



City of Kenmore, Washington

May 16, 2025

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RE: Bastyr University; File nos. COMP24-0084, MUP25-0032 & SEPA25-0033

Receipt of Master Plan Update Submittals, Comments and Next Steps

This letter confirms that the City of Kenmore Development Services Department (City) received Bastyr University's Master Plan Update (Master Plan Update) application and State Environmental Policy Act (SEPA) Environmental Checklist submitted online via MyBuildingPermit.com on April 18, 2025.

The City considers the Master Plan Update a component of Bastyr's requested Comprehensive Plan Amendment (COMP24-0084), submitted on November 27, 2024, and approved for placement on the annual docket (Annual Docket) on January 27, 2025. Moving forward, the City's review of the Annual Docket request includes the following components: 1) COMP24-0084, 2) MUP25-0032, and 3) SEPA25-0033. These applications are collectively referenced as the Proposal.

Process

The Proposal includes amendments to the approved 2009 Master Plan Update which are needed to implement the requested comprehensive plan amendment (COMP24-0084).¹ Pursuant to Kenmore Municipal Code (KMC) Sections 18.120.040.A.1 and 19.25.020-Exhibit A, the Proposal is being processed as a Type 5 land use decision. This process includes:

- Integrated SEPA review
- A public hearing and recommendation by the Planning Commission
- A final decision by the City Council based on the record
- Appeals, if any, must be made to the Growth Management Hearings Board, per Chapter 36.70A RCW

SEPA Environmental Review

a. Potential DS/SEIS

As Lead Agency, the City has initiated the environmental review process in compliance with WAC 197-11-055(3)(a). Based on the submitted materials, the City anticipates issuing a

¹ KMC 18.120.045.B must also be amended to implement Proposal.

Determination of Significance (DS) and preparing a Supplemental Environmental Impact Statement (SEIS) on the Proposal pursuant to WAC 197-11-600(4)(d).

Based on the preliminary information provided, the SEIS process appears warranted as the Proposal includes substantial changes so that it is likely to have significant adverse environmental impacts not addressed in the original 2004 Environmental Impact Statement (2004 EIS). A few examples of substantial changes relate to housing and land use, as follows:

- The 2004 Draft EIS (DEIS) identifies a proposal under Alternative 3 which includes a maximum of 326 Low, Medium and High Density housing units to provide approximately 800 beds (DEIS 1-3).
- The DEIS identifies that the 326 housing units would be for students and faculty, and that the dwellings units would not be available to the general public (DEIS 3-69).
- The current Proposal seeks to increase housing on Bastyr University's property from the 326 dwelling units considered in the 2004 EIS, to 1,000 market rate multi-family dwelling units, which constitutes an additional 674 multi-family dwelling units (more than three times the housing units considered under the 2004 EIS). The additional 674 multi-family dwelling units would not be restricted to students and faculty but would be open to the public. It is unclear if the original 326 housing units approved in 2009 would also be open to the public or limited to students and faculty.
- The Proposal includes construction of an eighty-foot tall building which was not considered or analyzed under the 2004 EIS.
- The Proposal's addition of non-academic commercial uses was not considered or analyzed under the 2004 EIS.
- The Proposal's substantial changes noted above were not considered or analyzed under the 2004 EIS as they relate to the Earth, Erosion, Water, Plants and Animals, Energy and Natural Resources, Land Use, Transportation, Public Services and Utilities, etc.

b. Integrated SEPA process:

The City will integrate the SEPA review process for the Proposal (COMP24-0084, MUP25-0032, and SEPA25-0033), consistent with the following SEPA Rules:

- WAC 197-11-055(1) requires the SEPA process to be integrated with the City's activities at the earliest possible time to ensure that planning and decisions reflect environmental values, to avoid delays and seek to resolve potential problems.
- WAC 197-11-055(2) states that the City must prepare the threshold determination and environmental impact statement (EIS), if required, at the earliest possible point in the planning and decision-making process, when the principal features of a proposal and its environmental impacts can be reasonably identified.
- WAC 197-11-055(2)(a) states that a proposal exists when the City is presented with an application or has a goal and is actively preparing to make a decision on one of more alternative means of accomplishing the goal and the environmental effects can be meaningfully evaluated.
- WAC 197-11-406 states that the City must begin preparation of an EIS as close as possible to the time the City is presented with a proposal so it can be completed in time for the final statement to be included in appropriate recommendations or reports on the proposal. The statement must be prepared early enough so it can serve practically as an important contribution in the decision making process and will not be used to rationalize or justify decisions already made.

