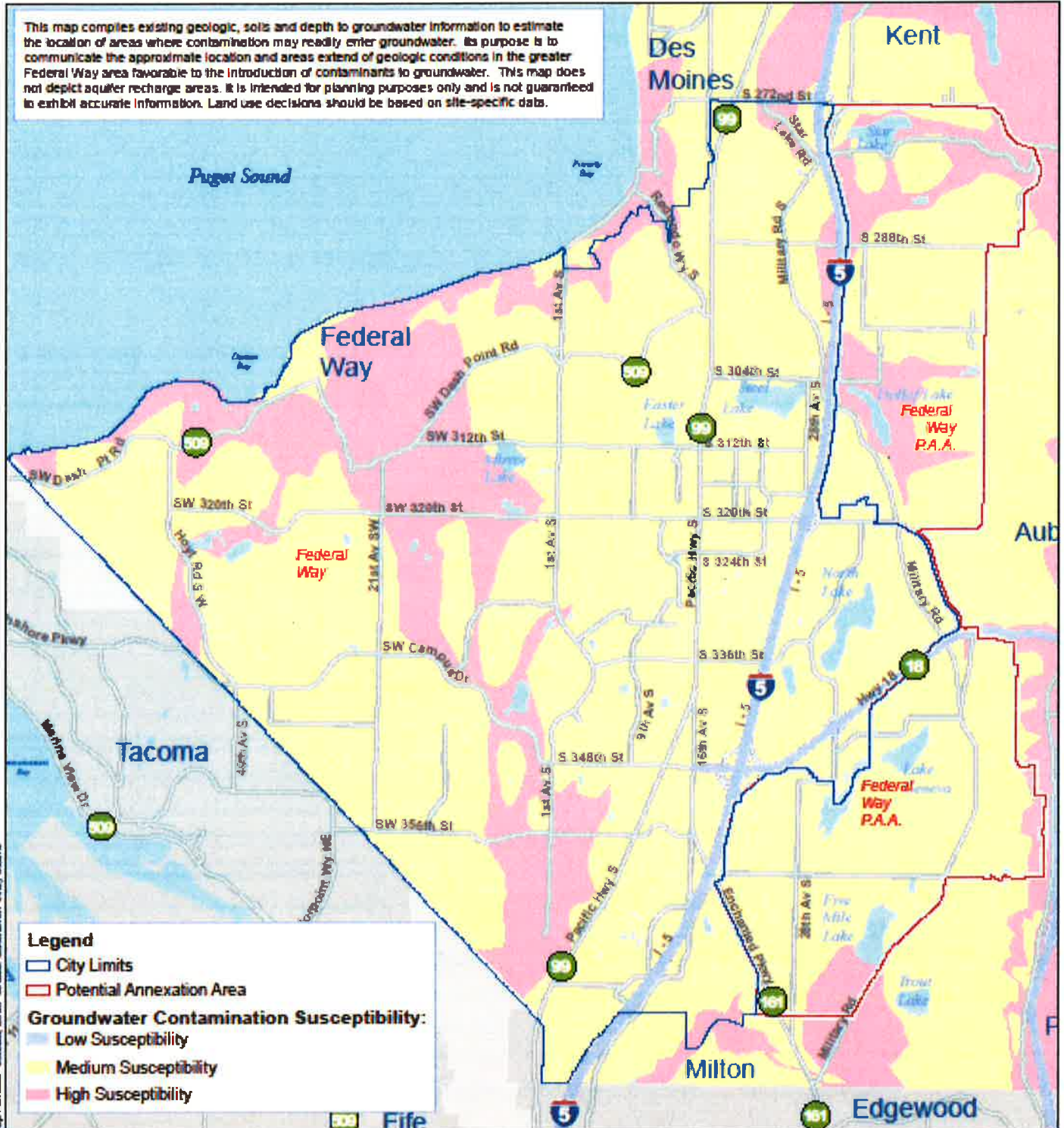
This map is intended for use as a graphical representation. The City of Federal Way makes no warranty as to its accuracy.

Map IX - 3 Areas Susceptible to Groundwater Contamination

EXHIBIT

Date: September 2015
City of Federal Way
GIS Division
33525 8th Ave S
Federal Way, WA 98003
253-835-7000
www.cityoffederalway.com

This map compiles existing geologic, soils and depth to groundwater information to estimate the location of areas where contamination may readily enter groundwater. Its purpose is to communicate the approximate location and areas extent of geologic conditions in the greater Federal Way area favorable to the introduction of contaminants to groundwater. This map does not depict aquifer recharge areas. It is intended for planning purposes only and is not guaranteed to exhibit accurate information. Land use decisions should be based on site-specific data.



Legend

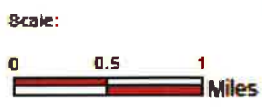
- City Limits
- Potential Annexation Area

Groundwater Contamination Susceptibility:

- Low Susceptibility
- Medium Susceptibility
- High Susceptibility

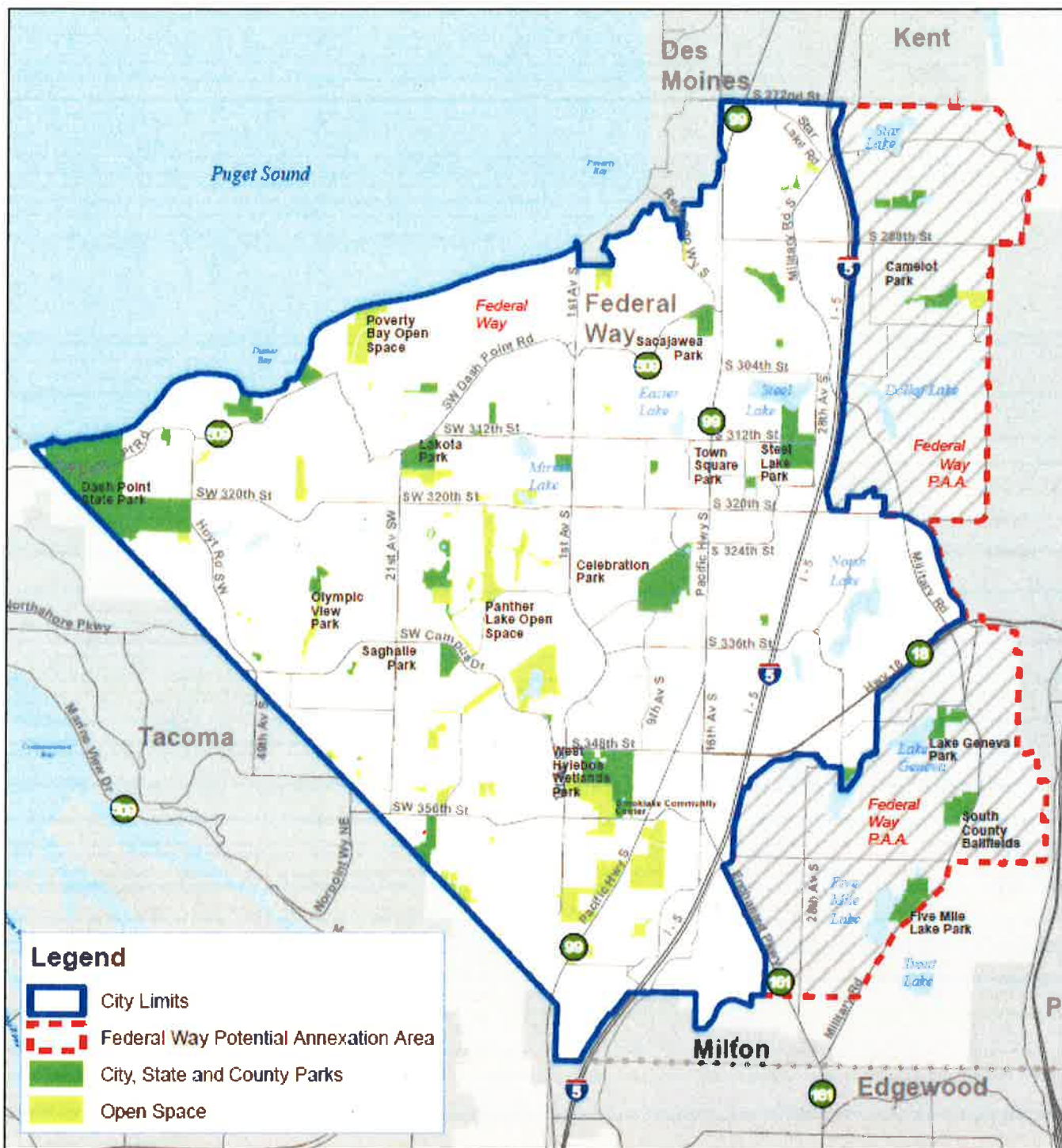
Natural Environment Element

This map is intended for use as a graphical representation. The City of Federal Way makes no warranty as to its accuracy.



Map Prepared: October 2015 Source: Lakshmanan, Li, By, Chand

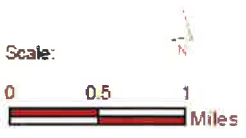
Map VI-4 Major Parks and Open Spaces



Legend

- City Limits
- Federal Way Potential Annexation Area
- City, State and County Parks
- Open Space

Capital Facilities Element



This map is intended for use as a graphical representation. The City of Federal Way makes no warranty as to its accuracy.

Tina Piety

EXHIBIT

①

R

From: Genipher Owens <owens@workerlaw.com>
Sent: Thursday, January 10, 2019 1:28 PM
To: Margaret Clark
Subject: RE: Site Specific Requests for Zoning Changes - Milton Rd. S and Regency Woods Div. 2

Thank you very much, Ms. Clark for the information and the voicemail. I will reach out to Mr. Perez with any traffic related questions and review the checklist you attached.

Very best,
Genipher

From: Margaret Clark [<mailto:Margaret.Clark@cityoffederalway.com>]
Sent: Thursday, January 10, 2019 12:24 PM
To: Genipher Owens
Subject: RE: Site Specific Requests for Zoning Changes - Milton Rd. S and Regency Woods Div. 2

Good afternoon Genipher,

Please find attached an environmental checklist. If you have questions on traffic, you can call Traffic Engineer Rick Perez at 253-835-2740. Transportation is discussed on pages 16-18 and note the response to Question 15 on page 18 about no response from the School District.

Margaret H. Clark, AICP
Principal Planner



33325 8th Avenue South
Federal Way, WA 98003-6325
Phone: 253/835-2646 Fax: 253/835-2609
www.cityoffederalway.com

From: Genipher Owens [<mailto:owens@workerlaw.com>]
Sent: Thursday, January 10, 2019 11:36 AM
To: Margaret Clark
Subject: Site Specific Requests for Zoning Changes - Milton Rd. S and Regency Woods Div. 2

Good morning, Ms. Clark:

I received notice in the mail to my home address at 37313 17th Ave. S. of the City's intent to rezone the above referenced area from a Single Family Medium-Density Residential to a Single Family High Density Residential.

I am curious how this rezoning will impact public school enrollment and assignment, and what the City intends to do to manage the increase in traffic resulting from the rezoning, and if that plan (if any), considers the already problematic Wild Waves patron traffic throughout the year.

Any information you can provide would be greatly appreciate.

Sincerely,



**BARNARD
IGLITZIN &
LAVITT LLP**

GENIPHER OWENS | *Senior Paralegal*
DIR: 206.257.6018 | FAX: 206.378.4132
18 West Mercer Street, Suite 400, Seattle, WA 98119

This communication is intended for a specific recipient and may be protected by the attorney-client and work-product privilege. If you receive this message in error, please permanently delete it and notify the sender.

