

EVERETT SCHOOL DISTRICT NO. 2
RESOLUTION NO. 470

A Resolution of the Board of Directors (the "Board") of the Everett School District No. 2 (the "District") to construct High School No. 3, acquire certain real property and implement certain mitigation measures in accordance with the State Environmental Policy Act ("SEPA").

WHEREAS the Board has considered the need to construct a third high school ("High School No. 3") on a 46.8 acre site located north of the Heatherwood Middle School, east of State Route 527 between Dumas Lane and 136th Place N.E.;

WHEREAS the Board has considered the need to acquire certain real property to facilitate construction of High School No. 3;

WHEREAS the real property to be acquired to facilitate construction of High School No. 3 is more particularly described in Exhibit A, attached hereto (the "Property");

WHEREAS the District has prepared a final supplemental environmental impact statement ("EIS") with respect to the proposed construction of High School No. 3 and the proposed acquisition of the Property (which such proposed actions are sometimes collectively referred to hereinafter as the "Proposed Action"); and

WHEREAS the Board has fully reviewed and considered the impacts of the Proposed Action, alternatives thereto, and the mitigation measures described in the EIS;

NOW THEREFORE BE IT RESOLVED that:

1. Findings of Fact

The Board make, and hereby makes, the following findings of fact with respect to the Proposed Action:

- A. The District's anticipated enrollment of high school students will exceed the current capacity of the District in 1994, if not sooner. EIS at 1.
- B. The site development area for High School No. 3 is approximately 46.8 acres. Of this development area, approximately 32 acres are currently owned by the

District. Acquisition of the Property will provide an additional area of approximately 14 acres for site development. EIS at 1-4.

- C. The construction of High School No. 3 will include (i) approximately 204,000 square feet of building space for classrooms, offices, vocational learning areas, a gymnasium, a kitchen and a cafeteria; (ii) athletic facilities, including baseball, track/football and soccer fields, tennis courts, and related facilities; and (iii) two primary points of vehicular access and an internal system of roads, walkways, parking and loading areas. EIS at 15.
- D. The access alternative to be implemented in connection with the Proposed Action is "Alternative #1," access from Dumas Lane and 136th Place without a through street connection. EIS at 104.
- E. The EIS identified a range of environmental impacts, diverse in kind and severity, which could occur as a result of the Proposed Action. Such impacts include:
 - (1) With respect to earth, the Proposed Action will necessitate the removal of vegetation, root mass, organic soils and other debris; change site topography; require the removal of approximately 115,000 cubic yards of excavated material and excavation of an estimated 130,000 cubic yards of material to construct embankments; and increase potential for soil erosion without appropriate erosion controls. EIS at 23-25.
 - (2) With respect to water resources, the Proposed Action will potentially increase surface water runoff caused by the removal of vegetation and pervious soils; potentially affect water quality without appropriate controls; and convert 0.07 acres of wetland into developed area. EIS at 29-41.
 - (3) With respect to plants and animals, the Proposed Action will eliminate portions of existing site vegetation; reduce wildlife habitat on the site; and reduce existing wildlife populations. EIS at 46-47.
 - (4) With respect to noise, the Proposed action will cause site generated noise which may cause an increase in day-night average noise levels (Ldn) of 2 dBA which such increase is considered "slight" according to EPA criteria; cause project related traffic which may cause an increase in noise levels (Ldn) of 3 dBA or less, which such increase is considered "slight" according to EPA criteria; and

cause construction noise which will substantially exceed existing noise levels during daytime hours and for a limited duration. EIS at 55-65.

