



PLANNING DEPARTMENT TYPE III DIRECTOR'S DECISION

FILE NUMBER: 2020-CAMJ-0001

APPLICANT: City of Lake Forest Park
Donnelle Dayao, Project Manager
17425 Ballinger Way NE
Lake Forest Park, WA 98155

TYPE OF APPLICATION: Type III major critical area permit to install wetland buffer mitigation associated with the construction of a picnic shelter at Animal Acres park.

DIRECTOR DECISION: ISSUE subject to conditions

DATE OF DECISION: March 12, 2020

FINDINGS OF FACT

1. Public Works desires to construct an 18' x 24' picnic shelter in Animal Acres Park. Virtually the entire park is encumbered by existing critical areas, together with their required buffers and building setbacks, and required zoning setbacks. A total area of 5,035 square feet will be either permanently or temporarily altered for this project.
2. Animal Acres Park is a 3.85 acre tract of land located in the southwest quadrant of the Brookside Boulevard NE/NE 178th Street intersection. The park has three distinctly different physical environments: A creek corridor, a forested slope, and an upland meadow/mown lawn. The western portion of the park is a wooded ravine through which McAleer Creek (a Type F stream) flows. Substantial riparian wetlands (one Category II and one Category III) are located along the creek.
3. In 1998 the City Council adopted a Master Plan for development of Animal Acres Park. The Master Plan envisioned retention of the mown lawn and forested areas, creation of a loop trail around the lawn, retention of the scattered mature trees in the lawn area, parking along Brookside Boulevard NE, a split rail fence along the park's street frontages, and a "small shelter" amidst the trees in the lawn, generally south of the primary park entrance along Brookside Boulevard NE. The Master plan further described the small shelter as a 400 square foot ("SF") structure.'
4. Public Works applied for and was granted a Public Agency/Utility Exception in order to build the picnic shelter contemplated in the Master Plan. The proposed location has been shifted slightly northward from the location shown on the Master Plan to maximize avoidance of the root zones of the meadow trees, minimize the amount of additional path needed to access the shelter from the parking area, and minimize the length of trenching required for electrical and water service. The proposal for this critical area permit

includes wetland buffer mitigation at a 1:1 ratio, as described in the permittee's critical area report, and illustrated in the approved mitigation plan which supplements this decision (see attachments).

5. The picnic shelter will consist of an open, gable-roofed structure resting on four seven (7) foot tall pillars. The overall height of the shelter will be about 12 feet. The four pillars will be located at the corners of a 16' x 12' rectangle. A concrete slab slightly smaller than 24' x 18' will serve as the floor of the shelter. The roof will extend about four feet longer in each direction and about three feet wider in each direction than the centerline of the support pillars, thus resulting in a roof that will be 24' x 18' (432 SF). A gravel perimeter about 1.5 feet wide will surround the slab for drainage control. A short ADA-compliant path will lead from the primary park entrance to the shelter

6. The LFPMC requires preservation of a 165-foot wide buffer plus a 15-foot building setback line ("BSBL") from both Category II and III wetlands and preservation of a 115-foot buffer plus a 15-foot BSBL from a Type F stream. The stream buffer together with its BSBL encumber all of the wooded ravine and all but the northeast quarter of the lawn. The wetland buffers plus their BSBLs encumber all but about 430 SF of the park. The only way a wetland buffer can be reduced under the LFPMC is by buffer averaging; there is nowhere on the property to average the buffer. The result is an unencumbered area of only 430 SF, located along the eastern edge of the property, close to the exceptional maple tree. When the required 20-foot zoning setback from Brookside Boulevard NE is also factored in, the unencumbered area of the site is about 29 SF.

7. The City's State Environmental Policy Act ("SEPA") Responsible Official issued a Determination of Non-significance ("DNS") and it was not appealed.

8. Any Conclusion of Law deemed to be a Finding of Fact is hereby adopted as such.

CONCLUSION

The Applicant's submittals, including written material and plans referenced in the above findings, demonstrate that the proposal complies with the criteria for critical area alterations, and the provisions in LFPMC 16.16.330. The picnic shelter installation can be approved if the recommendations in the critical area report referenced in the Hearing Examiner's decision for 2019-PAUE-0001 are followed.

DECISION

The Critical Area Work Permits 2020-CAMJ-0001 allowing alteration of wetland buffers in conjunction with the installation of the Animal Acres Park Picnic Shelter is approved with conditions. Any Conclusion of Law deemed to be a Finding of Fact is hereby adopted as such.

Decision issued March 12, 2020.

ATTACHMENTS

1. Mitigation plan contained in the approved critical area report date stamped February 7, 2020 with approved land use stamp, and those plans date stamped March 12, 2020 by the City of Lake Forest Park labeled 2020-CAMJ-0001.

Steve Bennett, Planning Director

APPEALS

This decision may be appealed by the applicant or any party of record under the provisions of LFPMC Section 16.26.190. Appeals must be submitted in writing

CONDITIONS OF APPROVAL ANIMAL ACRES PICNIC SHELTER/CRITICAL AREA MITIGATION 2020-CAMJ-0001

This Major Critical Area Permit is subject to compliance with all applicable provisions, requirements, and standards of the Lake Forest Park Municipal Code, standards adopted pursuant thereto, and the following special conditions:

- After the mitigation has been installed, inspected and accepted by the City, the applicant shall provide an as-built drawing and report designed and authored by a qualified professional to illustrate the final conditions of the mitigation work as it enters the monitoring period. Monitoring, inspection, and reporting shall be based on the provisions within the critical area report.
- Prior to final inspection, the permittee shall provide a copy of the written contract with the qualified professional performing the monitoring program for the mitigation work. The monitoring and any contingency shall be in strict conformance with the approved critical area report.
- The approved plan sets for these permits are identified as those plans date stamped March 12, 2020 by the City of Lake Forest Park labeled 2020-CAMJ-0001.
- All design/implementation, recommendations and statements included in the critical areas report shall be strictly adhered to throughout the project and monitoring period.