2

Tina Piety

From: TRAVIS GEVING <tgeving@comcast.net>
Sent: Saturday, January 12, 2019 9:58 PM
To: Margaret Clark
Subject: Rezoning project on Milton Road

Hi Margaret,

I am writing to voice my concern regarding the signage posted in our neighborhood (Brittany Lane/Regency Woods) referencing the rezoning of land for high density homes. My main concern about the rezoning is planning to "Punch through" 19th Way to connect to Milton Road. This is completely unnecessary and would create an adverse effect on the housing developments of Regency Woods and Brittany Lane by having to burden the predicted 4 to 5 times more traffic in our neighborhoods as of a result of connecting 19th Way to Milton Road. The homeowners on 19th Way would be dealing with 45 mph traffic racing through their "neighborhoods" as the excess traffic are off to work or on their way home in a 25 MPH zone. Not to mention the high amount of dump trucks which will tear up our roads. If this poor decision to punch through the road is done, the city owes the neighborhoods some good will. The city will need to install speed bumps on 19th Way to discourage people from using it as a shortcut to HWY 161. The city will need to increase police patrol in our neighborhood as the increased traffic will definitely increase the speeds and will also need police to patrol the private park. The new homes built on the rezoned land will have direct access to Milton Road and cut through access to highway 99 and there is no reason to use the 25 year established neighborhoods with a private park on 19th as their personal drag strip. By punching through the road our now private residential park will be on a main street which will make the park less safe for children and harder to monitor the restricted access to the park. This will also will increase the vandalism and of course drug use. Building homes is one thing, but there is NO reason to punch the road through.

Above is my major concern as outlined, and as a 20 year resident of Federal Way, the city's vision and planning is having other major effects on the quality of life in our city. I will outline a few of the issues we are having as a city as a result of the decisions being made by our leaders.

Is it the city's job to cram as many people as possible into the city limits? Enough is enough!!! It takes 30 minutes to get from one side of FW to the other due to the awful amount of traffic in our city. Stop cramming more people into tight spots. Park 16, the monstrosity across from Safeway on 320th, and now the new complex off military on 320th.....holy smokes, what is the benefit we get as a city for this.....my guess is we get subsidized \$\$ from Seattle to take their low rent projects and move south so they can tear theirs down and build upon their city's infrastructure..I say keep the money, we don't need the headache that comes with it.

Have you heard of public education? Many people decide to live where the schools have great reputation. Well, strike two Federal Way...I know of more and more people leaving the school district

because of the low quality of teachers. Many of our best have left not willing to teach in our district because of the lower pay and the 'crap' they have to deal with. Have you heard, I read it in the Mirror monthly. THE SCHOOLS ARE OVERCROWDED!!!!!!!!!!!!!! So let's build a new 250 unit condo off Military and all the students will go to Lake Dolloff.....real smart planning....NOT. Why don't you ask the former Principal at Rainier View Elementary what building Park 16 did for the culture and climate of that school. Overcrowded, teachers leaving, what happened at that school is unconscionable. And now you want to rezone the land on Milton Road so you can send more kids to an already overcrowded Rainier View Elementary. Have you been to that school lately? They have portables in the front of the school and on the play ground. Sequoyah and Todd Beamer High School have gone down hill drastically as well since Park 16 was built.

I have spoke with many businesses in the region, Fred Meyer and Safeway on 320th, increased crime. Go talk to them. The chevron near 356th has a sign on the door, no backpacks in the store. Other small businesses on Pac Hwy are seeing increased begging and crime. I don't even want to send my kid to the movies on a Friday night....Go to Mod Pizza one evening and see if you get asked for money on the way in or out to your car, I'm 9 out of 10 times having that happen to me. So, rather than shop in FW the residents go to South hill or the Outlet Collection in Auburn, bye bye \$\$\$\$ and business. Not good for the city.

Our little league was sent an e-mail from the city last year about bathroom use at Celebration Park, don't let your kids use the bathroom with out an adult because of the vagrancy and drug use. Thank you for letting us know, that was kind and when you grow up in Federal Way it is the new normal for raising your kids. It is a good practice anyway. But how pathetic and sad. But, let's keep stacking people upon each other and then wonder why we can't get businesses to open up shop in FW. Lets spend our money on improving what we have and not spend it on rezoning so we can cram more people, more crime, more traffic into our city while we drive out businesses.

Have you driven down Milton Road on a Friday at 5:00pm? Why don't you look at the traffic. If you have a plan in place to fix the traffic problem that we already have and to fix the traffic that 250 more homes will bring then I'm ok with you rezoning. But to punch through 19th Way that will lead to Milton Road isn't helping anybody. If this happens, then you will need to make sure the road is fixed (currently, sink holes already in front of the park), and you will be receiving phone calls to the police department every time I see a speeding car or someone at our park that doesn't belong. This is a **SAFETY** issue, so be prepared!

Thank you,

Tina Geving

Tina Piety

From: Brett-Comcast <brett.thomas@comcast.net>
Sent: Sunday, January 13, 2019 1:22 PM
To: Margaret Clark
Subject: Opposed to Milton Road Rezone Files 18-105523-SE and 18-104618-UP

Hello,

We are opposed to this rezone as it will negatively impact surrounding neighborhoods inside and outside the City limits.

We live in Regency Woods, work in Tacoma, and frequently commute to and from work via Milton Road/5th Ave via Pacific Hwy and Porter Way. During the afternoon/evening commute, Milton Way/5th Ave is severely backed up from Porter Way with southbound commuters avoiding I-5 South. This backup continues between Porter Way and the traffic light at Pacific Highway. No doubt Waze and other GPS applications route commuters this way.

This situation already creates an increased safety hazard, noise and inconvenience for people living in the homes between Porter Way and S 376th. I am especially concerned about children and the elderly walking in this area, and people bicycling on this road. Increased density along Milton Way within the City limits north of S 376th will exacerbate the problem.

While it has been planned for some time, connecting S 376th between Milton Road and the Brittany Lane/Regency Woods developments will also negatively impact surrounding neighborhoods. It will create another alternate north / south route from Enchanted Parkway via 19th Way S through to Milton Road/5th Ave. While this may be convenient for my commute, it will negatively impact the families living in the homes along and around 19th Way, and further exacerbate the traffic-related problems described above for families along Milton Road/5th Ave. In the "Waze Age", people will be routed this way.

Therefore, we oppose this change to the comprehensive plan.

Thank you for your consideration,

Respectfully,

Brett & Pam Thomas
37108 22nd Ave S
Federal Way, WA 98003

Tina Piety

4

From: MIKE & CONNIE <seattlebest@msn.com>
Sent: Sunday, January 13, 2019 6:03 PM
To: Margaret Clark
Subject: Rezone the area south of S. 369th (Wild Waves) and North of S. 376th Street...! VOTE NO!!!

Hello M. Clark,

My name is Connie Czerwonka. I live at 1605 S. 369th St. Federal Way. My husband Mike and I have lived here since 1995. We have had our cars broken into and our house broken into with a lot of jewelry stolen in that time. I'm afraid if the area gets rezoned to allow multi families the problem will get much worse. I am concerned with the traffic. It's already bad, and the rezone will make it worse. Our former neighbors have complained about exhaust fumes from I5. Imagine how bad traffic will get when Wild Waves is open for the summer and you've increased the number of homes or apartments along Milton Rd. Wild Waves has already made the papers for traffic gridlock. Commuters are already using Milton Rd. as a detour to go around the Fife back up. If 19th way is extended to a through road it will get even worse with people using the short cut in order to go around traffic. Not to mention the local tot lot park is right on that route. We certainly don't want anything to happen to our children. If 19th way is extended Lloyds gravel trucks will use it and pass through our neighborhood on their way to Enchanted Parkway as a shortcut. Our neighborhood streets are not built for commercial traffic. I also can't see speed limits going up in a residential area like this...not good. This entire proposal is a terrible idea and I will definitely be voting against it! If it is passed we are certainly going to be looking elsewhere to live.

Margaret Clark

From: Chris Givens <chrisgivens@outlook.com>
Sent: Monday, January 14, 2019 5:58 AM
To: Margaret Clark
Subject: Proposed Rezone of Area South of S 369th (Wild Waves) and North of S 376th Street

I might be wrong but as I understand it about 12 or so years ago WSDOT proposed a new I-5 exit at S 375th St which both Milton and Federal Way worked together to block. Even if my understanding is incorrect that exit should be part of the traffic mitigation requirements for the proposed rezoning.

Thank you,
Chris Givens
425-766-8372

6

Margaret Clark

From: DAVID BLAKE <blakej5887@comcast.net>
Sent: Monday, January 14, 2019 6:26 AM
To: Margaret Clark
Subject: Rezoning Impacting 19th Way S

We are totally opposed to making 19th Way S. between Brittany Lane and Regency Lane a thru street.
We already have semis parking overnight on 19th Way S near Wild Waves. Traffic drives too fast down the hill of 19th Way S. and that is people coming into the neighborhood. You will cause a severe safety problem if this is a thru street. Traffic is so horrible in FW already and you continue to make it worse by changes made that don't improve driving conditions. It is no wonder many of us are considering getting out! Dave and Judy Blake, Regency Woods residents

Margaret Clark

From: Moses, Kym <moses@wscd.com>
Sent: Monday, January 14, 2019 7:10 AM
To: Margaret Clark
Subject: Rezoning for 26 parcels in the Milton Road area east of I-5

From Single Family Medium Density Residential to Single Family High Density Residential.

Ms. Clark,

I live in the Brittany Lane neighborhood and have seen the postings and received a letter regarding this developmental plan. I have seen several concerns have already been raised, but at this point, I will reserve my comments or concerns until I hear further from you. Would you please explain what the difference will be? Is a developer planning to put in apartments and condos or more single family homes? The information received thus far seems very unclear.

Since all comments must be received by January 18th, 2019, your prompt response would be appreciated.

Thank you!

Kym & Scott Moses

Margaret Clark

From: Mark SPAUR <spaur@comcast.net>
Sent: Monday, January 14, 2019 1:35 PM
To: Margaret Clark
Cc: rvond@comcast.net; suzanne quachang
Subject: Re: Traffic Analysis

Margaret -

The draft traffic analysis assumes that 19th Way is extended through S. 376th Street to the Milton Road. This is not acceptable for several reasons:

1. 19th Way will become a "minor collector" and traffic will undoubtedly increase on 19th Way. There is a community park on this road with a posted speed limit of 20 MPH. These slow speeds are incompatible with being a minor collector. People will not drive at the reduced speed and create a safety risk for children playing a the community park.

2. The road extension would require crossing through the vonDoenhoff property (parcel # 322104-9063). The easement required for this extension on their property no longer exists.

3. The proposed route would take the road through a designated wetland.

Question - can the City of Federal Way increase the density in the proposed area without this road extension and still meet the level of service (LOS) goals for traffic in the area? Page 15 of the draft impact statement states:

4. Additional traffic generated due to rezoning from RS35.0 to RS5.0 single family homes would not adversely impact forecast 2040 traffic conditions.
5. S 376th Street is a Minor Collector which will be a Type S street and extended to the stub from Regency Woods Subdivision. Milton Road S is a Principal Collector and will be reclassified as a Type K street from a Type P as a part of the rezoning.

Traffic at the intersection of the Milton road and the Enchanted Parkway are already intolerable when Wild Waves is operating. I don't see how the additional homes in the rezoned area would not have

an adverse impact to traffic conditions. Extending S. 376th Street to the stub in Regency Woods would make 19th Way a minor collector and increase traffic in the subdivision to an unacceptable level.

Mark Spaur

37611 17th Pl. S.

Federal Way, WA 98003

On January 10, 2019 at 5:57 PM Margaret Clark <Margaret.Clark@cityoffederalway.com> wrote:

Can be found here:

<https://www.cityoffederalway.com/node/3367>

Margaret H. Clark, AICP

Principal Planner



33325 8th Avenue South

Federal Way, WA 98003-6325

Phone: 253/835-2646 Fax: 253/835-2609

www.cityoffederalway.com

Margaret Clark

From: Mark SPAUR <spaur@comcast.net>
Sent: Monday, January 14, 2019 1:55 PM
To: Margaret Clark
Cc: suzanne quachang; rvond@comcast.net
Subject: Corrections to the SEPA checklist for the Milton Road Rezone

Margaret -

I would like to suggest the following changes to the SEPA checklist:

1. Please change Section B 4) response to "These are non-project actions. However, if future subdivision of the area is proposed, additional environmental studies to analyze impacts on the surface water withdrawals or diversions would be required."
2. Please change Section B 6) response to "These are non-project actions. However, if future subdivision of the area is proposed, additional environmental studies to analyze impacts of waste materials to surface waters would be required."

Thanks for your consideration.

Mark Spaur

37611 17th Pl S.

