



City of Kenmore Development Services Notice of Decision and SEPA Determination of Non-significance

Property Owner: MSR Beachwood 2, LLC
Attn: Kranthi Puttamaneni
Applicant: MSR Communities
Attn: Kranthi Puttamaneni

File #: CSP22-0086, SSDP22-0087
(PRJ22-0055)
City Planner: Reilly Rosbotham
Telephone #: 425-398-8900
E-mail: RRosbotham@kenmorewa.gov
Date Application Filed: 11/2/2022
Date Determined Complete: 11/17/2022
Date Notice of Decision Issued: 2/9/2024
Date of Mailing: 2/6/2024

Project Location: 17715 80th Avenue NE, Kenmore, WA 98028; King County tax parcel number 011410-0843

Project Description: Proposed Site Plan Review (CSP) and Shoreline Substantial Development Permit (SSDP) for development of one (1) 6-story apartment building consisting of 53 multi-family residential units and 48 parking stalls. Of the units, 48 are market-rate and 5 are affordable (50-70% AMI). The western portion of the property is located within 200 feet of Swamp Creek (shoreline jurisdiction), and the southwestern corner of the property is located within the 150-foot Swamp Creek stream buffer. No portion of the proposed development will be located within 150-foot Swamp Creek buffer; however, a portion of the building will be within 200 feet of the shoreline. The project biologist notes that, "No impacts to critical areas or associated buffers will occur as part of this development activity." (Wetland Resources). The project includes approximately 150 linear feet of frontage improvements (i.e. curb, gutter, and sidewalks) along 80th Avenue NE. The property is zoned Residential-18 (R-18) and is within the Transit Oriented Development (TOD) overlay district. Although the project is not located in a Design Standards Area, TOD proposals are subject to the Area 1 Downtown Design Standards.

Project Background: A pre-application meeting was held on April 22, 2021 for a townhome project on the subject site. On February 14, 2022, Ordinance No. 22-0543 became effective, which adopted interim TOD regulations that prohibited townhome development in the TOD. In order to comply with the TOD regulations, the project was redesigned and on July 7, 2022, a second pre-application meeting was held for an apartment building. On August 2nd, 2022, Ordinance No. 22-0555 became effective, which extended the interim TOD regulations (including the prohibition on townhomes). On November 2nd, 2022, the applicant filed a submittal for a Commercial Site Plan, Shoreline Substantial Development Permit, and SEPA (land use application), which is vested to the TOD regulations under Ordinance Nos. 22-0543 and 22-0555.

Permits requested in this application: Site Plan Review, Shoreline Substantial Development Permit

City plans and regulations: This proposal has been reviewed for compliance with applicable City of Kenmore codes, including but not limited to the zoning code, road standards, surface water design manual, fire flow and fire access requirements.

Relevant environmental documents are available at City Hall: Yes.

Other permits not included in this application, known at this time: Engineering Permit, Building Permits.

Appeals: Except for shoreline permits that can be appealed to the State Shoreline Hearings Board, the Site Plan Application (CSP) may be appealed in writing to the City of Kenmore Hearing Examiner. A Notice and Statement of appeal must be filed with the Kenmore City Clerk within 21 days from the date of decision. The Notice and Statement of appeal shall state: 1) Specific reasons why the decision should be reversed or modified; and 2) The harm suffered or anticipated by the appellant and the relief sought. The scope of an appeal shall be based on matters or issues raised in the Statement of Appeal. Failure to timely file a Notice and Statement of appeal deprives the Hearing Examiner jurisdiction to consider the appeal. The notice of appeal and statement of appeal must be submitted at the address below no later than **March 1st, 2024 at 4:30 P.M.**, and shall be accompanied with a filing fee of \$134.40 payable to the City of Kenmore.

This Shoreline Substantial Development Permit (SSDP) is being filed with the Department of Ecology. Pursuant to KMC 19.25.020, KMC 16.75.080, and as provided in RCW 90.58.180, the SSDP can be appealed to the State Shoreline Hearings Board. The Shorelines Hearings Board 21-day appeal period starts with the date of filing, which is the date that Ecology receives the City decision. Information on the appeal procedures may be obtained from the Shoreline Hearings Board.

Additional Information: For more information, including access to proposed plans (site plan, building renderings, etc.), visit our website at <https://www.kenmorewa.gov/our-city/projects/current-projects>.

Questions? Please contact Reilly Rosbotham, planner at (425) 398-8900 or RRosbotham@kenmorewa.gov.





City of Kenmore Development Services Notice of Decision and SEPA Determination of Non-significance

SEPA File#: SEPA22-0088 (PRJ22-0055)

Issuance Date: 2/9/2024

SEPA Official: Samantha Loyuk, Development Services Director

Applicant/Owner: MSR Beachwood 2, LLC, attn. Kranthi Puttamaneni

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SEPA Determination: The City of Kenmore has determined that the above-referenced proposal does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) will not be required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request. A Determination of Non-significance (DNS) is issued under WAC 197-11-350. The lead agency will not act on this proposal for 21 days from the issuance date. This DNS is being issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. All information is available for review at Kenmore City Hall. To request electronic copies of documents, complete a public records request at www.kenmorewa.gov.

Appeals: Any agency or person may appeal SEPA procedural compliance to the Kenmore Hearing Examiner by filing a written notice and statement of appeal and \$134.40 filing fee with the Kenmore City Clerk. Such appeal must be filed within 21 days of the date of issuance of this Determination of Non-significance. The last date for filing such an appeal will be **03/01/2023** at 4:30 P.M. Procedural determinations include the adequacy of the Determination of Non-Significance, whether proper notice has been given, and whether the commenting period has been observed. The statement of appeal shall state: 1) Specific reasons why the threshold determination should be reversed or modified; and 2) The harm suffered or anticipated by the appellant and relief sought. The scope of an appeal shall be based on matters raised in the Statement of Appeal. Failure to timely file a Notice and Statement of appeal deprives the Hearing Examiner jurisdiction to consider the appeal. The pendency of a procedural appeal shall stay any action on this proposal until final determination by the Hearing Examiner.

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