Required Additional Information

As the City begins its environmental review, additional information is required to further review the Proposal. The items listed below must be submitted online at www.mybuildingpermit.com. All items must be provided; partial submittals will not be accepted.

- **Critical Areas Report and Habitat Management Plan:** The report submitted at intake (Wet.land, LLC, 4/5/2025) addresses existing conditions only and does not analyze the impacts of the proposed changes. A complete report evaluating the project's potential effects on environmentally critical areas is required.
- **Arborist Report:** The preliminary memo (Tree Solutions, Inc., 4/7/2025) is general in nature and does not quantify or qualify potential impacts to trees. A detailed arborist report identifying tree conditions, removals, and retention is required.
- **Technical Information Report (TIR)/Drainage Report:** The intake memo (Wet.land, LLC, 4/2/2025) does not sufficiently address stormwater impacts. A full TIR is required.
- **Transportation Impact Analysis (TIA):** The memo submitted (TranspoGroup, 4/17/2025) includes general background but lacks specific information on traffic impacts and mitigation measures. A complete TIA is required.
- **Geotechnical Report:** Provide a geotechnical study addressing site soils, drainage, geological hazards, and related issues. This may be incorporated into the TIR.
- **Detailed Site Plan:** Submit a comprehensive site plan including:
 - Total number of buildings and types of units (e.g., single-family, townhomes, apartments with unit mix)
 - Parking stall counts
 - Square footage and use of all buildings and areas (existing and proposed)
 - Existing and proposed impervious surface (as percentages)
 - Proposed tree removal (number and type removed and retained)
 - Location of critical areas and buffers (in feet)
 - Setbacks, recreation and open space calculations
 - Roadway widths and dimensions
 - Stormwater management systems/drainage structures
 - Other relevant information to determine environmental impact
- **Lighting Evaluation:** Submit a plan evaluating potential lighting impacts, particularly on critical areas and associated habitats.
- **Certificates of Water and Sewer Availability:** These certificates were not included in the original application. Please obtain and submit updated certificates from Northshore Utility District.
- **Conceptual Civil Plans:** Provide preliminary engineering drawings including:
 - Proposed water, sewer, and stormwater systems
 - Detention vaults/ponds/structures
 - Tree management and protection plans
 - Landscape plans
 - Preliminary road designs
 - Other relevant information to determine conceptual code compliance
- **School Safe Walk Analysis and Impact Assessment:** In collaboration with the school district, submit a memo that includes:
 - Estimated number of school-aged children generated by the project
 - Schools they would attend
 - Safe walking routes to schools and bus stops
- **Updated SEPA Environmental Checklist:** The checklist submitted is incomplete and lacks the level of detail required for a meaningful review. We recommend you use [SEPA](#)

[guidance from the Washington Department of Ecology](#) to help complete your responses.

At a minimum, please address the following:

- **Section A.6:** Include additional, concrete information to better estimate project timing.
- **Section A.8:** Update to reflect all new technical reports and studies submitted.
- **Section A.11:** Expand to match the project narrative or attach the narrative as an exhibit.
- **Section A.12:** Include all site addresses and parcel numbers.
- **Section B.1.a:** Expand the site description. Include total acreage, existing and proposed buildings (with square footage and use), impervious surface totals, number and size of dormitories and dwelling units, and critical areas.
- **Sections B.1.c–d:** Cite relevant source documents (e.g., geotechnical report).
- **Section B.3.b.1:** Provide a response specifically addressing groundwater impacts.
- **Section B.3.b.2:** State whether there are existing septic systems on the property.
- **Sections B.3.c–d:** Update based on findings in the TIR.
- **Section 4:** Update based on the critical areas report (e.g., wetland vegetation).
- **Section 5:** Update following completion of the habitat management plan.
- **Section 7.A.4:** Discuss emergency services impacts from approximately 1,000 new dwelling units.
- **Section 7.B.1:** Align with noise standards in KMC 8.05.
- **Section 8.A:** Provide a response specific to existing and anticipated land use compatibility and impacts.
- **Section 8.C:** Include all buildings by name, size, and intended use.
- **Section 8.I:** Estimate the number of residents and workers in the completed development.
- **Section 8.L:** Describe measures to ensure compatibility with surrounding land uses and plans.
- **Section 11.A:** Address whether the two baseball fields will include lighting.
- **Section 13:** Conduct and summarize research into cultural, archaeological, or tribal resources (e.g., WISSARD, tribal consultation).
- **Section 14:** Expand upon completion of the updated TIA.
- **Section 15:** Research and complete per Department of Ecology guidance.
- **Section 16.A:** Identify all utilities accessible at the site, and note which services will require new connections or infrastructure.
- **Section 16.B:** List all utility services needed for all phases, the providers, and describe any construction required for access.