Federal Way, WA 98003

Roger and Jayne vonDoenhoff
1414 S. 376th St. (10)
Federal Way, WA 98003-7506
RE: Milton Road Legislative
Comprehensive Plan Amendment and
Rezone: File #s 18-105523-SE &
18-104618-UP
January 14, 2019

TO:

Mayor Jim Ferrell
Lydia Assefa-Dawson
Jesse E. Johnson
Susan Honda
Hoang V. Tran
Mark Koppang
Martin A. Moore
Dini Duclos
Robert "Doc" Hansen, Planning Manager
Margaret Clark, Principal Planner

Dear Mayor, Council, and Planning Department:

We live on a 20-acre parcel at the south end of the proposed re-zone area (north half is property #20 on your map, parcel # 322104-9063), and we are OPPOSED to having this area up-zoned. This is probably no surprise to most of you, as we have spoken out repeatedly in the past.

We are speaking as residents who hope to stay here in Federal Way, on this property, after the upzone and any resulting development (as opposed to being absentee landowners, or residents who plan to sell their property and move away). It's wonderful to have a VARIETY of densities in Federal Way, and in particular to have this quiet, peaceful, low-density area with trees and some wildlife. The Comprehensive Plan and the amendment process should not amount to "allow high density everywhere". Spring Valley should remain relatively low density to protect the ecologically sensitive area that it is, including the Hylebos, the wetlands, and the character of the area for the residents.

We feel that the Federal Way Comprehensive Plan should draw distinctions between environmentally sensitive areas, where development density should be limited, and less sensitive areas where higher densities could potentially be

permitted. The current Comprehensive Plan (Introduction and Section 2.7) identifies Spring Valley as one of two highly sensitive areas that should be limited to Suburban Estates zoning (1 house per 5 acres). Obviously, the current zoning in this area of RS35.0 exceeds that density, and the area is not currently built out to anywhere near RS35.0. What is being proposed would be a HUGE change to what currently exists here, let alone to what is recommended in those sections of the current Comprehensive Plan.

We don't like the idea of turning all of Federal Way into high-density residential, all looking pretty much the same. More importantly, we see many problems arriving with the huge increase in density that is being proposed, with traffic being the prime example.

There are already huge backups every weekday at rush hour at the corner of 5th Avenue and Porter – although this intersection is not technically in Federal Way, it has a big impact on the full length of Milton Road South / 5th Avenue and backs up into the proposed rezone area. Wild Waves traffic also creates huge backups at certain times of day during the summer months and other times of year. The potential addition of approximately 318 or 467 new residences in this area with the associated vehicles would create an unbelievable traffic problem. In addition, there are dangerous curves in Milton Road South toward the north end of the proposed rezone area.

The City's traffic analysis assumes that S. 376th St. can be "punched through" the middle of our 20-acre property to mitigate some of this problem. There are several reasons why this is not feasible:

- 1) The City and County no longer have a Right-of-Way through our property to punch the road through, it was vacated in 2015 – see enclosed (for paper copies) or attached (for electronic copies) Stipulated Judgment.
- 2) Punching the road through would cut our 20-acre property in half, making the south half essentially unusable for us.
- 3) The assumed road would run about 20 feet from the south wall of our house, making our home and yard unlivable.
- 4) The assumed road would run through the middle of the wetland on the east edge of our property.
- 5) The assumed road would route large amounts of traffic right next to a children's playground and through the Regency Woods and Brittany Lane developments, which are currently very quiet neighborhoods, and those residents vehemently object to such a dangerous change. It would also

route that same traffic right past the Meridian at Stone Creek assisted living center, where many elderly people walk.

We sincerely hope that you will vote against this proposed change to the zoning in our area. This would still allow the potential for the area to be built out to the current zoning limit of RS35.0, with the potential addition of approximately 49 new residences.

However, in spite of all the concerns we have cited above, having watched the process to date, we are concerned that it may already be a foregone conclusion that this area will be up-zoned. With several landowners in favor of it for economic reasons, and with the pressures on the Council and the Planning Division to accommodate population increases, it seems as though it's considered inevitable for all areas to migrate to higher densities in spite of all other considerations. If that is the case, we URGE you to PLEASE consider up-zoning this area only to an RS15 designation, rather than the RS7.2 or even RS5.0 designation that is currently under consideration. Increasing the number of residences from 21 to potentially 339 or even 488 would be such a huge increase that it will overwhelm us in many ways. A designation of RS15 will still allow approximately 141 new houses to be added, and will still result in large traffic and other problems, but at least it will be slightly more manageable and a slightly more tolerable.

Thank you for the opportunity to comment.

Roger and Jayne vonDoenhoff

1414 S. 376th St.

Property #20, Parcel # 322104-9063

Name & Return Address:

JANE KOLER

6659 Kimball Dr., Suite B-201

Gig Harbor, WA 98335



20150605000116

LAND USE & PRO J
PAGE-001 OF 010
06/05/2015 10:31
KING COUNTY, WA

81.00

Please print legibly or type information.

Document Title(s)	STIPULATED JUDGMENT/ORDER QUIETING TITLE
Grantor(s)	KING COUNTY WASHINGTON ____ Additional Names on Page ____ of Document
Grantee(s)	S. Jayne vonDoenhoff, Donna S. Best, Joanne E. Jones, Sandra J. Kramer, and Terri A. Miller ____ Additional Names on Page ____ of Document
Legal Description (Abbreviated: i.e., lot, block & subdivision name or number OR section/township/range and quarter/quarter section)	Section 32, Township 21 N, Range 4 East, Willamette Meridian Complete Legal Description on Page <u>6</u> of Document
Auditor's Reference Number(s)	
Assessor's Property Tax Parcel/Account Number(s)	322104-9063 and 322104-9162
<p>The Auditor/Recorder will rely on the information provided on this cover sheet. The Staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.</p> <p>I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.</p> <p>_____ Signature of Requesting Party (Required for non-standard recordings only)</p> <p>Gpcovst.doc rev 4/02</p>	

HONORABLE TANYA THORP

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

ROGER vonDOENHOFF, a married man,
and **S. JAYNE vonDOENHOFF**, a married
woman, and their marital community,
DONNA S. BEST, a single woman,
JOANNE E. JONES, a married woman as
her separate property, **SANDRA J.
KRAMER**, a married woman as her
separate property, and **TERRI A. MILLER**,
a married woman as her separate
property,

Plaintiffs,

v.

KING COUNTY WASHINGTON, a
municipal corporation formed under the
laws of Washington State,

Defendants.

No. 14-2-32707-2 KNT

STIPULATED JUDGMENT AND
ORDER QUIETING TITLE

[CLERK'S ACTION REQUIRED]

STIPULATED JUDGMENT AND ORDER QUIETING TITLE

1. This Stipulated Judgment and Order Quieting Title adjudicates a dispute

LAND USE & PROPERTY LAW, PLLC
6859 Kimball Drive, Suite B-201
Gig Harbor, WA 98335
(253) 853-1806

Jane Koler – Mark Adams of Counsel

between Plaintiffs ROGER vonDOENHOFF, a married man, and S. JAYNE vonDOENHOFF, a married woman, and their marital community, DONNA S. BEST, a single woman, JOANNE E. JONES, a married woman as her separate property, SANDRA J. KRAMER, a married woman as her separate property, and TERRI A. MILLER, a married woman as her separate property, (hereinafter "Plaintiffs") by and through their attorney of record Jane Ryan Koler, and KING COUNTY WASHINGTON, a municipal corporation formed under the laws of Washington State, (hereinafter "King County") by and through their attorney of record Senior Deputy Prosecutor John Briggs, (the "Parties"), (hereinafter "Stipulated Judgment").

2. This Stipulated Judgment adjudicates claims and counterclaims asserted in *vonDoenhoff, et al. v. King County*; King County Superior Court Cause No. 14-2-32707-2 KNT.

3. *vonDoenhoff v. King County* addressed an action seeking to have this Court extinguish any interest of King County in a portion of a sixty-foot wide strip of property located on Plaintiffs' property (hereinafter "Quiet Title Area") created by a January 30, 1933 Order of Establishment that created a right-of-way known as the Milton Extension Road, as well as Ringwood Road or South 376th Street.

4. The Quiet Title Area is located in unincorporated King County on the southern thirty-feet of King County Parcel No. 322104-9063 (the north parcel), and northern thirty-feet of King County Parcel No. 322104-9162 (the south parcel). The two parcels are described with particularity in Exhibits 1 and 2 respectively. The sixty-foot right-of-way subject to the 1933 Order of Establishment is described with particularity in

Exhibit 3. Exhibits 1, 2, and 3 are incorporated herein by this reference.

5. The sixty-foot wide right-of-way within the Quiet Title Area was not dedicated in a plat nor conveyed to the County by deed. King County failed to open a county road for public use within the Quiet Title Area within a period of five years after the King County Board of Commissioners adopted the Order of Establishment for the Milton Extension Road in 1933.

6. RCW 36.87.090 and its predecessor, Chapter 12 §6510 *Remington's Revised Statutes* (1932), are non-user statutes that bar the County from developing a road on any property designated for establishment of a County right-of-way, if the road remains unopen and undeveloped for five years after the order authorizing creation of the road.

7. Chapter 12 §6510 *Remington's Revised Statutes* (1932) stated:

Vacation of County Road by Nonuser

Any county road or part thereof which has heretofore been or may hereinafter be authorized, which remains unopen for public use for a space of five years after the order is made or authority granted for opening same, shall be and the same is hereby vacated and the authority for building the same barred by the lapse of time...

8. The sixty-foot wide right-of-way within the Quiet Title Area, pursuant to the authority of the Nonuser Statute (Chapter 12 §6510 *Remington's Revised Statutes* (1932)), was vacated by operation of law on January 30, 1938.

9. This Court declares that King County's interest in the Quiet Title Area on Plaintiffs' property has been extinguished as a matter of law pursuant to the Nonuser

LAND USE & PROPERTY LAW, PLLC
6659 Kimball Drive, Suite B-201
Gig Harbor, WA 98335
(253) 853-1806

Jane Koler – Mark Adams of Counsel

Statutes, and that pursuant to the Nonuser Statutes, title is quieted in Plaintiffs to the following described property:

THE SOUTH 30 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 21 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;

TOGETHER WITH THE NORTH 30 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 21 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON; EXCEPT THE WEST 20 FEET THEREOF.

10. The new legal descriptions of Plaintiffs' property that incorporates the sixty-foot wide strip is attached as Exhibit 4 which is incorporated herein by this reference.

11. This Stipulated Judgment shall be recorded with the King County Auditor and shall run with Plaintiffs' property and bind successors in interest.

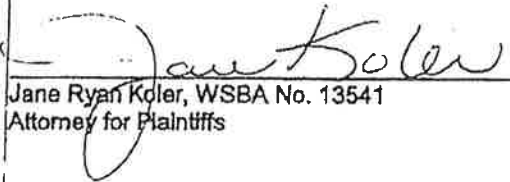
12. After the parties have signed this Stipulated Judgment; Plaintiffs shall present it to the King County Superior Court judge to be signed, and then the executed Stipulated Judgment and Order will be recorded with the King County Auditor. All claims articulated in *vonDoenhoff v. King County*; King County Superior Court Cause No. 14-2-32707-2 KNT, will be dismissed with prejudice.

13. Each party shall be responsible for paying their own costs and attorney fees.

ENTERED this 29 day of May, 2015


Judge Tanya L. Thorp

LAND USE & PROPERTY LAW, PLLC


Jane Ryan Koler, WSBA No. 13541
Attorney for Plaintiffs

KING COUNTY

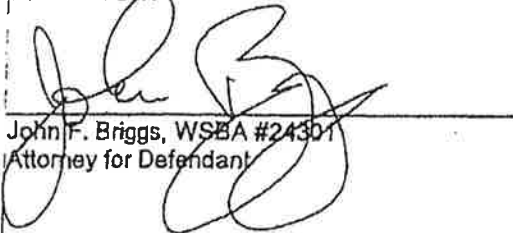

John F. Briggs, WSBA #24301
Attorney for Defendant

EXHIBIT 1

King County Search Kingcounty.gov

Home How do I Services About King County Departments

King County Department of Assessments
Fair, Equitable, and Understandable Property Valuations

You're In: [Assessor](#) >> [Look Up Property Info](#) >> [Real Property](#)

Department of Assessments

500 Fourth Avenue, Suite AD10, Seattle, WA 98104

Office Hours: Mon - Fri 8:30 a.m. to 4:30 p.m.