- (5) With respect to land use, the Proposed Action will convert the remainder of the site into a school campus, and require a height variance. EIS at 72.
 - (6) With respect to aesthetics (light and glare), the Proposed Action will generate light and glare from exterior, tennis court and security lighting. EIS at 82-85.
 - (7) With respect to on-site transportation the Proposed Action could result in pedestrian/vehicular conflict without appropriate controls. EIS at 87-130.
 - (8) With respect to off-site transportation, the Proposed Action will result in additional vehicle trips and pedestrian traffic in and around the high school site. EIS at 87-130.
- F. To the extent any one or more of the impacts identified in Finding E are significant adverse environmental impacts, reasonable mitigation measures are sufficient to mitigate the identified impact.
- G. The EIS identifies licenses, permits, and other approvals required for construction of High School No. 3, which list includes, but is not limited to, a Conditional Use Permit from Snohomish County. In connection with its review of the District's Conditional Use Permit application, the Snohomish County staff will recommend certain conditions. A list of conditions the District anticipates will be recommended by Snohomish County staff is set forth on Exhibit B.
- H. The Board has authority to direct the District to acquire the Property by purchase or condemnation in accordance with such laws as are applicable to such actions. Chapter 28A.335 RCW.
- I. The Board has previously adopted Board Policy No. 9280, which establishes, in Section 7.23, the policy to be considered by the District in connection with the District's exercise of substantive SEPA authority.

2. Conclusions

The Board make, and hereby makes, the following conclusions based upon the foregoing findings of fact:

- A. The Board concludes the District must build a new high school in order to meet enrollment projections for the 1994 school year and beyond.
- B. The Board concludes that, in order to build a new high school which fulfills the District's educational needs, the District must acquire additional real property.
- C. In consideration of the District's educational needs and in furtherance of the District's SEPA policies (Sections 7.231 and 7.232), the Board concludes that the District should proceed with the Proposed Action.
- D. Pursuant to WAC 197-11-660(1)(e), in determining mitigation to be implemented to be in connection with the Proposed Action, the Board must consider whether local, state or federal requirements would mitigate an identified significant impact. For purposes of this Resolution No. 470, the Board concludes that the conditions identified in Finding G will be imposed by Snohomish County and corresponding impacts identified in the EIS will be fully mitigated thereby; however, the Board recognizes that Snohomish County is not bound by these anticipated staff recommendations. Therefore, if the conditions imposed by the appropriate authority for Snohomish County differ from those identified in Finding G, the Board may consider the need (if any) to implement additional mitigation for the Proposed Action.
- E. The EIS recommends mitigation measures for a full range of identified potential impacts of the Proposed Action. Measures are authorized, in accordance with WAC 197-11-660, to mitigate significant adverse environmental impacts. WAC 197-11-660 also authorizes voluntary mitigation in instances where the severity of the impact would not otherwise support the imposition of mitigation. Therefore, as may be necessary to mitigate any significant adverse environmental impacts or as voluntary mitigation, the Board concludes that the District shall implement the following measures:
- (1) With respect to earth and in consideration of the District's SEPA policies (Sections 7.234, 7.235, 7.237 and 7.238), the District shall:
- stockpile topsoil and organic matter from the grading operation for later resspreading over exposed soils to provide a medium for fast, healthy revegetation;
 - protect any stockpiled soils with temporary seeding or covering;

- minimize, to the extent reasonably possible, the interval between site clearing and grading, and permanent revegetation activities;
 - provide temporary sedimentation ponds to collect silt, directing surface and ground water away from building areas;
 - provide filter fabric fences to control off-site erosion; and
 - maintain erosion control facilities.
- (2) With respect to water resources and in consideration of District SEPA policies (Sections 7.234, 7.235, 7.237 and 7.238), the District shall:
- implement an approved drainage control plan and temporary erosion and sedimentation control plan -- water quality measures to be reflected in such plans will include retention of native vegetation where possible, biofiltration swales, detention ponds (a two-celled detention pond west of Wetland No. 4 and a detention pond west of Wetland No. 1), structural controls and proper management measures;
 - use surface materials in north playfields (softball and track/football fields) that provide sufficient permeability and prevent rapid movement of water; and
 - create and/or enhance approximately .62 acres of wetland by implementing the wetland mitigation plan outlined in the EIS at pages 38-41 (and shown in Figure 8), and more fully described in the Appendix to the EIS at pages 8-16.
- (3) With respect to plants and animals and in consideration of District SEPA policies (Sections 7.234, 7.235, 7.237 and 7.238), the District shall:
- in addition to the wetland mitigation plan, provide a fifty-foot vegetative buffer around the perimeter of the site;
 - provide a dense row of conifer trees within specified areas of the west buffer, and conifer

trees along the top and portions of the slopes of an earthen berm to be located in the west buffer (all as more particularly shown in Figures 13a and 13b at pages 49-50 of the EIS);