Please note that under KMC 19.25.083, the City may cancel its review for inactivity for failure to respond to a written request for additional materials within 90 days. Please submit all of the above items **no later than August 14, 2025** to avoid cancellation of the application.

Timeline and Expectations

As noted above, the environmental review process for the Proposal (COMP24-0084 & MUP25-0032) will be integrated and conducted concurrently. If the anticipated DS is issued, then the SEIS must be prepared in the same way as a draft and final EIS (WAC 197-11-620)(1)). A discussion of significant procedural steps relating to a SEIS is provided below with the understanding that a final SEIS must be issued prior to the Planning Commission's recommendation to the City Council on the Proposal. WAC 197-11-406.

The City Council will need time to consider the Planning Commission recommendation and if necessary hold an additional Public Hearing prior to issuing a final decision. With this in mind, we have provided an overview of the significant work that must occur and corresponding timelines relating to the Proposal:

Bastyr University

- **August 15, 2025 (or earlier):** Bastyr University submits additional materials to Responsible Official as outlined in this letter.

Planning Commission:

- **June – December 2025 (possibly 2026 Annual Docket):** The Planning Commission:
 - Considers the Proposal and additional materials to be submitted by Bastyr University (see above)
 - Holds a public hearing on Proposal. The hearing must be open to consideration of the environmental impact of the Proposal, together with any environmental documents that are available. WAC 197-11-535
 - Discusses and makes a recommendation to City Council. Final SEIS must be completed prior to recommendation. City cannot act on Proposal prior to seven (7) days after issuance of final SEIS. WAC 197-11-460 (see below)

Responsible Official

- **August – December (possibly 2026 Annual Docket):** The Responsible Official:
 - Evaluates Bastyr's additional materials submitted to City (see above)
 - Issues anticipated DS and requires preparation of SEIS if there are substantial changes so that the Proposal is likely to have significant adverse environmental impacts
 - Circulates copies of DS, and invites comments from agencies, affected tribes, and public (21-day comment period WAC 197-11-408(2)(a)(i))
 - Initiates and integrates scoping process into existing planning and decision-making process to avoid duplication and delay WAC 197-11-408(4)
 - Completes scoping process and prepares draft SEIS. Preparation of draft SEIS may begin during scoping WAC 197-11-408(7)
 - Issues draft SEIS
 - Provides 30-day comment period for any person or agency upon issuance of draft SEIS. Comment period may be extended by 15 days WAC 197-11-455
 - Considers and responds to draft SEIS comments as part of final SEIS
 - Issues final SEIS within sixty (60) days of the end of the comment period for the draft SEIS (unless unusually complex or extensive modifications required to respond to comments) WAC 197-11-460(6). ² As noted above, City may not act on Proposal prior to seven (7) days after issuance of draft SEIS

City Council:

- **November – December 2025 (possibly 2026 Annual Docket)** The City Council:
 - Holds joint meeting with Planning Commission for presentation of Planning Commission recommendation

²RCW 43.21C.0311(1)(a) requires the City to aspire to prepare a final EIS within twenty-four months of a threshold determination of a probable significant, adverse environmental impact.

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- Holds public meetings to discuss and provide direction on any substantive changes to the Planning Commission recommendation
- Holds Public Hearing(s) if needed
- Makes final decision

While the City will diligently process the Proposal, please be aware that due to the significant amount of work (as described above), there is a likelihood that review of the Proposal may need to be continued to the 2026 Annual Docket.

Sincerely,



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