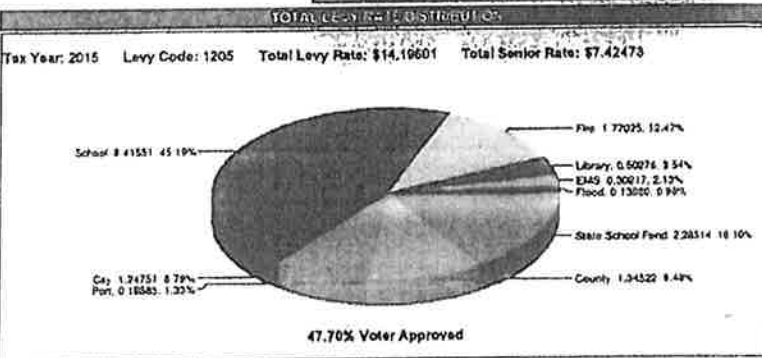
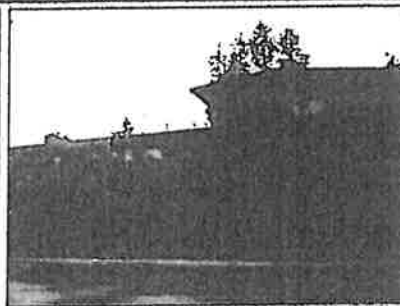
TEL: 206-206-7300
FAX: 206-206-5107
TTY: 206-206-7068

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PARCEL	
Parcel Number	322104-0053
Name	VONDOENHOFF & JAYNE
Site Address	1414 S 378TH ST 98003
Legal	NE 1/4 OF NE 1/4 OF SE 1/4 LESS N 80 FT & LESS W 20 FT TOW SE 1/4 OF SE 1/4 OF NE 1/4 ALL IN SEC 32-21-4 - PORTION LY N OF FEDERAL WAY CITY BOUNDARY LN & LY WITHIN CITY LIMITS (SEGREGATED FOR TAX PURPOSES ONLY - SEE PCL #322104-9162)

BUILDING	
Year Built	1958
Total Square Footage	4270
Number Of Bedrooms	4
Number Of Baths	2.50
Grade	6 Good
Condition	Average
Lot Size	420354
Views	No
Waterfront	



[Click here to see levy distribution comparison by year.](#)

TAX ROLL HISTORY							
Valued Year	Tax Year	Appraised Land Value (\$)	Appraised Imps Value (\$)	Appraised Total (\$)	Taxable Land Value (\$)	Taxable Imps Value (\$)	Taxable Total (\$)
2014	2015	334,000	165,000	499,000	334,000	165,000	499,000
2013	2014	319,000	83,000	412,000	319,000	83,000	412,000
2012	2013	319,000	82,000	401,000	319,000	82,000	401,000
2011	2012	379,000	97,000	476,000	379,000	97,000	476,000
2010	2011	399,000	100,000	499,000	399,000	100,000	499,000
2009	2010	399,000	114,000	513,000	399,000	114,000	513,000
2008	2009	399,000	204,000	603,000	399,000	204,000	603,000
2007	2008	380,000	196,000	576,000	380,000	196,000	576,000
2006	2007	347,000	185,000	532,000	347,000	185,000	532,000
2005	2006	311,000	168,000	480,000	311,000	169,000	480,000
2004	2005	261,500	128,000	389,500	261,500	128,000	389,500

Reference Links:

- [King County Taxing Districts Codes and Levies \(.PDF\)](#)
- [King County Tax Links](#)
- [Property Tax Advisor](#)
- [Washington State Department of Revenue \(External link\)](#)
- [Washington State Board of Tax Appeals \(External link\)](#)
- [Board of Accountancy/ Foundation](#)
- [Districts Record](#)
- [Maps](#)
- [Recorder's Office](#)
- [Scanned images of surveys and other map documents](#)

EXHIBIT 2

Department of Assessments

600 Fourth Avenue, Suite 4000, Seattle, WA 98104

Office Hours: Mon - Fri 8:30 a.m. to 4:30 p.m.

TEL: 206-296-7300 FAX: 206-296-5107 TTY: 206-296-7868

Send us mail

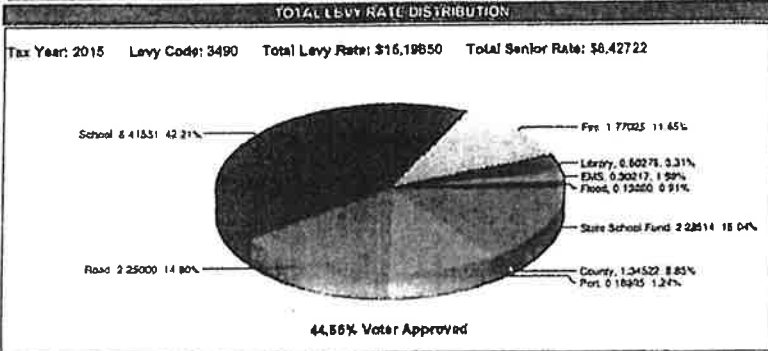
- View Search
- Reports & Links
- Map Our Properties
- Unassessed Items
- Assessor Report
- Programs Used

PARCEL	
Parcel Number	322104-9182
Name	VONDOENHOFF S JAYNE
Site Address	
Legal	NE 1/4 OF NE 1/4 OF SE 1/4 LESS N 30 FT & LESS W 20 FT TOW SE 1/4 OF SE 1/4 OF NE 1/4 ALL IN SEC 32-21-4 - PORTION LY S OF FEDERAL WAY CITY BOUNDARY UN & LY OUTSIDE OF CITY LIMITS (SEGREGATED FOR TAX PURPOSES ONLY - SEE PCL #322104-9063)

BUILDING 1	
Year Built	
Total Square Footage	
Number Of Bedrooms	
Number Of Baths	
Grade	
Condition	
Lot Size	428462
Views	No
Waterfront	

Reference Links:

- King County Taxing Districts Code and Index (PDF)
- King County Tax Links
- Property Tax Advisor
- Washington State Department of Revenue (External Link)
- Washington State Board of Tax Appeals (External Link)
- Board of Accounts/Equalization
- Districts Report
- Idaho
- Recorder's Office
- Scanned Images of surveys and other map documents



Click here to see levy distribution comparison by year.

TAX ROLL HISTORY							
Valued Year	Tax Year	Appraised Land Value (\$)	Appraised Imp. Value (\$)	Appraised Total (\$)	Taxable Land Value (\$)	Taxable Imp. Value (\$)	Taxable Total (\$)
2014	2015	305,000	0	305,000	305,000	0	305,000
2013	2014	291,000	0	291,000	291,000	0	291,000
2012	2013	291,000	0	291,000	291,000	0	291,000
2011	2012	342,000	0	342,000	342,000	0	342,000
2010	2011	380,000	0	380,000	380,000	0	380,000
2009	2010	360,000	0	360,000	360,000	0	360,000
2008	2009	380,000	0	380,000	380,000	0	380,000
2007	2008	345,000	0	345,000	345,000	0	345,000
2006	2007	313,000	0	313,000	313,000	0	313,000
2005	2006	314,000	0	314,000	314,000	0	314,000
2004	2005	261,500	0	261,500	261,500	0	261,500

Updated April 22, 2015

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Comm. Records

IN THE MATTER OF THE ESTABLISHMENT OF
MILLION EXTENSION
County Road.

Order of Establishment

In the matter of the establishment of the MILLION EXTENSION county road the Board finds as follows:

First, That the RESOLUTION therefore was PASSED on the 30TH day of JANUARY, 1933, and the County Engineer was duly directed to examine and if necessary survey the route of said proposed road.

Second, That on the 30TH day of JANUARY, 1933, the County Engineer filed in the office of the Board his report in writing and at the same time his field notes and profiles of the proposed road, and a map, as provided by law, and the 27TH day of FEBRUARY, 1933, he held a public hearing on said report, and notice of such hearing was duly given by publishing and posting as provided by law.

Third, That the Board, having considered said report and findings relative to the establishment of the road, and finding that said proposed road is a public necessity.

IT IS ORDERED BY THE BOARD, that the MILLION EXTENSION Road be established as follows:

Commencing at the N.E. corner of Sec. 32, Twp. 21 N., R. 4 E., W. 4, thence running in a northerly and westerly direction 1609.67 feet more or less to the center of said Sec. 32, Twp. 21 N., R. 4 E., W. 4, thence east to the corner of said Sec. 32.

and it is shown upon the field notes, profile and map of the County Engineer, and that from the center of said road there shall be a County Road of 1609.67 feet with a width, exclusive of slopes for cuts and fills, and that the same be opened according to law.

Done this 27TH day of FEBRUARY, 1933.

Attest:
GEORGE A. GRANT
Clerk of Board

[Handwritten Signature]
Board of Commissioners of Miller County, Mo.

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EXHIBIT 4

NEW LEGAL DESCRIPTION FOR NORTH PARCEL
King County Parcel No. 322104-9063

THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE
NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 21 NORTH, RANGE 4 EAST,
WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON.

NEW LEGAL DESCRIPTION FOR SOUTH PARCEL
King County Parcel No. 322104-9162

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE
SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 21 NORTH, RANGE 4 EAST,
WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;

EXCEPT THE WEST 20 FEET THEREOF,

LAND USE & PROPERTY LAW, PLLC
6659 Kimball Drive, Suite B-201
Gig Harbor, WA 98335
(253) 853-1806

11

Margaret Clark

From: Mark SPAUR <spaur@comcast.net>
Sent: Monday, January 14, 2019 3:06 PM
To: Margaret Clark
Cc: suzanne quachang; rvond@comcast.net
Subject: Low impact development requirement for new development, Milton Road Rezone plan.
Attachments: 20121221_LIDmanual_FINAL_secure.pdf

Margaret -

The City of Federal Way worked with many other local agencies and Earthcorps to write the Hylebos Watershed Plan. You can download of copy of that plan here:

https://www.earthcorps.org/ftp/ECScience/Hylebos/HylebosWatershedPlan_2016.pdf

It is too large for my email system to mail it to you. Section 6.1 of the watershed plan states "Urban Development Causes Reduction/ Degradation of Habitat." In order to combat that degradation, the watershed plan says to "Mandate Low Impact Development (LID)/Green Stormwater Infrastructure (GSI) methods for new developments."

In the planning of new developments in the Milton Road area, the City of Federal Way must mandate LID and GSI methods be used in any further development along the Milton Road. Attached is the "Low Impact Development - Technical Guidance for Puget Sound." This document could form the blueprint for the LID requirements mandated in the Hylebos Watershed Plan, including the following:

1. Permeable pavement for roads and driveways in the newly developed area
2. Tree retention and planting in the area.
3. Curvilinear road maps and clustered housing to reduce impervious surfaces.
4. Minimal excavation foundations.
5. Biorention ponds and roof rainwater collection and dispersion systems.

Note that these requirements go beyond the requirements in the 2016 King County Surface Water Manual, as adopted by the City of Federal Way and referenced in the SEPA checklist for this project.

Mark Spaur

37611 17th Pl S

Federal Way, WA 98003

Margaret Clark

From: Mark SPAUR <spaur@comcast.net>
Sent: Tuesday, January 15, 2019 10:40 AM
To: Margaret Clark
Cc: rvond@comcast.net; suzanne quachang
Subject: Regency Woods Division 2 (Brittany Lane) Covenants
Attachments: BL-CCR's.pdf

Margaret -

Section B. 1. g. states that Regency Woods Division 2 CC&Rs prohibit further development of lots within their division. I do not believe that this is correct. My reading of the CC&Rs (attached) says that as long as the building meets with the requirements of the City and County and are approved by the Architectural Control Committee of Regency Woods Division 2, additional construction could be done if the area is rezoned to R5 or R7.6.

A few years ago someone tried to subdivide a lot in Regency Woods Division 1. It required a vote of the homeowner's association to amend the description of the association to include the new lot. That vote failed. I think a similar requirement would be placed on someone trying to subdivide a lot in Regency Woods Division 2.