- provide four row conifer plantings, with a hydroseed mix and ground cover plantings, in the buffer area located in the northwest corner of the site (designated as "Buffer N-1" in the EIS at page 48); and
 - in the south/east buffer area, retain forest ground cover and mid-story cover, and provide a four row conifer planting (all as more particularly shown in Figures 14a and 14b at pages 51-52 of the EIS);
- (4) With respect to noise and in consideration of the District's SEPA policies (Sections 7.234, 7.235, 7.237, 7.238 and 7.2310), the District shall:
- install an earth berm on the west side of the site between school grounds and adjacent properties;
 - to the extent reasonably possible, locate and aim outdoor loud speakers away from property lines;
 - use multiple loudspeakers in close proximity to bleachers to permit lower volume levels;
 - provide a fifty-foot vegetative buffer around the perimeter of the site (including the west-side earth berm);
 - to the extent reasonably possible, hold on-site band practices away from property lines;
 - use such efforts as may be reasonably available to promote compliance with motor vehicle noise performance standards;
 - to the extent permitted by agencies with jurisdiction, use 21st Drive as a site construction access route; and
 - to reduce construction noise, request that the construction contractor take reasonable steps to reduce noise during working hours; such

steps may include any one or more of the following:

- a. use mufflers and other sound suppressing devices;
 - b. shut off idling equipment; and
 - c. use portable sound barriers around noisy operations.
- (5) With respect to land use and in consideration of the District's SEPA policies (Sections 7.231, 7.232, 7.234, 7.235, 7.237 and 7.238), the District shall:
- implement the site plan as proposed;
 - retain or replant native vegetation where it can be reasonably accomplished;
 - provide a fifty-foot vegetative buffer around the perimeter of the site; and
 - locate buildings as proposed so as to minimize affect on surrounding development while keeping site development away from the wetland areas.
- (6) With respect to aesthetics (light and glare) and in consideration of District SEPA policies (Sections 7.234, 7.235, 7.237 and 7.238), the District shall:
- direct parking, security, and tennis court lighting away from adjacent properties.
 - use shielding to prevent light spillage as appropriate.
- (7) With respect to on-site transportation and in consideration of the District's SEPA policies (Sections 7.234, 7.235, and 7.238), the District shall:
- construct the private access drive within the school campus to a pavement width of 24-28 feet to accommodate two-way operations by school buses;
 - construct the private access drives with an urban street section to provide physical

separation (i.e., curbs) between vehicular traffic and pedestrians on adjacent sidewalks;

- provide separate bus loading and parent drop-off/parking areas;
- provide on-site paved parking for a minimum of 480 automobiles and 15 school buses;
- provide concrete sidewalks along the perimeter access drive;
- provide a paved foot path between the east end, the school building, and the athletic fields; and
- provide appropriate traffic control barriers on either end of the private access drive to restrict vehicular travel during nonschool hours.

(8) With respect to off-site transportation (not otherwise addressed by applicable Snohomish County ordinances) and in consideration of the District's SEPA policies (Sections 7.234, 7.235, and 7.238), the District shall, to the extent permitted by agencies with jurisdiction:

- provide a pedestrian crosswalk at the intersection of Dumas Lane and 14th Drive;
- provide "No Parking" signs (for the hours of school operation) on Dumas Lane and on 136th Place west of 25th Avenue;
- provide operational improvements at the 132nd/25th Avenue intersection (i.e., restriping the south leg of 25th Avenue for two northbound approach lanes and one south bound lane);
- construct a concrete sidewalk on the north side of 136th Place between 24th and 25th Avenues;
- provide pedestrian crosswalk pavement markings across the south and west legs of the 25th Avenue/136th Place intersection along with a sidewalk landing area at the southwest corner to connect the south sidewalk east of 25th Avenue to the new sidewalk system;

- widen 136th Place between 23rd and 24th Avenues by 8 feet and install new curb-and-gutter sections on the south side to match the existing 36-foot urban street section;
- install a pedestrian crosswalk either at the west leg of the 136th/23rd Avenue intersection or at the entrance to school property; and
- coordinate with the Washington State Department of Transportation concerning mitigation of impacts on State Route 527 (e.g., the installation of a temporary traffic signal at the Dumas Lane/State Route 527 intersection).