Mark Spaur

37611 17th Pl. S.

Federal Way, WA 98003

Tina Piety

From: Sarita Breivik <shbreivik@yahoo.com>
Sent: Tuesday, January 15, 2019 7:57 PM
To: Margaret Clark
Cc: Jim Ferrell
Subject: Comments - DNS to Rezone the Milton Road Area East of I-5
Attachments: Comments - DNS to Rezone the Milton Road Area East of I-5.pdf

12

Margaret,

Attached and within the body of this email as seen below, are my comments regarding the DNS to Rezone the Milton Road Area East of I-5.

PLEASE READ THIS LETTER INTO THE RECORD

Attention: City Council and Planning Commission Members

I am opposed to the (1) Comprehensive Plan Amendment to rezone the 26 parcels in the Milton road area east of I5 from RS 35.0 to RS 7.2 or RS 5.0, and (2) Extending 19th Way to S 376th and the Milton Road as assumed in the Milton Road Traffic Impact Analysis. Two primary reasons are of high concern. The first is the environmental impact.

The addition of approximately 231 new high density single family homes, plus new road infrastructure, will be an additional source of pollution collecting in storm water. The increase in storm water pollution levels discharging into the Hylebos waters and Puget Sound will have a negative impact on salmon and orca populations, and other wildlife residing in this area. The City of Federal Way along with King County has a high investment in protecting the East Hylebos, having already spent hundreds of thousands, if not millions, of dollars to protect the East Hylebos. There is a precedent of high density rezones being declined by the City of Federal Way for these reasons, with property owners having been denied a rezone request because of this environmentally sensitive area. The proposed rezone that would result in increased new toxic contaminants in storm water runoff, is in direct contradiction to the recommendations released by the Southern Resident Orca Task Force formed by Governor Inslee's Executive Order 18-02. The Southern Resident Orca Task Force determined that toxic contamination in storm water runoff is one of the key factors in reduced salmon and Southern Resident Killer Whale populations, and seeks to reduce contaminate levels.

The second concern is safety and quality of life for Regency Woods and Brittany Lane homeowners. Extending 19th Way to 376th and the Milton Road would turn 19th Way into a busy feeder street. 19th Way runs in front of Brittany Lane's community park. The safety of children and adults is at risk if a busy feeder street is allowed next to a high use community park. School age children, including my daughters, cross 19th Way twice a day to catch the school bus to and from school. Turning 19th Way into a busy feeder street puts our children's safety at risk. Providing an easy entrance into and exit out of our community puts us at increased risk of crime, making it easier for criminals to steal and then quickly make an exit. Should a feeder street be allowed through our community, our children would be exposed to more strangers in our neighborhood, putting them at higher risk of abduction for sex trafficking purposes and other crimes against children. Additionally, new denser housing would put an added strain on our schools that are already over-crowded, negatively impacting our children's education.

For the aforementioned reasons, I am opposed to the rezoning of these parcels and the extension of 19th Way.

Regards,

Sarita Breivik

Regency Woods

Tina Piety

From: Bob Coleman <robertscolemanjr@outlook.com>
Sent: Wednesday, January 16, 2019 2:04 PM
To: Margaret Clark
Cc: cathylynncoleman@gmail.com
Subject: Fw: Milton Road Rezone/Rezone Between Wild Waves and Meridian Home

12

As a resident of Regency Woods at 1725 S. 376th Street I object to punching through 376th St. to 19th Way South. You are putting us in danger by doing so. And the new Type S Minor Connector you want to designate will only become a major artery like Milton Road, I-5, and Enchanted Parkway as it goes essentially north and south. Our neighborhood suffers enough with Wild Waves traffic in the summer and this will only make things worse and far more dangerous.

The City of Federal Way proposes to classify 376th and 19th Way South as a Type S Minor Collector. Your own Peak Hour analysis makes that assumption quite impossible. How can it be that traffic will not make the first attempt to leave a principal connector to race through a residential neighborhood to rejoin another principal connector and arterial? Your assumption that 215 new trips will be added to 19th Way South does not bear up to the facts about traffic in Milton and Fife.

The fact is traffic from Milton Road will in fact race up and down 376th/19th Way South to reach Enchanted Parkway or to reach Milton Road at all hours of the day not just the morning and evening rush hours. That includes Lloyd Truck traffic and Port of Tacoma truck traffic. School bus traffic in our neighborhood is already at odds with commuter traffic that starts around 3PM.

What is the definition of a Type S Connection again? This connector will become a major connector from one to a full arterial - Hwy 161.

Your document didn't account for the park or the school bus stop nearby. In one public meeting the mayor stated he didn't want residents to think the fix was in when I asked why the Federal Way Comprehensive Plan has this connection outlined. The city planner in another public meeting made it sound like it was already a done deal - and made it sound like it was some kind of punishment to the Regency Woods residents. Traffic is already easily making it's way to Hwy 161 at the intersection of Milton Road and Hwy 161 and also at 369th St. and Milton Road.

There are already trucking companies doing business in the neighborhood transferring cars into big rigs and truck traffic is already trying to punch through only realizing they have to make a difficult U-Turn at the end of 19th Way South.

Another large source of traffic you haven't mentioned is casino traffic. Milton Road is a side artery to Hwy 99 and I-5, designating 376th as a Minor Connector isn't possible because it runs in parallel to Hwy 99 and I-5. The City of Federal Way simply can't allow our neighborhood to be an escape valve for port, casino and commuter traffic.

Punching through 376th St. to 19th Way South solves no traffic problems but creates several. There is a park right at the proposed punch through. Fife and Port of Tacoma truck traffic will use access to Regency Woods

neighborhood transit putting us all at risk. Commuter traffic will race up and down the roads in the morning and evening trying to get a jump at existing signals and Wild Waves with traffic flooding the neighborhood.

From the City of Federal Way document.

"5. S 376th Street is a Minor Collector which will be a Type S street and extended to the stub from Regency Woods Subdivision. Milton Road S is a Principal Collector and will be reclassified as a Type K street from a Type P as a part of the rezoning."

Robert Coleman
1725 S. 376th St.
Federal Way, WA 98003

Sent from [Outlook](#)

Margaret Clark

From: KIM & SCOTT MOSES <moses.kim@comcast.net>
Sent: Wednesday, January 16, 2019 6:20 PM
To: Margaret Clark
Subject: Rezoning Plan Files: 18-105523-SE & 18-104618-UP RESPONSE

15

Ms. Clark,

Thank you for your email clarification earlier this week.

In response to the 1/18/2019 deadline for all comments pertaining to this rezoning comprehensive plan amendment, my husband and I object to any plans for any apartments or condos being constructed and/or built in the rezoned area. We do not object to single family homes.

We assume traffic concerns will be properly addressed and accommodations will be made.

Sincerely,

Kym & Scott Moses

Brittany Lane Homeowners

Margaret Clark

From: Lily Stadnik <lil.stadnik@gmail.com>
Sent: Wednesday, January 16, 2019 6:35 PM
To: Margaret Clark
Subject: RE: Milton Road Legislative Comprehensive Plan Amendment and Rezone

To whom it may concern,

My family and I reside in the community of Brittany Lane and have recently been made aware of the rezoning plan. I formally object to punching through 376th st. To 19th way south. Are you aware that there is a community park and a school bus stop on that road? It sits there now quietly as it is a dead end road but to open it up right in from the park would be hazardous. To put a busy street with cars driving up and down at all hours of the day would endanger our children. We ask as a community that you reconsider.

Our community already deals with wild waves traffic. What will 376th look like in the summer when all the park-goers are parked along that road? They'll be endangered getting in and out of their cars if this is a connector street. Residents will no longer be able to walk their dogs peacefully with the added traffic and the values of our homes will suffer if they will be made to sit on a busy through-street. There is no doubt that anyone (Lloyd truck traffic, port of tacoma traffic, casino goers) heading towards hwy161 will cut through our neighborhood to get to where they are going.

Have you also taken into account the new traffic that will come from the new apartment complex going in in Milton?

Punching through 376th st to 19th way South solves no traffic problems, but creates several. Again, We as a community ask that you reconsider solely out of safety to our residents and our children.

Thank you,

Liliya Stadnik

Margaret Clark

(17)

From: Sylvia Molzahn <smolldy@gmail.com>
Sent: Thursday, January 17, 2019 10:49 AM
To: Margaret Clark
Subject: Change of zoning.

Margaret and board

I am writing this as a homeowner in Regency Woods. I bought into this neighborhood some 25+ years ago. I bought here as wanting a quiet great neighborhood for children with two private parks one being in Regency and one in Brittany. This has been a great neighborhood without through access to Milton Road. We as homeowners took this into consideration when we bought here. Now you want to change our neighborhood? Sorry this is not what we want. Leave us alone. Schools in the area are already overcrowded don't do this. Roads are overcrowded we don't want or need 19th Way as a through street. This will open up our area to more crime as easy in and easy out. It would become a speed road which changes the character of our neighborhood. Also a real hazard to our residents who use our sidewalks for enjoying a walk through our neighborhoods. We already have traffic problems on Milton road and heavy traffic on Enchanted Way. Do Not Change This Zone. Do not punch 19th Way through. Safety is our concern make it yours.

Thank you

Sylvia Molzahn
Owner in Regency Woods
37532 19th Way So
Federal Way, Wa.
98003

Sent from my iPad

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Tina Piety

From: nickjames james <mclovus@hotmail.com>
Sent: Thursday, January 17, 2019 3:51 PM
To: Margaret Clark
Subject: Rezone

I am writing to let you know that I strongly oppose the rezoning of the area south of S 369th and North of S 376th street. I have been a home owner in Regency Wood for over 20 years I feel this will only have a negative impact on my neighborhood. I think the city of Federal Way needs to realize that the increased traffic and speeds of traffic in the neighborhood would create a safety hazard and detract from the character of the neighborhood. This is a neighborhood that you can walk you dog and ride your bikes safely without worry about speeding traffic.

I hope the city of Federal Way can look beyond the revenue they are planning on receiving from the land use permits etc. and realize the long term negative impact this would have on the current residents of Regency Woods and Brittany lane.

Thank you,
Monica Hirano

Tina Piety

19

From: BETTY LATHAM <shadowlatham@comcast.net>
Sent: Thursday, January 17, 2019 6:40 PM
To: Margaret Clark
Subject: Rezone area south of S 369th & North of S 376th St.

Hi Margaret Clark (Senior Planner), I am writing to address the proposition of rezoning the area south of S 369th & North of S 376th St. I live on 19th Way and I am highly against the rezoning of this area, as well as, the proposition to extend 19th Way to Milton Road.

My address is 37122 19th Way S., Federal Way, WA 98003. I have lived here for over four years. The attraction to this neighborhood was the beauty of the homes and the quiet streets, sidewalks and parks. Your proposition would take this away from our neighborhood. The thru way traffic would be directly in front of my home. Which would cause major traffic thru on 19th Way, making it unsafe for children to ride their bike, neighbors who walk our sidewalks for exercise and children who play in our parks. Not to mention the exhaust from the increased traffic!

The rezoning for new homes would cause the traffic on 19th way to be horrendous, not to mention a safety hazard for the same reasons I mentioned above for Regency Woods and Brittany Lane neighbors.

Please consider if this were your neighborhood, would you want this for your neighbors and yourself? I think not.

Look forward to meeting you on February 20th, at the Planning Commission Meeting.

I VOTE "**NO**" ON BOTH OF THESE PROPOSITIONS.

Thank you;

Betty Latham

Tina Piety

From: Sarita Breivik <shbreivik@yahoo.com>
Sent: Thursday, January 17, 2019 7:28 PM
To: Margaret Clark
Cc: Jim Ferrell
Subject: Additional Comments - DNS to Rezone the Milton Road Area East of I-5

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Ms. Clark,

Please see below for additional comments.

PLEASE READ THIS LETTER INTO THE RECORD

Attention: City Council and Planning Commission Members

As it pertains to the rezone of the Milton Road Area East of I-5, one additional concern I have is traffic impacts on the roadways and intersections adjacent to the proposed rezone.

It is well documented and experienced during the summer months that traffic generated by Wild Waves causes queuing and accidents all over the area. The roads and intersections are at and above capacity. The backups affect state highways and increase response time for emergency vehicles and personnel to respond. The rezone if approved will further degrade the level of service of the roadways. Surely this proposal requires an Environmental Impact Study due to adverse impacts?

Regards,
Sarita Breivik
Regency Woods

Tina Piety

From: kathy9317@centurylink.net
Sent: Thursday, January 17, 2019 8:58 PM
To: Margaret Clark
Subject: Opposed to the City of Federal Way's Rezoning and Building Plans
Attachments: Comp Plan Amendments - Building behind Brittany Lane (1).pdf

Dear Ms. Clark,
I am opposed to the changes the City of Federal Way is considering for parcels near my neighborhood, Brittany Lane.

Specifically, I am opposed to the Comprehensive Plan Amendment changes shown as #1 in the attachment here. As I stated at a City Council meeting last year, I do not wish to see higher residential density in this area. The City has already approved a tremendous number of multi-unit homes in this area. The schools have been overwhelmed by a sharp increase in students, and the schools' faculty, staff, and school buildings are already stretched to their limits. I am referring to Todd Beamer H.S., Sequoyah M.S., Rainier View Elementary, and Lakeland Elementary. Problems have increased at these local schools due to overcrowding and even more students would have to be accommodated if new homes are built along the Milton Road area.

I urge you **not** to move forward with the City's proposal to rezone the area south of S. 369th (Wild Waves) and North of S. 376th Street (The Meridian Retirement Community) along the Milton Road from R 35 (one home per every 35,000 square feet) to as compact as R 5.0 (one home per 5,000 square feet). I understand that this may add as many as 230 homes to the area, which would bring additional traffic to this area also. Already, Milton Road is packed with cars trying to avoid using I-5 during the evening rush hour. Cars line up bumper to bumper through the Milton neighborhoods near Copper Creek Apartments. I wonder if the City has given notice to residents in those areas of what may be coming their way.

As part of the mitigation of traffic in the area, I believe a traffic impact analysis assumes that 19th Way is extended through Regency Woods to S. 376th Street and the Milton Road. This would make 19th Way a "minor collector" and increase traffic and traffic speeds on the roads in our neighborhoods. This will create a safety hazard, in my opinion, in front of the Brittany Lane community park, which is not open to the public. The increased traffic on 19th Way would detract from the character of our neighborhood.

The proposed rezoning would also lead to builders cutting down the beautiful forest that helps mitigate noise pollution from I-5 for many homes in this area.

Please do not change the zoning, and do not extend the road through the forest.

Respectfully, I thank you for listening.

Kathy Walton

37452 18th Ave S.

Federal Way, WA 98003

Tina Piety

From: Maximus The Greatest <maxtomilov@yahoo.com>
Sent: Friday, January 18, 2019 12:31 AM
To: Margaret Clark
Subject: Rezoning south of wild waves

22

To Margaret Clark

Hi my name is Maksim Tomilov, my family and i live at Brittany lane community just south of wild waves. We recently have received news of that there might be rezoning of land happening along Milton road south of Wild Waves, which might open the door for construction for up to 230 new houses. I myself am not against new communities being build, but it does concern me because of what solution does the city of Federal Way have for traffic if such a huge community is built here. Traffic already is quite a pain to deal with since there is a lot of construction happening in Edgewood. We cannot comfortably walk with our kids around the community because people drive like crazy around here. During summer time it seems like all of the rules are completely ignored by drivers and pedestrians. My other concern is with such a big community being built it will obviously bring in a lot of people with kids. The few elementary schools that we have near by are rated 3/10. The schools are performing poorly and now even more parents will bring kids to the area. The other choices are private schools, which are not that cheap. I understand that with more houses it will bring more revenue to the city, but what is the city planning to do with that money to solve the traffic and schools problems.

We are not proponents to a new community if anything its an opportunity to invest in a new property, but the concerns are real with traffic, schools, what kind of housing will be allowed to being built (houses or apartments). All these things can either positively effect our area or bring a lot of problems with it. We hope that if the city approves of this rezoning project, that the city will take proper action to deal with traffic and schools.

Thank you

23

Margaret Clark

From: Lesley Roth <lesley.m.roth@gmail.com>
Sent: Friday, January 18, 2019 4:33 PM
To: Margaret Clark
Subject: Response to Public Comment on Milton Way S parcel rezoning

Hello,

My name is Lesley Roth. I live at 1639 S 374th Ct in Federal Way, which is part of the Brittany Lane neighborhood. I am writing in response to the request for public comment on Files 18-105523-SE and 18-104618 UP that relate to the rezoning of land parcels along Milton Way S from Medium to High Density housing.

I would like to raise my serious concern about the overall plan for this area. While in theory, I am not opposed to the changes in density for these land parcels I am opposed to the current approach regarding the transportation plan and am very concern that fire, police and public school representatives have not commented.

The transportation plan states that part of the plan is to connect 375th St to 19th Way S, which would connect Enchanted PKWY to 99. This "punch through" would put a major thoroughfare straight through a residential neighborhood. This poses a huge risk for community safety. The traffic load would go through a neighborhood with a residential street not designed to carry the load, be bringing in traffic through areas where driveways have no alternative but pull into a major road, and put children playing at a community park at risk by putting heavy traffic in front of a space specifically designed for children to play. In addition, this plan would add an extra environmental burden to the already stressed Hybelos Watershed.

The transportation plan for this area should not be looked at independently of the changes being proposed where Milton Way crosses Enchanted PKWY and connects with Weyerhauser Way S. The IRG project will be introducing a heavy semi truck load onto residential roads as well. In total, the proposed changes in both areas have the significant potential to absolutely choke transportation in this area, put heavy truck loads in residential areas, create an unsafe environment for children, and put an extraordinary stress on the watershed.

I request that the transportation portion of the plan related to the request for zoning changes in this parcel be adjusted to not include the 375th street punch through as well as to be looked at in conjunction with the broader plan for the corridor running along I-5 from 320th to Milton Way S.

I also request that representatives from the fire, police and public school departments comment publicly on the impacts to their plans for services. I would like to know their plans for absorbing the growth in this area, funding for addressing that growth, and their plans for navigating the change in transportation in this area based on the published transportation plans.

The zoning request has a large enough impact to the area that it should not be addressed independent of a larger study of the impact of all the proposed changes in this corridor. I would like the project planner for this project specifically and the city council a whole to address the various aspects I have mentioned.

Thank you,
Lesley Roth

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Margaret Clark

From: Alex Kostin <alex.kostin@yahoo.com>
Sent: Friday, January 18, 2019 4:39 PM
To: Margaret Clark
Subject: Letter in opposition of the proposed road being built through Brittany Lane/Regency Woods neighborhood

January 18, 2019

Dear Federal Way City Council Members,
My name is Alex Kostin, I live at 37212 20th Ave South, Federal Way, WA 98003. I am writing to you to express, in strongest terms, my outrage at the plans to build the road through the Regency Woods/Brittany Lane neighborhoods. This road will destroy our way of life, will drastically lower the house prices, will be extremely dangerous to the children and old people in the neighborhood and turn our quiet neighborhood surrounded by beautiful trees into a smog filled I-5 appendix.
We have to face the onslaught of people from all over King County during summer months who flood the streets going to the Wild Waves, park cars everywhere despite the signs, leave tons of garbage very day when the park closes. Now, on top of the Wild Waves problem, this proposed road will destroy our neighborhood once and for all. Our children grow here going to the quiet parks, we enjoy being surrounded by trees and we enjoy so much our greenbelts shielding us from the traffic and smog n I-5. All this will be gone if this road is built.
It will quadruple the traffic going through the neighborhood, it will include not just the cars but the semi trucks going to the port of Tacoma. It will bring potentially dangerous people going to gamble at the casino right in the middle of our neighborhood. It will make it impossible for us to enjoy peace and quiet and night as they traffic will disrupt our lives 24/7. It will be impossible to leave for work in the morning and come back at night because the roads will be completely clogged.
In short, I demand that you cancel the plans of building the road through the neighborhood.

Sincerely,
Alex Kostin

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Dear council members,

My name is Elina Kostine. I am writing to you to express, in strongest terms, my outrage at the plans to build the road through the Regency Woods/Brittany Lane neighborhoods. I am shocked by this decision. This road will destroy our way of life, will drastically lower the house prices, will be extremely dangerous to the children and old people in the neighborhood and turn our quiet neighborhood surrounded by beautiful trees into a smog filled I-5 appendix.

We have to face the onslaught of people from all over King County during summer months who flood the streets going to the Wild Waves, park cars everywhere despite the signs, leave tons of garbage every day when the park closes. Now, on top of the Wild Waves problems, this proposed road will destroy our neighborhood once and for all. Our children grow here going to the quiet parks, we enjoy being surrounded by trees and we enjoy so much our greenbelts shielding us from the traffic and smog on I-5. All this will be gone if this road is built.

It will quadruple the traffic going through the neighborhood, it will include not just the cars but the semi trucks going to the port of Tacoma. It will bring potentially dangerous people going to gamble at the casino right in the middle of our neighborhood. It will make it impossible for us to enjoy peace and quiet and night as they traffic will disrupt our lives 24/7. It will be impossible to leave for work in the morning and come back at night because the roads will be completely clogged.

Quality of life will be decreased. This is unacceptable to implement this in the residential neighborhood.

In short, I demand that you cancel the plans of building the road through the neighborhood. Hopefully it can be done as soon as possible.

Best regards,

Elina Kostine

Dear council members,

My name is . I am writing to you to express, in strongest terms, my outrage at the plans to build the road through the Regency Woods/Brittany Lane neighborhoods. This road will destroy our way of life, will drastically lower the house prices, will be extremely dangerous to the children and old people in the neighborhood and turn our quiet neighborhood surrounded by beautiful trees into a smog filled I-5 appendix.

We have to face the onslaught of people from all over King County during summer months who flood the streets going to the Wild Waves, park cars everywhere despite the signs, leave tons of garbage very day when the park closes. Now, on top of the Wild Waves problem, this proposed road will destroy our neighborhood once and for all. Our children grow here going to the quiet parks, we enjoy being surrounded by trees and we enjoy so much our greenbelts shielding us from the traffic and smog n I-5. All this will be gone if this road is built.

It will quadruple the traffic going through the neighborhood, it will include not just the cars but the semi trucks going to the port of Tacoma. It will bring potentially dangerous people going to gamble at the casino right in the middle of our neighborhood It will make it impossible for us to enjoy peace and quiet and night as they traffic will disrupt our lives 24/7. It will be impossible to leave for work in the morning and come back at night because the roads will be completely clogged.

In short, I demand that you cancel the plans of building the road through the neighborhood.

Margaret Clark

From: YURI ZAHARCHUK <flp4u@yahoo.com>
Sent: Friday, January 18, 2019 4:56 PM
To: Margaret Clark
Subject: LETTER
Attachments: letter-city council-road-JAN19.docx

Dear council members,

Tatyana Omelchenko
My name is . I am writing to you to express, in strongest terms, my outrage at the plans to build the road through the Regency Woods/Brittany Lane neighborhoods. This road will destroy our way of life, will drastically lower the house prices, will be extremely dangerous to the children and old people in the neighborhood and turn our quiet neighborhood surrounded by beautiful trees into a smog filled I-5 appendix.

We have to face the onslaught of people from all over King County during summer months who flood the streets going to the Wild Waves, park cars everywhere despite the signs, leave tons of garbage very day when the park closes. Now, on top of the Wild Waves problem, this proposed road will destroy our neighborhood once and for all. Our children grow here going to the quiet parks, we enjoy being surrounded by trees and we enjoy so much our greenbelts shielding us from the traffic and smog n I-5. All this will be gone if this road is built.

It will quadruple the traffic going through the neighborhood, it will include not just the cars but the semi trucks going to the port of Tacoma. It will bring potentially dangerous people going to gamble at the casino right in the middle of our neighborhood It will make it impossible for us to enjoy peace and quiet and night as they traffic will disrupt our lives 24/7. It will be impossible to leave for work in the morning and come back at night because the roads will be completely clogged.

In short, I demand that you cancel the plans of building the road through the neighborhood.