3. Authorization

Based upon the foregoing findings of fact and conclusions, the Board shall, and hereby does, authorize and direct the District Superintendent (or his or her designee), on behalf of the District, to:

- (i) proceed with the Proposed Action (this authorization includes, but is not limited to, authorization to acquire the Property by purchase or, if the Property cannot be so acquired, to acquire the Property through the exercise of the District's authority to condemn and appropriate real property); and
- (ii) implement the mitigation measures identified above.

All of the foregoing to be done subject to and in accordance with applicable law.

ADOPTED this 16 day of March, 1992.

By:

President

By:

Director

By:

Director

By: Shirley Underman
Director

By: Paul B. Ballin
Director

Attest:

Paul Spinnaker
Superintendent and
Secretary for the Board

EXHIBIT A

Description of the Property

Parcel C:

Lots 1 & 2 of Block 1 of Heatherwood Garden Tracts No. 3 as recorded in Volume 10 of Plats, page 23, Records of Snohomish County, Washington.

Parcel D:

Commencing at the corner common to Sections 29, 30, 31, and 32, in Township 28N, Range 5E, Willamette Meridian, thence southerly and following the west line of said Section 32 for 680 ft; thence angle left (39 degrees, 30 ft., 10 inches) for 16 ft. to the true place of beginning; thence continuing on the same straight line 240 ft.; thence angle right (89 degrees, 30 ft., 10 inches) for 846.28 ft.; thence angle right (74 degrees, 49 ft., 30 inches) for 248.17 ft.; thence angle right (105 degrees, 10 ft., 30 inches) for 915.73 ft. to the true place of the beginning, containing 5.16 acres, excepting therefrom a strip of land 20-ft. in width along the entire southerly side of said parcel and a strip of land 15-ft. in width along the entire westerly side of said parcel. Said parcel is situate in Snohomish County, Washington.

EXHIBIT B

As of the date of this Resolution, Snohomish County has not issued a final staff report recommending conditions to be imposed in connection with issuance of a Conditional Use Permit. However, District staff has discussed the Proposed Action extensively with Snohomish County staff, and District staff expects Snohomish County staff to recommend conditions which include, but are not necessarily limited to, the following:

1. Submittal of a detailed drainage plan (including a temporary erosion and sedimentation control plan) prepared in accordance with applicable Snohomish County ordinances. The detailed drainage plan will address requirements of the Washington State Department of Fisheries for Hydraulic Project Approval.
2. Submittal of a detailed grading plan (supporting issuance of a grading permit) prepared in accordance with applicable Snohomish County ordinances.
3. Submittal of a detailed landscaping plan prepared in accordance with applicable Snohomish County ordinances.
4. Payment (under protest) of \$290,880 for impacts on road system capacity in TSA "D" (said amount to be reduced by crediting the total cost of certain improvements and \$36,000 which is the amount to be paid by the District as TDM mitigation).
5. Construction, to public road standards, of the portion of 136th Street SE that will be used to provide access to the site from the east.
6. Dedication of 20 feet of additional right-of-way (10 feet each side) adjacent to the portion of 136th Street SE that will be improved to provide access to the school.
7. The site design shall not preclude a possible future alignment of a 60 foot wide right-of-way extending 136th Street SE.
8. Fire Marshal approval for the barricades proposed on site driveways.
9. All Native Growth Protection Areas ("NGPAs") should be clearly and permanently marked prior to initiation of any site work. Signs should be placed no greater than 100 feet apart around the perimeter of the NGPAs. Highly visible markers, such as bright orange barrier fencing should be used

to identify clearing and grading limits during site grading. No clearing of any vegetation or grading is to be allowed within NGPAs unless otherwise allowed in the approved mitigation plan.

10. The areas to be left as NGPAs shall be clearly delineated on the site plan and a note shall be placed on the face of the site plan which reads as follows:

"All Native Growth Protection Areas shall be left in a substantially natural state. No clearing, grading, filling, building construction or placement, or road construction of any kind shall occur within these areas; provided that underground utility lines and drainage discharge swales may cross such areas utilizing the shortest alignment possible if and only if no feasible alignment is available which would avoid such a crossing. Removal of vegetation shall be limited to that which is hazardous. No adjustment to the boundary of any such area shall occur without further Environmental Review by Snohomish County."