(28)

Dear council members,

Lukomskaya
My name is . I am writing to you to express, in strongest terms, my outrage at the plans to build the road through the Regency Woods/Brittany Lane neighborhoods. This road will destroy our way of life, will drastically lower the house prices, will be extremely dangerous to the children and old people in the neighborhood and turn our quiet neighborhood surrounded by beautiful trees into a smog filled I-5 appendix.

We have to face the onslaught of people from all over King County during summer months who flood the streets going to the Wild Waves, park cars everywhere despite the signs, leave tons of garbage very day when the park closes. Now, on top of the Wild Waves problem, this proposed road will destroy our neighborhood once and for all. Our children grow here going to the quiet parks, we enjoy being surrounded by trees and we enjoy so much our greenbelts shielding us from the traffic and smog n I-5. All this will be gone if this road is built.

It will quadruple the traffic going through the neighborhood, it will include not just the cars but the semi trucks going to the port of Tacoma. It will bring potentially dangerous people going to gamble at the casino right in the middle of our neighborhood It will make it impossible for us to enjoy peace and quiet and night as they traffic will disrupt our lives 24/7. It will be impossible to leave for work in the morning and come back at night because the roads will be completely clogged.

In short, I demand that you cancel the plans of building the road through the neighborhood.

Margaret Clark

From: TATYANA LUKOMSKAYA <tlukomskaya@yahoo.com>
Sent: Friday, January 18, 2019 5:03 PM
To: Margaret Clark
Subject: letter-city council-road-JAN19.docx
Attachments: letter-city council-road-JAN19.docx; ATT00001.c

Margaret Clark

From: Washington Pro Roofing LLC <waprroofing@gmail.com>
Sent: Friday, January 18, 2019 5:08 PM
To: Margaret Clark
Subject: Rezoning

Hello, Margaret Clark.

We are the residents of Regency Woods, and reside on 18th Pl. S. in Federal Way. I oppose the extension of 19th Way to accommodate the new homes.

With regards,
Igor
Tina
Edward
Alina

Good Evening to the Community Development Department, Planning Division,

Our property borders the woods that will be torn down, to say we are devastated is an understatement. We moved here for that reason and our four children, by permission, have been enjoying the woods for the past 4 years. Our address is 1610 S. 376th St. I have several reasons why I don't think this is wise to develop all of this land (especially at high density) and punch a road through but I want to mention my main reasons. We have a couple of apple trees on our property and have had the pleasure over the few years we have lived here to enjoy watching the deer jump the fence and eat those apples. Where will those deer go? Is this not an environmental concern? Besides the deer, we have seen coyotes, owls (we love hearing them at night!), eagles, bunnies, weasels, large families of raccoons, snakes, squirrels, enormous bullfrogs and regular sized frogs, newts and salamanders, woodpeckers, and several other kinds of birds. There is even a turtle living in those woods! Where are they going to live and isn't this an "adverse impact on the environment" if you were to take this away from them?

Also, if a road is punched through it will become much busier than before that it poses a risk to the children and families and dogs playing at the park right next to our property. Additionally, children walking to and from school on a daily basis in the dark and daytime will be a safety issue. Currently all children are walking to the bus stop and several are crossing streets, as young as kindergartners. In my mind this is a huge safety hazard given the fact that the traffic will increase significantly. 19th St. will become a thoroughfare for commuters who do not have the safety of our neighbors in mind.

Please keep our children safe, no road.

These pictures below of animals were seen in our backyard or the woods, or they came from the woods to our backyard. None of this would be possible without the woods. Several of these pictures were taken by my children exploring the woods as well.

Sincerely,

Curtis & Christina Call

(along with Preston, Lauren, Landon and Quintin)























Margaret Clark

From: danikzahar@gmail.com
Sent: Friday, January 18, 2019 6:16 PM
To: Margaret Clark

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Dear council members,

My name is Daniel Zaharchuk

I'm writing this letter in regards to the plans for the possible road build in my neighborhood. Regency woods/Brittany lane. We have a wonderful, beautiful neighborhood and moved here for a reason. I drive home on Milton road everyday and it is packed with vehicles. The possibility of this going through my neighborhood would be terrible. I want my kids to live in an area that is safe. I want this to remain a quiet and peaceful neighborhood. I want to see people walking their dogs, I want to see people going on walks with their families. I want to see kids riding on bicycles. I do not want to see a bunch of cars passing through, I don't want the noise, I don't want the traffic, I don't want this to turn into a highway. Place this road and what made this a beautiful place will be gone.

It's always been so peaceful, the scenery is great, the environment is fantastic. Just looking outside of our windows and thinking about life, enjoying it. Looking at the blue skies or watching people walk by peaceful and happy. I do not want to be looking at cars driving by all day.

Please consider all of this

Take care of the people that have been here
and have fallen in love with this place.

Thank You

Daniel Zaharchuk

Margaret Clark

From: yonas ocubazghi <yocubazghi@gmail.com>
Sent: Saturday, January 19, 2019 7:35 AM
To: Margaret Clark
Subject: Rezone Miltone road area

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My name is Yonas Ocubazghi residence of 1701 south 371st Ct federal Way WA 98003.
This plan may affect my daily route traffic and safety for mr and my family.
we already have heavy traffic because wild wave customer and pass trough to Milton and Fife residents.
Please revise and decide wisely. for the our community.
I thank you in advance

Yonas ocubazghi
1707 S. 371st CT
Federal way
yocubazghi@gmail.com

Margaret Clark

From: S S <sherri2412@hotmail.com>
Sent: Saturday, January 19, 2019 7:25 PM
To: Margaret Clark
Subject: Opposed to rezoning proposal

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Dear Ms. Clark,

I oppose the rezoning proposal that affects the Regency Woods and Brittany Lane neighborhoods. Specifically I oppose the extension of 19th Way. Extending 19th Way will have a negative impact on the livability of the two neighborhoods, redirecting traffic through a residential area and affecting the safety of the current residents.

This proposal intentionally re-directs non-residents through a residential neighborhood, and provides NO benefits to the current residents of these two neighborhoods. The plan is not fair to all concerned as the residents in an established neighborhood will be affected by increased traffic, noise, and pollution. The plan does not help the City build goodwill with current residents - Every single resident in these two neighborhoods opposes the plan. The plan is not beneficial to both the city and current neighborhood residents. There is a clear loser in this proposal, and that is the residents who have invested their money and their families in Regency Woods and Brittany Lane. This plan does NOT help us in any way, and in fact, demonstrates that the City is not willing to acknowledge or value the investments that current residents have provided to Federal Way.

A reasonable compromise that the City could make to appease established residents AND manage growth responsibly would be to rezone the parcels but require the developer to leave a natural, green buffer between the redeveloped lots and the current established homes to mitigate pollution and noise. Additionally, and most importantly, NOT extend 19th Way. There is no reasonable need to extend 19th Way - In fact, extending it would require cutting through an identified wetland.

Thank you for considering this request.
Sherri Stanton (resident of Federal Way for 20 years)
2100 S 375th St
Federal Way WA 98003

Suzanne Vargo

2522 S. 361st. ST

Federal Way, WA 98003-7506

RE: Milton Road Legislative Comprehensive Plan Amendment
and Rezone

File #s18-105523-SE & 18-104618-UP

To Mayor Jim Ferrell

Lydia Assefa-Dawson

Jesse E. Johnson

Susan Honda

Hoang V. Tran

Mark Koppang

Martin A. Moore

Dini Duclos

Robert "Doc" Hansen, Planning Manager

Margaret Clark, Principal Planner

Dear Mayor Council and Planning Department.

I would like my information to be admitted into all records. I will try to get my concerns documented but would like to be able to add to this record in a timely manner if allowed.

I am a long-time resident of Federal Way and live within 1 mile of the Rezone area. My concerns are for the high-density buildout and what this would mean to the large parcels of land that serve as filtration for the aquifer for this area.

Pg. 5 question 9 asks if there are any legal items that are in process at this time:

I would like to remind staff that the Ellingson property is being mandated by the City of FW for Restoration. I am told by staff actual work will begin in the Spring of 2019. Serious violations were done by owner to the Class III wetland that is on his property. This is a vital wetland as it filters run off waters from neighbor Meridian at Stone Creek Senior Facility. This wetland moves waters from the upper plateau down to the Conservancy area below. Please keep in mind this wetland will be in a 3-5 year Restoration Plan.

ENVIORMENTAL ELEMENTS:

C. states the topography make up of this area. It failed to mention the Vashon Till. I have yet to read any evidence of Everett (EvC) in my research. The Vashon Till are from deposits of at least two glaciations. This till is made up of silt, sand, clay, gravel. The East Branch of the Hylebos as well as Joes Creek have these advance outwash deposits. Wide spread deposits

of Oxidized sand and gravel that apparently UNDERLIE most if not ALL of the basin plan area at depth. (Hylebos Creek & Lower Puget Sound Basin "Current & Future Conditions Report. KC Surface water Mgm. Division 3-2) The Milton-Redondo Channel yields much of Federal Way's water supply. I would like to request the city conduct a Hydrogeologic determining the potential impacts of contamination on the aquifer if high density buildout is approved.

D. The question is asked if any history of unstable soils.

The answer to this is no, because the homesteaders knew of the sandy topography. See King County Sensitive Area Study. Back in the 1950's it was known between King County and Federal Way that the zoning must remain low density due to the soil make up. This is why the large parcels are critical for the Conservancy lands and the interchange of the Hylebos Creek. The large undeveloped parcels of the upper plateau help to eliminate pollutants and sediment from reaching the Hylebos Creek.

Low zoning designation is considered as an additional means to limit the amount and rate of surface water runoff and soil erosion into the Green river Valley and within the Hylebos Creek drainage basin. (I must apologize that I can not quote

what document this is from. I can however supply you with that shortly, as it was found at the Historical Society of FW.

E. If a rezoned landowner wishes to put in several single-family homes, and this does not trigger a SEPA then when exactly does the environment get addressed: If this process states it is an NDS, and the environment is ignored, and single-family dwellings if built instead of high density, do not have environmental setbacks from wetlands, buffers and streams, again, when does the environment get addresses. This seems to be a buffet for developers that they would not have to subject themselves to City and State rules and procedures. This is a serious concern and this action should be removed from this document.

AIR:

C. While it is very generous of the staff to give so much credit to trees and vegetation, please note that this area sits in between I-5 and Hwy. 99. Much pollution is created via air and noise. The vegetation mentioned is already working overtime. A significant tree ratio is required so please make sure the existing landscape is not used two-fold. This plan will remove a significant tree buffer and the air and noise effects to the residents of Stone Creek, Regency Woods, and Britany Lanes will be considerable. Once again, the filtration of the buffer at the Vondenhoff's property takes on runoff from the two neighborhood communities. To remove these trees would be

detrimental to the Hylebos, the nearby residents and all that inhabit it.

Air and Traffic studies must be done BEFORE any decisions should be made.

WATER:

“Should construction be done through a wetland area, when NO other alternative is possible, that this construction be done to: 1. not alter the physical qualities of the wetland, by first not creating an artificial drainage in the construction of dwellings
2. that no physical damage be done to the wetlands in the installation of sewer systems.

That NO SEWERS (trunk, collector or any other semblance of sewer operation) run through the Hylebo.

No Sanitary sewers run down a creek bed. That no sanitary sewer lines be installed in a manner that would change the ecosystem of wetlands, open space, sensitive areas or greenbelts.”

This is a hand written message to the city from Francis Marckx. Mr. Marckx was not only the land owner for the area now known as the Wet Hylebos Park, but he was also the water Commissioner in the 1950's for Lake Haven. He understood water, SWDM, and the sensitive nature of the Hylebos. Please heed his advice.

PLANTS:

C. Any known threatened or Endangered species located on site?

Since the Class III (Ellingson) wetland is documented as being a habitual wetland and the Conservancy lands are a protected waterfowl concentration area, it seems quite probable that there are many species that are critical such as the Pileated woodpecker. Upon further investigation I see on page 4 of the Wetland Report for Ellingson property, conducted by Environmental Design of Centralia, WA, states the site of wetland and the surrounding area is primarily vegetated with Douglas Fir Trees. The Douglas Squirrel is a protected species as well. Eagles are also on these properties, as it is the Douglas Fir that can offer the greatest limb strength to hold the massive Eagle nests. The conservancy lands and the surrounding area is critical for species habitat function. The upper plateau is very much a part of the highly Sensitive area that is Spring Valley. I believe further studies of species habitat needs to be looked into, before we write off the wildlife importance and protections.

Has data been collected by the Audubon Society in the past 5 years for this area? I request a full study of bird and mammals in a 3 mile radius of proposed area, which would include the Conservancy Lands.

PLANTS:

Staff approves of this list, but previous comment states clearly that Douglas Fir are indeed on the property and cover the area

extensively. Please change your information to reflect Douglas Fir are on and around surrounding area.

ANIMALS:

C. Question is asked Is site proposed a migration route?:

The answer is a firm YES. The Conservancy Lands, the West Hylebos Park, Weyerhaeuser, and the numerous lakes provide sustained habitat and places of rest and recuperation. It only goes to reason that these large open spaced parcels provide needed rest and recuperation during migration. The City needs to address this issue if it is not confident in its own logic. Please investigate whether this area in question is a "Key Rest Stop" as it is related to migration. I personally have witnessed large groups of Canadian and White geese on these properties in the last 3 years.

D. Proposed measures for preservation or enhancing wildlife:

I find the thoughtlessness of the city to not ensure measures are to be taken to preserve the natural setting and the wildlife disturbing. How can the city disregard their chance to do their part and preserve where they can, especially in this HIGHLY SENSITIVE AREA? Can the city find some way to show some form of good faith as stewards and solidify some guarantees, now before developer after developer are given "Exceptions to create their own vision, instead of the cities.

E. There are no known invasive animals because the animals are in their natural setting. They have room to exist in nature

where they are of no harm to residents. The concern for invasive animals will present itself if this rezone is granted.

ENVIRONMENTAL HEALTH:

A. 1. Asks the question of any known toxic substances presently or used in the past. I would like to remind City staff that our entire area was subject to what is known as the Tacoma Smelter Plume. This toxic substance was spread over 1000 sq. miles of our Lower Puget Sound Basin. The proposed sites fall in to the: UNDER 20 PPH rating as found on King County Parcel viewer. In other words the site is less than 3 miles from the Tacoma smelters. Look under the "District" Information link. Very last item on page.

2/3. Question relating to underground pipelines:

I would like to add that this is an aged-out line. It is nearly 10 years past its life span. The line sits roughly 3-5 ft. under the land, and heavy machinery treading over the line can cause failure in the pipeline. Developers are the leading cause of pipeline failures. This is stated by the U.S. Dept. of Transportation: Pipeline and Hazardous Materials Safety Administration. Oct. 2010 (Office of Pipeline Safety)

This line should be of paramount concern to city, citizens and the environment. We can never be so lackadaisical in our efforts, as to allow the catastrophic disaster that happened in Whatcom County. Please keep this highly

explosive, aged out, hazardous pipeline in the fore thought of this and all projects along this line, going forward. It is in the Cities Comprehensive plan that is clearly defined that it is the city who shall look after the health, and quality of life of its citizens when making zoning decisions. A mishap could spell disaster for the Hylebos and the Conservancy lands.

4/5. For the reasons described in my answer to previous question, an emergency plan should be priority number one. If multiple developments are taking place at the same time, as well as light rail development, the city of Federal Way most certainly needs an emergency plan prior to this approval. Have Fire and Rescue been contacted about the projected high-density buildout? Have studies been conducted for such events as landslides or exploding pipelines for example?

NOISE:

1. While it is helpful to have the cities codes in place to regulate the noise that will take place during the build out phase. This does nothing for the 24/7 noise from I-5 and Hwy. 99. The existing trees and vegetation serve a great purpose and to remove would be another major hit for the entire area. Please do a complete air study, factoring in the multiple trees that will be removed during development. The ever expanding runways at Sea Tac airport is a huge factor in our citizens health. The plane

noise MUST be factored in to the quality of citizen health. We have recently learned from city meetings just how harmful jet noise is in our overall long-term health. Couple this with very little vegetation to absorb pollutants and noise, and the high build out area could become unhealthy to live. Hearing is a vital for sustained wellbeing. Consider the many small factors. Noise, air, earth etc., when stacked upon each other, the multiple impacts to a highly sensitive area will be irreparable and citizen health decline.

I would like to please ask that I submit this document into record and I may finish my responses in the near future. I have answered several questions here and I am hoping Staff will allow me to enter more in a timely manner.

I appreciate you listening to my concerns and appreciate your patience as I responded in kind.

Thank you for this opportunity to speak up for the wildlife, our Aquifer and the Hylebos.

Suzanne Vargo

Margaret Clark

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From: Mark SPAUR <spaur@comcast.net>
Sent: Wednesday, January 30, 2019 8:20 PM
To: Margaret Clark
Cc: suzanne quachang; rvond@comcast.net
Subject: Milton Road Rezone, 1995 EIS

Margaret -

First, I want to thank you for tracking down the 1993 draft EIS and the 1995 Final EIS for the City of Federal Way. I appreciate your consistent communication and your time in this project.

The EIS finalized in 1995 did not consider the impacts of development of the area near the Milton Road. At the time of the 1995 EIS, this area was not annexed by the City. The EIS is based on a combination of two scenarios that stated that development in the south end would occur along Highway 99 north of 336th Street. However, in the intervening time the City has annexed the area near the Milton Road, development has occurred, and a Hylebos Watershed plan was written.

WAC 197-11-172 (Planned actions—Project review) states that the city should verify "that the probable significant adverse environmental impacts of the project have been adequately addressed in the EIS prepared under WAC 197-11-164 (1)(b) through review of an environmental checklist or other project review form as specified in WAC 197-11-315". With all the changes that have gone forward in the City since 1995, and with the planned expansion of transit and housing South of 336th Street, I do not feel that the 1995 EIS adequately addresses the adverse environmental effects of the City's projects in the area around the Milton Road. A simple environmental checklist as described in WAC 197-11-960 is for a planned project proposal; an EIS is typically done for programs of project or plans for significant development. Twenty four years have passed since the last EIS was done by the City. The City is also contemplating high density development near the Commons on the site of the mobile home park, a transit maintenance center, and a redevelopment of the Weyerhaeuser property - all concepts that stretch the scenarios described in the 1995 EIS.

I believe it is time for the City to take a step back and do another EIS that includes the areas annexed by the City since 1995, includes the Hylebos Watershed Plan, include the City's new vision for transit and development, and use the EIS process as intended to weight the cumulative impacts of proposed development on the City's environment.

Mark Spaur

37611 17th Pl S

Federal Way, WA 98003

Margaret Clark

From: Andu do <andu_do@yahoo.com>
Sent: Thursday, February 07, 2019 8:12 PM
To: Margaret Clark
Subject: My Concern with Rezone

Dear Ms. Margaret Clark,

We are Matthew and AnhDu Do at Regency Wood, 37540 21st Ave S Federal Way, 98003.
Here our concern:

- 1- Was the 376th bridge, crossing I-5 built for heavy traffic, and commercial trucks (>10 tones)?
- 2- Was 19th Way S/376st S built for heavy traffic?
- 3- I saw big trucks (>10 tones) going up on Milton. How do you prohibit them driving on 19th Way S/376st S?
- 4- 19th Way S/376st S was built as residential street so there are many houses facing it, children walk and play around it. It is next to community part so heavy traffic will be very dangerous for residents.
- 5- Area is too closed to senior living facility. If a community is built next to it, it will destroy their peacefulness, their quiet life style which they are looking for at their age.
- 6- Rezone it to build another senior living facility.

Best Regard,

Matthew & AnhDu Do

Margaret Clark

From: Mark SPAUR <spaur@comcast.net>
Sent: Friday, February 08, 2019 11:59 AM
To: Margaret Clark
Cc: Doc Hansen; rvond@comcast.net; suzanne quachang
Subject: Non Project Actions, Milton Road Rezone

Margaret -

At the Planning Commission meeting on 2/6/19 Wayne Carlson and Doc Hansen both spoke about how the Milton Road rezone was a Non Project action. As such, the view expressed by both Mr. Carlson and Mr. Hansen was that impacts from projects would be considered once the projects are proposed, not during the rezoning process since no specific projects have been proposed. I disagree with that view.

Washington State Department of Ecology (DOE) gives guidance on the SEPA process for Non Project Actions:

<https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Guide-for-lead-agencies/Non-project-proposals>

This guidance states "When a nonproject action involves a comprehensive plan or similar proposal governing future project development, the probable environmental impacts that would be allowed for the future development need to be considered." DOE considers traffic and water two of several elements to be considered:

<https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance>

I applaud the City doing a Traffic Impact Analysis (TIA) with the SEPA determination. That analysis is in the spirit of the guidance noted above and was missing from the previous rezone SEPA DNS. The TIA assumes that the S. 376th will be extended from Regency Woods to the Milton Road. As you heard in the 2/6/19 Planning Commission Meeting, this extension is unacceptable to the local residents of Regency Woods and Brittany Lane. Since we are in the process of changing the City's Comprehensive Plan, can this minor collector road extension be removed from the Comprehensive Plan?

With respect to the water environment, no additional analysis of stormwater impacts on the Hylebos Watershed was done as part of the SEPA process for the Milton Road Rezone. The City, I believe, assumes that construction to the existing codes adopted by the City of Federal Way will be sufficient to mitigate development impact on the watershed. I disagree with this assumption. The Hylebos Water Shed plan states that "Urban Development Causes Reduction/ Degradation of Habitat" and proposes the adoption of "Low Impact Development (LID)/Green Stormwater Infrastructure (GSI) methods for new developments." Adoptions of these methods goes beyond the King County Surface Water Design Manual that is adopted by the City. The Watershed Plan can be found here:

https://www.earthcorps.org/ftp/ECScience/Hylebos/HylebosWatershedPlan_2016.pdf

Further, the guidance from DOE on Non Project Actions states:

"SEPA review for nonproject actions requires agencies to consider the "big picture" by:

- Conducting comprehensive analysis
- Addressing cumulative impacts
- Considering possible alternatives
- Outlining successful mitigation measures"

With the redevelopment of the Weyerhaeuser complex coupled with the proposed Rezone of the Milton Road area, the City is failing to look at the cumulative impacts on the East Hylebos creek system. This fact alone I believe challeges the overall finding of non-significance in this SEPA DNS.

The City of Federal Way is growing and expanding rapidly. The City last did an Environmental Impact Statement (EIS) in 1995, with a majority of the work was done in 1993. The EIS was predicated on a combination of two Land Use concepts and looked out for development for 20 years. Our City has embraced some elements of those two concepts, but has expanded beyond the scope of those concepts. It's been 24 years since the City has conducted a comprehensive environmental review of the entire city. Writing a new EIS would allow citizen input on what codes, policies and practices the city should adopt to preserve the environment in Federal Way and would allow the city to address the cumulative impacts to the Hylebos system from overall City development. I propose that the City take a step back from the Milton Road Rezone and conduct a thorough EIS for the entire city. This year the City is considering light rail extensions in the City, a light rail maintenance facility, a high density mix use project near the commons, the redevelopment of the Weyerhaeuser property, and the Rezone 55+ acres near the Milton Road. If this level of development doesn't trigger a larger environmental review process in the City, I ask what would ever trigger a new comprehensive EIS from the City??

In summary, I am asking for the S. 376th extension be removed from the City's comprehensive plan and for the City to conduct a new city wide EIS.

Thanks, Margaret, for all your time and support.

Mark Spaur

37611 17th Pl. S.

Federal Way, WA 98003

Tina Piety

From: Loren Neighbors <lorenwneighbors@yahoo.com>
Sent: Thursday, January 17, 2019 1:47 PM
To: Margaret Clark
Cc: Doc Hansen
Subject: Milton Road Rezone Comments

EXHIBIT
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Shannon and I are the owners of the five acre property at 1515 So. 272nd St. S located in the identified area for rezoning to either RS 7.2 or RS 5.0. We are in support of the proposed action. We also want to express our desire for rezoning to the RS 5.0 level, as there is a dire need for middle class housing in the area near good mass transit (freeways, buses and upcoming light rail). This would allow for development to be financially feasible.

Thanks for your time,

Loren Neighbors
206-348-7392

Shannon Neighbors
206-550-9971

1515 So. 372nd St. So.
Federal Way, Wa. 98003